

JOURNAL
of the
SENATE OF THE
THIRTEENTH LEGISLATURE
of the
STATE OF HAWAII

Regular Session of 1985

Convened Wednesday, January 16, 1985
Adjourned Monday, April 22, 1985

OFFICERS OF THE SENATE

President

HONORABLE RICHARD S.H. WONG Honolulu, Hawaii

Vice-President

HONORABLE JOSEPH T. KURODA Honolulu, Hawaii

Clerk

TIMOTHY DAVID WOO, JR. Honolulu, Hawaii

Assistant Clerk

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Sergeant-at-Arms

BIENVENIDO C. VILLAFLORES Honolulu, Hawaii

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of the
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of the
STATE OF HAWAII

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First	Henderson, Richard (R)	The Senate State Capitol Honolulu, Hawaii 96813
Second	Matsuura, Richard, M. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Third	Solomon, Malama (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourth	Yamasaki, Mamoru (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fifth	Machida, Gerald, K. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixth	Cayetano, Benjamin J. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventh	Hagino, Gerald T. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighth	Toguchi, Charles T. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Ninth	Hee, Clayton, H.W. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Tenth	George, Mary (R)	The Senate State Capitol Honolulu, Hawaii 96813
Eleventh	Soares, W. Buddy (R)	The Senate State Capitol Honolulu, Hawaii 96813
Twelfth	Cobb, Steve (D)	The Senate State Capitol Honolulu, Hawaii 96813
Thirteenth	Kobayashi, Bertrand (D)	The Senate State Capitol Honolulu, Hawaii 96813
Fourteenth	Kobayashi, Ann (R)	The Senate State Capitol Honolulu, Hawaii 96813

DISTRICT	NAME	ADDRESS
Fifteenth	McMurdo, Mary-Jane (D)	The Senate State Capitol Honolulu, Hawaii 96813
Sixteenth	Abercrombie, Neil (D)	The Senate State Capitol Honolulu, Hawaii 96813
Seventeenth	Chang, Anthony K.U. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Eighteenth	Holt, Milton, A.I. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Nineteenth	Kawasaki, Duke T. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twentieth	Wong, Richard S.H. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-First	Mizuguchi, Norman (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Second	Kuroda, Joseph T. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Third	Young, Patsy K. (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fourth	Aki, James (D)	The Senate State Capitol Honolulu, Hawaii 96813
Twenty-Fifth	Fernandes Salling, Lehua (D)	The Senate State Capitol Honolulu, Hawaii 96813

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Senator Richard M. Matsuura
Senator Norman Mizuguchi
Senator Charles T. Toguchi
Senator Richard Henderson
Senator W. Buddy Soares

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Senator Anthony K.U. Chang
Senator Duke T. Kawasaki
Senator Joseph T. Kuroda
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Senator Mary-Jane McMurdo
Senator Patsy K. Young
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Senator Duke T. Kawasaki
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Senator Charles T. Toguchi
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Senator Mary-Jane McMurdo, Vice Chairman
Senator James Aki
Senator Anthony K.U. Chang
Senator Lehua Fernandes Salling
Senator Bertrand Kobayashi
Senator Norman Mizuguchi
Senator Mary George
Senator W. Buddy Soares

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Senator Steve Cobb
Senator Gerald T. Hagino
Senator Bertrand Kobayashi
Senator Gerald K. Machida
Senator Mary George
Senator W. Buddy Soares

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Senator Norman Mizuguchi, Vice Chairman
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Senator Gerald T. Hagino
Senator Clayton H.W. Hee
Senator Milton Holt
Senator Bertrand Kobayashi
Senator Gerald K. Machida
Senator Richard M. Matsuura
Senator Mary-Jane McMurdo
Senator Malama Solomon
Senator Richard Henderson
Senator W. Buddy Soares

**MEMBERS OF THE SENATE
THIRTEENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1985**



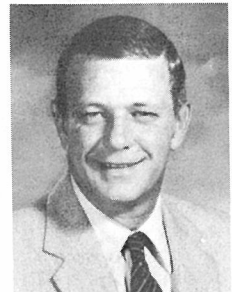
RICHARD S.H. WONG
20th Senatorial District
President



DUKE T. KAWASAKI
19th Senatorial District
Vice President
Chairman: Government
Operations



JOSEPH T. KURODA
22nd Senatorial District
Majority Leader
Chairman: Tourism
and Recreation



STEVE COBB
12th Senatorial District
Majority Floor Leader
Chairman: Consumer
Protection and Commerce



GERALD T. HAGINO
7th Senatorial District
Assistant Majority Leader



NORMAN MIZUGUCHI
21st Senatorial District
Assistant Majority
Floor Leader



PATSY K. YOUNG
23rd Senatorial District
Majority Policy Leader
Chairman: Housing and
Community Development;
Legislative Management



RICHARD HENDERSON
1st Senatorial District
Minority Leader



W. BUDDY SOARES
11th Senatorial District
Minority Leader



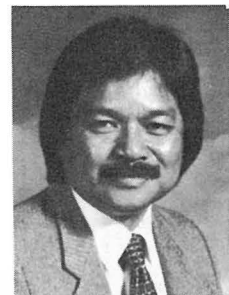
MARY GEORGE
10th Senatorial District
Minority Policy Leader



NEIL ABERCROMBIE
16th Senatorial District
Chairman: Human Services



JAMES AKI
24th Senatorial District
Chairman: Economic
Development



BENJAMIN J. CAYETANO
6th Senatorial District
Chairman: Transportation



ANTHONY K.U. CHANG
17th Senatorial District
Chairman: Judiciary



LEHUA FERNANDES SALLING
25th Senatorial District



CLAYTON H.W. HEE
9th Senatorial District



MILTON HOLT
18th Senatorial District
Chairman: Higher Education



ANN KOBAYASHI
14th Senatorial District



BERTRAND KOBAYASHI
13th Senatorial District
Chairman: Health



GERALD K. MACHIDA
5th Senatorial District
Chairman: Labor and
Employment



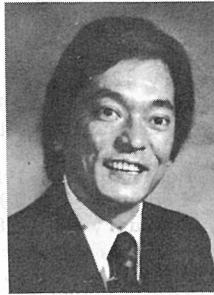
RICHARD M. MATSUURA
2nd Senatorial District
Chairman: Energy



MARY-JANE MCMURDO
15th Senatorial District



MALAMA SOLOMON
3rd Senatorial District
Chairman: Agriculture



CHARLES T. TOGUCHI
8th Senatorial District
Chairman: Education



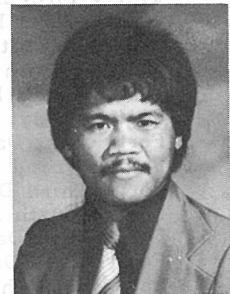
MAMORU YAMASAKI
4th Senatorial District
Chairman: Ways and Means



TIMOTHY DAVID WOO, JR.
Clerk



RICHARD K. PERKINS
Assistant Clerk



BIENVENIDO C. VILLAFLO
Sergeant-at-Arms

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THIRTEENTH LEGISLATURE

STATE OF HAWAII

REGULAR SESSION OF 1985

JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 16, 1985

In accordance with the provisions of Section 10 of Article III of the Constitution of the State of Hawaii, the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, was called to order at 10:00 o'clock a.m., Wednesday, January 16, 1985, by the Honorable Richard S.H. Wong, Temporary Chairman of the Senate.

The members of the Senate, their guests, and the audience then rose to sing the National Anthem and Hawaii Ponoï, led by Mr. Jay Larrin and Ms. Loyal Garner.

The President then appointed Senators Matsuura, Hee and McMurdo to escort the Reverend William Kaina of Kawaiahaō Church to the dais for the invocation.

The Senators escorted Reverend Kaina to the dais and were discharged with thanks.

The Divine Blessing was then invoked by the Reverend William Kaina.

Nominations now being in order for a temporary clerk, Senator Yamasaki nominated T. David Woo, Jr., seconded by Senator Fernandes Salling.

Senator Hagino then moved that the nominations be closed, seconded by Senator Holt and carried, and T. David Woo, Jr., was appointed as Temporary Clerk of the Senate, Regular Session of 1985.

Senator Solomon then moved that a Committee of three be appointed by the Chair as a Committee on Credentials to examine the certificates of election of the newly elected members of the Senate and to submit a report of its findings to the Senate, seconded by Senator Aki.

The motion was put by the Chair and carried, and Senators Young, Chang and George were thereupon appointed by the Chair to serve on the Committee on Credentials.

At 10:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:16 o'clock a.m.

SPECIAL COMMITTEE REPORT

Senator Young, for the Committee on Credentials, presented a report (Spec. Com. Rep. No. 1) which was read by the Temporary Clerk as follows:

"The Honorable Richard S.H. Wong
Temporary Chairman of the Senate
The Thirteenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chairman Wong:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, and finds that the following persons have been legally elected and are fully qualified to sit as members of the Senate.

The newly elected Senators whose respective terms of office will expire on November 8, 1988 are:

First Senatorial District

Richard Henderson

Second Senatorial District

Richard M. Matsuura

Fourth Senatorial District

Mamoru Yamasaki

Ninth Senatorial District

Clayton H.W. Hee

Tenth Senatorial District

Mary George

Eleventh Senatorial District

W. Buddy Soares

Twelfth Senatorial District

Steve Cobb

Fourteenth Senatorial District

Ann H. Kobayashi

Fifteenth Senatorial District

Mary-Jane McMurdo

Eighteenth Senatorial District

Milton A.I. Holt

Twentieth Senatorial District

Richard S.H. Wong

Twenty-First Senatorial District

Norman Mizuguchi

Twenty-Third Senatorial District

Patsy K. Young

Respectfully submitted,

Patsy K. Young
Mary George
Anthony K.U. Chang"

Senator Young moved that Special Committee Report No. 1 be adopted, seconded by Senator George and carried.

The Committee was thereupon discharged with thanks.

The Temporary Chairman then appointed Senators Cayetano, Holt and Toguchi to escort Justice Herman Lum, Chief Justice, Hawaii State Supreme Court, to the dais to administer the oath of office to the newly elected members of the Senate.

The Senators escorted Chief Justice Lum to the dais and were thereupon discharged with thanks.

Chief Justice Lum then administered the oath of office to the newly elected members of the Senate, standing at their respective desks.

The Roll was then called showing all Senators present.

Nominations of officers of the Senate being next in order, Senator Kuroda placed in nomination the name of Senator Richard S.H. Wong as President of the Senate, seconded by Senator Henderson.

Senator Mizuguchi moved that the nominations be closed, seconded by Senator A. Kobayashi.

The ballot having been so cast, Senator Wong was declared unanimously elected as President of the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985.

The President, at this time, made the following introductions to the members of the Senate and guests:

"As is the custom before I make my Opening Day remarks, I take this opportunity to say that we are truly blessed we have our loved ones with us to enjoy this moment. For me, in particular, this has been a good year. I have my family with me today — my son is home from military service, my mom is still with us — I am grateful for that.

"I would like to introduce, first of all, my uncle, who has been like a father to me for all of my life, Mr. Chu Ung Wong; and of course the real woman in my life and always has been, my mother, Mrs. Jane Wong, who will be 85 years old this year."

The President then addressed the members of the Senate and guests as follows:

"Governor Ariyoshi, Chief Justice Lum, distinguished guests, fellow Senators, ladies and gentlemen — good morning and Aloha to you all.

"My fellow Senators, thank you for the faith and trust which you have placed in me by electing me as your President. You have my pledge that I will serve you fairly and to the best of my ability.

"I am pleased to report that we in the Senate Democratic Majority have reached substantial agreement on the organization of this honorable body. Once again we are united — all 21 of us. To be sure, not all the details have been worked out as yet but I'm confident that — in the spirit of goodwill and cooperation — these will be settled very shortly. I would like to thank all the members of the Senate for their patience while this matter was being resolved.

"Today, we begin another legislative session. This is a day of joy, of fellowship, of festivities in the company of our families and our friends. I hope all of you present in this chamber are enjoying yourselves.

"This is a day of special joy to our new Senate colleagues — from the 2nd District, Senator Richard Matsuura; from the 9th District, Senator Clayton Hee, and from the 15th District, Senator Mary-Jane McMurdo. On behalf of us Senate old-timers, I would like to formally welcome you to the Senate. I look forward to working with you over the days and weeks ahead.

"As President of the Senate, I am afforded this opportunity to outline some of the major issues which will be before the Legislature this year.

"So, let's begin.

"This is a budget session so the overriding issue before us will be that of the State Budget. There are many demands and needs which we will try to meet with limited fiscal resources. While the state's fiscal situation appears good at present, the future outlook is uncertain. Given this uncertainty, difficult decisions and choices will have to be made. This will not be easy but it's our job and we must do it.

"This year, a number of major studies which have been in preparation have been or will be completed and placed before us for action. They include:

- The proposed State Water Code from the Advisory Study Commission on Water Resources which proposes statewide controls on the use and development of ground water;
- The report from the Land Evaluation and Site Assessment Commission on how to best protect Hawaii's agricultural lands;
- The report from the Tax Review Commission, the first major review of Hawaii's tax laws in two decades;
- The proposed Penal Code revisions from the Committee on Penal Code Revision and Reform of the Judicial Council of the Hawaii Supreme Court;
- The 'Study of the Workers' Compensation Program of the State of Hawaii' conducted by Haldi Associates for the Legislative Auditor;
- The Report from the Citizens' Advisory Committee on Human Services on how to best delineate state and county responsibilities in the area of human services;
- The Senate Interim Committee's report on the problems associated with lease rent, renegotiations and how to address them.

"We have a full agenda. Our work is cut out for us.

"Last year we celebrated our state's Silver Jubilee. This year, we will be celebrating the 100th anniversary of the arrival of the first contract laborers from Japan, the Kanyaku Imin, whose descendants constitute one of our major ethnic groups. Also, 1985 marks the 25th anniversary of the establishment of the East-West Center.

"In commemorating these milestones in the life of our state, we should bear in mind that milestones are meant to mark not only where we came from and how far we've progressed, but also to point out how much farther we need to go.

"Hawaii's history has been linked to the lands of the Asia-Pacific Basin; our economic, social, and cultural ties are still strong with these lands; our future destiny is intertwined with them.

"Let us rededicate our efforts to strengthening Hawaii's role in the Asia-Pacific community.

"Education will continue to be an area of major concern this year. It appears that the Department of Education is moving into a phase of stability and focus. I hope that we in the Legislature will be able to help in the strengthening and improvement of our educational system.

"At the University of Hawaii, the naming of a new president gives hope that we will have renewed leadership in the building of a great university system.

"Alternate energy development appears to be on the threshold of becoming a reality. This has tremendous potential for the state and the Senate will have a separate committee to continue moving Hawaii forward.

"Recent developments indicate the need for stronger legislation in the area of pesticide and chemical safety. Earlier this month, the Legislature sponsored an informational workshop on this subject. I expect follow-up action this session.

"Last month, a State Tourism Congress was held pursuant to legislative resolution. A number of proposals and recommendations came out of that congress and I commend them to the attention of this body.

"We should give thought to the proposed convention center which has been the subject of heavy public attention in recent months.

"It has become expected of me to say a few words during my opening day remarks on two proposals which I have become identified with - namely, the hotel room tax and the lottery. Let me just say again that I support these two proposals and I hope the Legislature will give them serious consideration.

"I should make a couple of points clear. I support the hotel room tax in order to generate revenues for beach and park acquisition, development, security, improvement and other related purposes; the revenues may be divided with another portion going towards tourist-related programs and projects. With respect to the lottery, I favor using the proceeds for human services programs, with a personal preference for elderly programs. While I am open-minded about other possible uses for the revenues from the hotel room tax and

the lottery, those are not what I have been advocating. I hope I've made my position clear.

"I won't attempt to present a comprehensive review of the issues before us. A Senate Majority Program is being developed. I hope we will be able to reveal it shortly.

"To effectively address the problems and issues before us this session, the best effort of all members of the Senate will be needed. I call on you to work together and contribute in the weeks ahead.

"I look forward to the challenge before us.

"Let's get started.

"Thank you and Aloha!"

Senator Henderson, Minority Leader, then responded as follows:

"Governor and Mrs. Ariyoshi, Chief Justice Lum, Mr. President, distinguished guests, fellow Senators, ladies and gentlemen:

"We Republicans enter this 13th State Legislature confident that we can make substantial and constructive contributions to this session's deliberations.

"Mr. President, the Republican Minority, small in number, but long on experience, will carry out the historic responsibility of a minority in this body. We are ready and willing to work together with the Majority and face up to the variety of critical issues that cannot wait any longer for resolution.

"In this regard, Mr. President, we have crafted a carefully researched Republican legislative plan of action which addresses all of the major issues currently before us.

"You will find that the Republican package addresses the home rule concerns of our counties...and I don't mind reminding the Majority that for many years it was pledged to preserve and promote home rule...a pledge that has been obviously abandoned by the Democratic Party in recent years.

"Toward this end, we believe this Legislature must develop a plan of action that will bring clarity and understanding to the relationships between the state and our county governments.

"We feel that local government...the government closest to the people...can be more responsive, more efficient and less bureaucratic than the current highly centralized state government...if it, local government, is given the authority and responsibility to shape its own future.

"State laws, including those affecting taxation, land use, planning and water resources, should be decentralized to allow for county autonomy. Implementation of this reallocation of responsibilities might begin with the transfer of land use controls and water resources to county authority, together with appropriate funding sources.

"Over the past decade and longer, we have been plagued by a great tendency to study problems and issues to death.

"For example, we don't need to study the existing need for new jobs in this state. We know that we must somehow create 6,000 new jobs a year to accommodate our young population and those entering the job market every year.

"We don't need additional studies to tell us that tourism is the major source of new jobs, both directly and indirectly, and that we must, therefore, add considerably and consistently to our support of the HVB's promotional program.

"Another issue that we have studied sufficiently is workers' compensation insurance. We have before us both the Haldi and Lewis reports which offer a multitude of recommendations to reform this most important program. I would like to point out that workers' compensation reform is not just a business concern...but one that must certainly be addressed by both the state and county administrations.

"Let me be more specific in this regard...worker's compensation in 1983 cost the state almost \$6 million, the City and County of Honolulu almost \$8 million, the County of Hawaii almost \$1 million, the County of Maui over \$400 thousand, and the County of Kauai over \$100 thousand. Mr. President, a total cost to the taxpayers of this state of almost \$15 million. In addition to this, the private sector costs totaled some \$88 million. Certainly, the scale of this use of public and private resources is ample cause for action...especially when our costs here in Hawaii are twice the national average.

"Mr. President, let me mention some of the issues on which we need to take action:

- Tax Reform.
- Support for our sugar and pineapple industries through funding for research and marketing.
- The adoption of a water code based on the free market system and not on a bureaucratic permit system.
- The question of leaseholders' rights vs. property owners' rights.

- Funding for the Highway Fund. It is once again bankrupt and needs a massive infusion of new tax revenues or license revenues.

- Affordable housing...with over 13,000 new families being formed each year, we certainly need to build more than the 2,000 units that were constructed last year.

- And finally, we will be adopting a new operating and capital improvements budget for the state...appropriating some 4.9 billion dollars for the next two years.

- In this document we will deal with the education of our children...whether we are finally going to make our university a first-class institution...what we do with our prison system...how we treat the disadvantaged who are in need...how we handle the medical care of many of our citizens...this and much more, Mr. President.

"We can no longer postpone action on these matters. We can no longer afford to spend money on further studies. We need to act rather than react.

"So, Mr. President, let's get down to business for there is much to be done.

"Thank you."

At 10:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

The President, at this time, announced that nominations were in order for the office of Vice President of the Senate.

Senator Cayetano then placed in nomination the name of Senator Duke T. Kawasaki as Vice President of the Senate, seconded by Senator B. Kobayashi.

Senator Abercrombie moved that the nominations be closed, seconded by Senator Machida.

The motion to close the nominations was put by the Chair and carried unanimously, and the Temporary Clerk was directed to cast a unanimous ballot for Senator Duke T. Kawasaki as Vice President of the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985.

SENATE RESOLUTION

The following resolutions (S.R. Nos. 1 and 2) were read by the Temporary Clerk and were disposed of as follows:

A resolution (S.R. No. 1), pertaining to the election of officers of the Senate was offered by Senators Kuroda and Henderson.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, S.R. No. 1 was adopted.

The President then administered the oath of office to the elected officers of the Senate as follows: T. David Woo, Jr., Clerk; Richard K. Perkins, Assistant Clerk; and Bienvenido C. Villafior, Sergeant-at-Arms.

At 11:13 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.

At this time, the President introduced to the members of the Senate and guests, former Senator and the newly elected Mayor of the Big Island, the Honorable Dante K. Carpenter and Mrs. Carpenter.

A resolution (S.R. No. 2), entitled: "SENATE RESOLUTION RELATING TO THE ADOPTION OF THE RULES OF THE SENATE," was offered by Senators Chang and Cayetano.

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.R. No. 2 was adopted.

Senator Kawasaki then introduced Mr. Billy Fernandes, a former member of the Senate from Kauai.

Senator Kuroda introduced Mrs. Jean King, also a former member of the Senate.

The President then extended appreciation and thanks to the following entertainers: Clay Naluai, Al Harrington, Loyal Garner, Jay Larrin, Freddy Morris and Moku Kahana, Ikona, Oliver Kelly and his group, and Jerry Santos for the entertainment provided on this Opening Day.

ADJOURNMENT

At 12:04 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., Wednesday, January 17, 1985.

SECOND DAY

Thursday, January 17, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Dr. W.C. Garland, Minister, First Southern Baptist Church of Pearl Harbor, after which the Roll was called showing all Senators present, with the exception of Senators Machida and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the First Day.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 1), transmitting House Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 16, 1985, was read by the clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," was adopted.

At this time, Senator Cobb rose on a point of personal privilege:

"Mr. President, I'd like to stand on a point of personal privilege. Normally, I refrain from commenting on personal privilege, but Tuesday's edition of the Honolulu Star-Bulletin on page A-6, has committed enough errors and affected my performance as a legislator, that I think it deserves some comment.

"On page A-6 they listed 25 members of the Senate, four being Republican, 21 being Democrat. When I count the number of Republicans, however, I see five. Unfortunately, they put an 'R' next to my name."

Senator Soares then interjected:

"Point of order, Mr. President. That goes back to his voting record."

Senator Cobb continued:

"I was about to get to that. While I appreciate their good efforts and the efforts of others in my district to effect the conversion, I want everyone to know that I have not, repeat, not signed a party card, and will be participating in the Democratic caucus, as always.

"But it goes further. They used an old

picture. I realize it has bags under the eyes and I, on January 7th, sent them a new picture and said, 'Please use this one. It doesn't have quite the bags under the eyes.' But they went ahead and did it, anyway.

"But then to compound the error, in the House of Representatives lineup they say there are 10 Republicans and as you count the 'R's and I assume they are accurate, there are actually 11. For some reason there seems to be a concerted effort to downplay the minority party by including yours truly, and I'd just like to have it corrected for the record. Thank you, Mr. President."

The President then made the following Majority leadership assignments:

Majority Leader

Senator Joseph T. Kuroda

Majority Floor Leader

Senator Steve Cobb

Majority Policy Leader

Senator Patsy K. Young

The President also announced the following Standing Committees of the Senate and their respective chairmen:

COMMITTEE ON AGRICULTURE

Senator Malama Solomon

COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Senator Steve Cobb

COMMITTEE ON ECONOMIC DEVELOPMENT

Senator James Aki

COMMITTEE ON EDUCATION

Senator Charles T. Toguchi

COMMITTEE ON ENERGY

Senator Richard M. Matsuura

COMMITTEE ON GOVERNMENT OPERATIONS

Senator Duke T. Kawasaki

COMMITTEE ON HEALTH

Senator Bertrand Kobayashi

COMMITTEE ON HIGHER EDUCATION

Senator Milton Holt

COMMITTEE ON HOUSING AND
COMMUNITY DEVELOPMENT

Senator Patsy K. Young

COMMITTEE ON HUMAN SERVICES

Senator Neil Abercrombie

COMMITTEE ON JUDICIARY

Senator Anthony K. U. Chang

COMMITTEE ON LABOR AND
EMPLOYMENT

Senator Gerald K. Machida

COMMITTEE ON LEGISLATIVE
MANAGEMENT

Senator Patsy K. Young

COMMITTEE ON TOURISM AND
RECREATION

Senator Joseph T. Kuroda

COMMITTEE ON TRANSPORTATION

Senator Benjamin J. Cayetano

COMMITTEE ON WAYS AND MEANS

Senator Mamoru Yamasaki

The President also announced the membership of the following committees:

WAYS AND MEANS

Mamoru Yamasaki, Chairman
Norman Mizuguchi, Vice Chairman
Lehua Fernandes Salling
Gerald T. Hagino
Clayton H. W. Hee

Milton Holt
Bertrand Kobayashi
Gerald K. Machida
Richard M. Matsuura
Mary-Jane McMurdo
Malama Solomon
Richard Henderson
W. Buddy Soares

JUDICIARY

Anthony K. U. Chang, Chairman
Benjamin J. Cayetano, Vice Chairman
Neil Abercrombie
James Aki
Steve Cobb
Duke T. Kawasaki
Joseph T. Kuroda
Charles T. Toguchi
Patsy K. Young
Mary George
Ann Kobayashi

The President then stated that "committee assignments to the other committees are being worked out and will be announced as soon as they are completed."

The President then reminded the Senators that aloha attire on Fridays is acceptable.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

ADJOURNMENT

At 11:48 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, January 18, 1985.

THIRD DAY

Friday, January 18, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Father Nathan Mamo, Pastor of St. John Vianney Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senators Machida and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Second Day.

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

Senator Henderson introduced Ms. Margaret Stearns, "a longtime friend and resident of Hilo."

Senator Hee introduced Ms. Lydia Hale of Waimanalo, "one of the founders of the only Hawaiian language preschool in the state."

Senator Fernandes Salling introduced Mr. Danny Yotsuda, a representative of

HSTA from Kauai.

Senator Hagino introduced Ms. Garbiella Casart, a librarian friend.

Senator Soares introduced Mrs. Vera Abercrombie, mother of Senator Neil Abercrombie, and her friend, Ms. Beth Owens.

Senator Solomon then introduced Mrs. Pauline Kealoha Milbrae, a representative of HSTA from the Hamakua Coast of the Big Island.

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

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

ADJOURNMENT

At 11:13 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 21, 1985.

FOURTH DAY

Monday, January 21, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Mrs. Daphne Glaser, Second Reader, Christian Science Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Cobb, Soares, Solomon, Toguchi, and Wong who were excused.

The Chair announced that he had read and approved the Journal of the Third Day.

At this time, Senator Chang introduced to the members of the Senate Mr. Eugene and Mrs. Vera Montgomery from Notre Dame, Indiana, and their son Steve. Senator Chang added that "Steve Montgomery obtained his Ph.D. by studying the Hawaiian killer caterpillars."

ADJOURNMENT

At 11:40 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Henderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 22, 1985.

FIFTH DAY

Tuesday, January 22, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Elise Tuttle, Woman's Board of Missions for the Pacific Islands, United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Cobb who was excused.

The Chair announced that he had read and approved the Journal of the Fourth Day.

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

Senator Kuroda introduced Dr. Dan Tuttle and remarked that "Dr. Tuttle is a renowned political scientist, an expert political

pollster, an election analyst, and, today, a photographer of his wife who gave the invocation."

Senator Matsuura introduced Mr. Charley Rose, a fellow Democrat from Hilo.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:43 o'clock a.m.

ADJOURNMENT

At 11:44 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 23, 1985.

SIXTH DAY

Wednesday, January 23, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Lieutenant Victor Doughty, The Salvation Army of Leeward Oahu, after which the Roll was called showing all Senators present with the exception of Senators Cobb and George who were excused.

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

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

At this time, Senator Kawasaki introduced to the members of the Senate Mr. Yataro Kubota. Senator Kawasaki stated that "Mr. Kubota watches what we do here and reports back very effectively to the senior citizens on this island."

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 10:00 o'clock a.m., Thursday, January 24, 1985.

SEVENTH DAY

Thursday, January 24, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 10:15 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jory Watland, Executive Director, Kokua Kalihi Valley, after which the Roll was called showing all Senators present with the exception of Senators Aki and Cobb who were excused.

The Chair announced that he had read and approved the Journal of the Sixth Day.

At 10:18 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate stood in recess subject to the call of the Chair to meet in Joint Session with the House of Representatives in accordance with House Concurrent Resolution No. 1, to receive the Governor's State-of-State address.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives was called to order at 10:36 o'clock a.m., by the Honorable Henry H. Peters, Speaker of the House of Representatives.

At this time, the Speaker welcomed and introduced the following distinguished guests to the members of the Thirteenth Legislature:

The First Lady of Hawaii, Mrs. Jean Ariyoshi, who was presented with a pikake lei by Representative Leong. Mrs. Ariyoshi was accompanied by her sons, Todd and Donn, the Governor's mother, brother and sisters;

The Honorable John Waihee, Lieutenant Governor of Hawaii; the Honorable Edward Nakamura, Justice, Supreme Court of Hawaii;

Mr. William Roland, Chief of Staff of the U.S. Coast Guard, representing the "military family";

The Honorable William Fisher, Dean of the Consular Corps in Hawaii, and other members of the Consular Corps in Hawaii;

The Honorable Frank Fasi, Mayor of the City and County of Honolulu; the Honorable Tony Kunimura, Mayor of the County of Kauai; the Honorable Patsy T. Mink, Council Chairperson, City and County of Honolulu; the Honorable Steven Yamashiro, Chairman of the Hawaii County Council; and several Council members from Oahu, Kauai, Hawaii and Maui;

The cabinet members of the respective departments of the state, and Mrs. Carolyn Peters, his wife.

The Speaker then appointed a Committee composed of Senators Kawasaki, Kuroda and Henderson, and Representatives Ige, Kawakami, Okamura and Marumoto to escort the Honorable George R. Ariyoshi, Governor of the State of Hawaii, to the rostrum.

Governor Ariyoshi was presented with ilima leis by Senators Young and Kobayashi, and Representatives Hashimoto, Kim, Tungpalan, Ikeda, Isbell, Kamali'i and Marumoto.

The Speaker presented to the members of the Joint Session and guests the Honorable George R. Ariyoshi.

The Governor addressed the Joint Session as follows:

"Thank you very much.

"I have often talked about Hawaii as being a very special place and am very privileged in this State to go to many functions where I have the opportunity of receiving a lei — a very unique custom here in our State. Everytime I receive a lei, I feel as though I have received one for the first time. Loving thoughts that come with the giving of a lei here in our community, to me, is so important, for in our state for us to remain a very special place, that we retain all of the things that have made our State that very unique place. I express my appreciation to all of you this morning for the great warmth with which you have received me and for the leis that you have given me today.

"Mr. President, Mr. Speaker, members of the Legislature, distinguished guests, and my fellow residents of Hawaii:

"For twelve years now, I have fulfilled one of the Governor's most important duties by coming here at your invitation in the early days of the New Year — to stand behind the rostrum in this beautiful chamber, and to speak with you about the state of the State.

"Today, the long record of our Administration can be seen not only in a large file of newspaper clippings, but in some history books as well! Yes...12 years seem like a long time to me. And to some of you with whom I have not always agreed, it may seem even longer.

"We have seen remarkable changes during the 25 years since Hawaii ended its

Territorial status and became a full-fledged State.

"Our population figures show best that great change. In 1960, there were 633,000 people here. Today, there are more than a million. The poet Carl Sandburg once wrote that the story of America is the story of people arriving — that there were always new faces at the end of the block. That has surely been true of these Islands. The first people came in huge outrigger canoes. Today, they come in huge 747's. In a free society, people can move as they wish. And I have the feeling that still more will be on the way to Hawaii.

"We can be proud that during the short period of our Statehood, Honolulu has been transformed into a major modern American metropolis. Indeed, on all our Islands we find the evidence of modern progress. But we also see with equal satisfaction that many places in Hawaii remain today much as they were in the long-lost past. In matters both old and new, our task is to pass on the legacy of opportunity given to us, without sacrificing the unique, desirable qualities that make our State such a special place.

"My desire to keep our Administration vibrant and 'on its toes' during the next two years is more than just a personal wish for a strong finish. For the needs of this Island community for which we've all been chosen stewards do not slow down. They are ever-changing, but always with us.

"It's only natural to have more spontaneous energy at the beginning of an enterprise, but we cannot afford now a period of running down or of less energy, just because the end of our governorship approaches. If we allow that to happen, we cheat the people.

"The faces may change — as, indeed, many of the faces in this Legislature have changed over the years that I have stood here — but the offices and functions continue. And the work done has an impact not just on legislation today, but on life tomorrow. A century from today, a man or woman not yet born will stand here as the Governor of Hawaii, or in your seat as a legislator. And what we do in the next two years will have some kind of effect upon them.

"So let us remain alert, diligent and responsive. We are, after all, a part of one of the most responsive political systems ever devised — our American democracy. Our democracy is an unending process in which the people speak, point their government in a fundamental direction, and elect the officials to help guide it there. It is a process of public decision about what should be abandoned, what should be kept, and what should be created, as we try

to shape our preferred future. It is a complex process that requires imagination ... hope ... participation ... persistence ... persuasion ... and patience. Although politics and politicians are sometimes viewed with a skeptical eye, ours is a time tested process we can all be proud of.

"Let us now look at some important aspects of the process as it unfolds today.

"The Reagan Administration has brought a major philosophical and financial shift to our Federal government. The President's re-election appears to confirm that Americans want to follow his path. For half a century — since the first days of the New Deal — Americans have been accustomed to the Federal government providing a broad array of essential and helpful services. And these have been much more than welfare programs and aid for dependent children. Agriculture, business, science, industry, education — all these important sectors — have vastly benefitted from a thousand programs of Federal support. But, today, with a massive Federal deficit, the horn of plenty is no longer so plentiful. State governments are being asked to step into the breach. It is a difficult time, because Federal cutbacks are unpredictable and thus difficult to plan for. And there is no way that the resources of any State can come up to the Federal level. So we are now learning to live with this reality. Perhaps the self-reliance we must now demonstrate will make us stronger in the long run.

"Though many people are concerned about this return of responsibility to the State level after half a century of Federal dominance, this does represent a return to a powerful and historic American idea. The age of Jackson — 150 years ago — was the great era of State government, when churches and other voluntary agencies were the primary workers for social progress. It was also the heyday of efforts to improve the world by enlightening the mind of each individual. If we are returning to these values, then all may yet be well.

"Turning from Federal policies to our own, I am pleased to report to you that I intend to turn over a fiscally healthy government to my successor two years from now. Long before the Federal cutbacks — actually, from my earliest days in the Legislature — I've had a policy of prudence in handling public money. I have even been described as being stingy! But I can never forget that a government spends the hard-earned resources of individual citizens. And I can never forget that though we may deal in millions, each individual dollar comes right out of somebody's pocket. Our obligation of stewardship is a very serious one.

"The best time to do financial planning is when things are going well. If we're able to

get by without spending everything in a good year, then we'll have something for the lean year. In this respect, a government and a business and a family are exactly alike.

"Let me remind you that when I spoke to you here two years ago — in January of 1983 — the State government had just made a projection of anticipated revenues that showed a deficit of \$255 million as of June of 1985.

"Well, we would not stand still for that. While there was some controversy about how dangerous our financial situation really was, I placed restrictions on spending for that budget year — and you of the Legislature followed suit with prudent appropriations. And there were no new State taxes.

"And what is the result? No State deficit in 1985; instead, there is a modest surplus. In good times or bad, we will never have all the dollars we want. But we can manage the dollars we do have. And we have been doing just that.

"The annual process of 'squeezing' the budget — as we call it — is beneficial. It forces us to think. It helps us be flexible. It lets us shift money from programs that over the years have become less critical, into programs that have a clear need to be started or expanded. In short, squeezing the budget keeps our government up-to-date.

"These Islands, like any other community, depend for their continuity on the ability of our young people to grow up and play a constructive role in the community. The family is the private institution that helps them along the way. Education is the public institution. In Hawaii, education has been the great equalizer. It has opened the door of opportunity. It has been a path toward dignity and harmony for a diverse people.

"I hope to use a substantial part of my time in the next two years to encourage all our citizens to become more concerned and more involved with education. A first step will be the Governor's Conference on Education that we will schedule this spring. We will have at this forum not only our professional educators, but leaders from the whole spectrum of life, to sit down, to listen, to think, to talk, and to help develop ideas that might enhance our education programs at every level.

"Anyone who takes the time to attend or follow the results of this conference carefully will be better able to understand what our schools are and what they are not. And they will understand how our educational resources are being spent — and how they might be spent.

"This emphasis on education comes at a

critical time — and I hope it will last far beyond my term in office. Both the Department of Education and the University of Hawaii have new leaders this year. Francis Hatanaka and Cecil Mackey are experienced educators, dedicated to excellence. They deserve our support, and they will have it.

"There is another reason for this renewal of emphasis. Hawaii is one of the most geographically isolated places on earth, but it is also one of the most advanced and prosperous. Our educational system has helped get us where we are. Now, as we aspire to build a newer and more technological Hawaii, we have none to turn to but our better educated young people. We can bring in silicon chips and computers. We can put up handsome buildings. But in the end, we must look to today's students for tomorrow's successes. I am certain that if we can draw all in our community into a continuing dialogue about the aim and scope of education, we will truly achieve something wonderful.

"As you begin your work of determining the budget of the Department of Education for the next biennium, let me offer two recommendations. One I made previously; the other you have not heard from me before.

"The first recommendation is that in putting the Department of Education's budget together, you orient it towards those things which clearly contribute to a quality education for our children. Be willing to change the existing distribution of resources — to match those resources with programs that will best achieve the goal of a quality education.

"The most important factor in achieving that goal is the relationship of our students and our teachers. It is in that relationship that the dynamic process of transferring information and wisdom to our children occurs, or should occur. It is primarily the harmonious interaction of student and teacher that develops the ability of our students to learn.

"The expenditures of our public school system must be geared towards supporting and enhancing this critical relationship. If our programs do not clearly do so, we must question them. I believe that we could benefit from a systematic appraisal of what we do. For example, do all the activities in our central and district offices represent the most effective use of our funds in support of the student-teacher relationship?

"My second recommendation is that, after re-examining and reallocating within the level of funds I recommended to you earlier, if you see areas where additional funding can provide substantial improvement in the

ability of the Department of Education to meet the goal of providing our children with a quality education, that you be willing to increase the funding for the Department of Education by about \$5 million each year above the level recommended in our Executive Budget proposal sent to you several weeks ago.

"I want to emphasize that this is not simply an invitation to spend more money. But if, after careful consideration, you believe that more dollars will bring substantial returns, you have my blessing to provide those extra dollars to the Department of Education, within the context of the overall State biennial budget and I make this recommendation to you knowing full well that it is something that we can afford.

"Our University of Hawaii is in the midst of important changes. It recently developed a Strategic Plan that delineates its relationship to the State; to the world beyond Hawaii; to the myriad potentials for knowledge in many fields; and to the students, themselves.

"The establishment of this Strategic Plan is of more significance than one might initially assume. The University has become a bigger enterprise than many realize. It directly employs 8,000 persons, has a budget of \$300 million, and serves 50,000 students of all ages, in all disciplines, throughout the State. Having a clear strategy for this huge institution is vitally important.

"In these days of change for the University, we will look to President Mackey and his colleagues — and we will cooperate with them — for realistic reallocations of funds which will be of true benefit to the educational process. In this process, little need be sacred. We must look at every aspect of the University, trying to find what can be made better.

"In anticipation of Dr. Mackey's coming on board July 1st — the beginning of the next fiscal year — I am requesting as a clear measure of our support, that a lump sum of \$10 million — \$5 million for each year of the biennium — be added to the amount for the University that appeared in the budget proposal sent to you earlier. I recommend that Dr. Mackey be given the flexibility to use these funds in ways he considers best for the University.

"While we can assist Dr. Mackey and his associates with our ideas, with appropriations, and with this lump sum grant, the basic direction that the University should take remains their decision. What is the proper balance between the technical excellence already achieved in many departments, and the values that have always been found in the study of the humanities? How can the

humane ideas found in a traditional liberal education be applied usefully in a technological society? How can the University of Hawaii become 'universal'? These are important questions that can best be answered by the leaders of the University itself.

"Because of Hawaii's isolation and singularity, many people from a distance tend to take in all of Hawaii as a single concept. What they think of the University of Hawaii is often what they think of the State as a whole. In that sense, the University could perhaps be described as 'the soul' of our State as well as its intellectual treasure house. I am confident that the soul and the treasure house are today under good management.

"When we turn from education to discuss something like economic development, we quickly see how important education is. Two years ago, your legislation created the Pacific International Center for High Technology Research, or 'PICHTR' as it is sometimes called. Today, as we continue to encourage appropriate high technology development, our success will depend to a degree on how the world scientific community perceives both our research and our academic capacities. PICHTR is designed to play a big role in bringing together researchers in cooperative international projects that will propel us solidly into the high tech age. And it is designed to be an exporter of research results to the entire Pacific Basin.

"This year has seen several constructive meetings on PICHTR. I have been in frequent touch with other Pacific Island leaders and leaders of Japan and Asia. I am confident that now is the time for our center to make a major move forward toward its goal of become a world class institution. I am requesting that the Center incorporate as a private, non-profit institution. And I am recommending \$1 million for each year of the biennium be appropriated for the Center to help the program grow.

"My office will continue to strengthen the international contacts and commitments we have already made. At the Pacific Islands Conference in the Cook Islands this August, for example, I will be discussing with other heads of Pacific Island governments how we can help PICHTR be of benefit to this vast region. As my experience and our experience with PICHTR has grown, it seems to me that we did exactly the right thing in coming up with PICHTR when we did. It will serve us well.

"We will also be served well as we continue to invest in one of Hawaii's own particular kinds of high technology — one which I call oceanic high tech. Today, special ocean skills are being developed

rapidly at the Natural Energy Laboratory of Hawaii at Keahole on the Big Island. There, things are moving ahead with advanced forms of energy and aquaculture research and development. An abalone farm has been established and they are already asking for more land for expansion of their project. An algae farm to produce nutrition supplements is in the planning stage. It would be a great loss if, after our helping to develop their technology, companies like these were to relocate outside our State. We need to develop a permanent home for such commercial activities — and so provide more stable jobs and tax revenues.

"In the budget before you, I have proposed the development of a Hawaii Ocean Science and Technology Park at Keahole. It will be developed as the first major project of our High Technology Development Corporation. When it is complete, we'll have there a fine ocean technology center — with research and development and the commercial activity that grows from the R and D. Again, we will be building on our unique advantage as this nation's only ocean surrounded State.

"Finally, in this area of ocean technology and economics, let me urge your favorable consideration of another project. The State of Hawaii Ocean Center — which we propose to locate at Waikiki — embraces technology, tourism, and education. It is an all purpose idea which, I believe, will have a future value that we cannot easily estimate today. I don't want to over dramatize it, but if we design and build this center in the right way, it will help us restore elements of our ocean heritage — things that we've lost in the past century or so. As our people and visitors come to this center, they will begin to rediscover what the ancient Hawaiians knew — that is, the fullness of a life in which the ocean itself is part of one's consciousness. The Center will give us a better idea — and it will give millions of our visitors a better idea — of just who we Islanders are, and why we think, believe, and act as we do.

"The Center might begin as a handsome, comprehensive redesign of the existing aquarium at Waikiki, and then grow to be much more than that. In its complete form, it may include interactive exhibits, displays, lectures, audio-visual presentations, 'touch tanks,' and reef walks. There may be, for example, a model showing precisely how our ocean thermal energy conversion works, and expeditions to take people out to the reef beyond the Center itself.

"You will remember that last year you appropriated funds for a schematic design for this program. The budget request for the coming two years includes funds for detailed planning and design and construction.

"Our Ocean Center and our oceanic technology will grow together, and they will have a synergistic effect. They will affect the thinking and planning and imaginations of people everywhere. And let me suggest that when Hawaii celebrates its Golden Jubilee of Statehood in the year 2009, we may well be using the ocean in ways that we cannot today foresee at all.

"Let me turn now to another area, where the economic returns can be more concrete and more immediate.

"Since 1976, nearly 400 feature films, TV specials and TV series have been filmed here in Hawaii. We've collected about \$14 million in taxes from these high-profile activities. The filmmakers have spent about \$350 million, while providing 1100 jobs annually.

"This is a splendid record, and today we want to encourage filmmaking in a more consistent way than we have in the past. It is a valuable economic resource in itself, and it also reinforces our entire tourism industry through its promotional aspects.

"So I ask that you look favorably on the proposal to establish the Hawaii Film Industry Authority. Its task will be to develop a professional film studio — a first-class production center — here in the State. It will be a clear example of an Administration and Legislature making it easier to do business in Hawaii.

"We in the Administration are continuously aware of the conclusions in the recent report of the Governor's Committee on Doing Business in Hawaii, and we are trying to respond to its major recommendations. This is a part of the process of government that does not have easy answers but that does not mean that we are not looking for them. And in a modest way we are making progress.

"I am sending on for your consideration a bill that would allow the Department of Planning and Economic Development to facilitate the granting of permits for resort, residential, industrial, and commercial facilities. None of the regular jurisdictions will be bypassed, but this bill will establish a voluntary process by which the applicant and the government agencies can sit down and work out permit requirements and timetables for decision-making in advance. Our objective is to make it easier to do business in Hawaii.

"The second bill relates to the Land Use Commission. I am proposing that we streamline the Commission's actions by legislation that will send petitions for the reclassification of parcels of land, 15 acres or less in size, (in agricultural, urban, or

rural districts, not in conservation, but in those districts) directly to the appropriate County for action. This would reduce the number of petitions coming before the Commission by as much as 50 percent, while it would retain major land cases for Commission review.

"Through these efforts, we hope to convince our citizens when they come in to deal with their government, that the government is there to help and not to put up roadblocks against progress. This is what the relationship should be at all levels of government.

"The Committee on Doing Business in Hawaii also highlighted two other major problems — tax reform and workers' compensation. I believe that we are poised to make progress in both areas, but the process will require a sharp focus from both the Governor's Office and the Legislature.

"I urge your careful study of the recommendations of the Tax Review Commission. The process of tax revision and reform is critical, and the last substantial review was almost 20 years ago.

"The State depends for most of its revenue on the general excise tax. If it is to be changed, we must have broad agreement about the direction in which we are going.

"At the appropriate time, my Administration will provide testimony on various proposals that will be before you and you will be able to discern our direction from such testimony. But please let me make one point clear: I do not look on this tax review as a reason or a means to raise additional revenues. We are living within our means today, and I want us to keep on doing so.

"We must find formulas that our taxpayers can easily understand and feel comfortable with. And we must recognize that a tax that discriminates capriciously against doing business here is not working in the best interests of all of us. As I have indicated, in spending tax money, we must be frugal. In collecting that money we must be fair.

"We must also move, as the Committee recommended, to deal with the workers' compensation situation. Our compensation costs are higher than anywhere else in the country. Obviously, we must reassess the cost-effectiveness of our workers' compensation system. All aspects of this complex program must be reviewed, including the tendency of the courts in recent years to broaden dramatically the idea of just what is a work related injury. To insure fairness to all concerned — employee and employer — we can begin to act clearly on this principle: Any person who is legitimately injured on the job

deserves compensation. Any person who is not legitimately injured on the job does not.

"We in the Administration are prepared to work with you in reviewing and revising the system, and will be presenting testimony when your hearings begin.

"Over the past year, we have continued to not only solve problems of economic development, but also to promote economic development with a real sense of dedication. Our dedication can be seen in many places.

"It can be seen in the new Small Business Information Service, which, as quickly as possible, will be located in its own office in the centrally located Kamamalu Building. It is a unit of the reorganized Business and Industry Development Division.

"Our dedication also can be seen in additional funds for our Hawaii Capital Loan Program, and the Hawaii Industry and Product Promotion Program. It can be seen in the commitment of a special Deputy Attorney General who deals specifically with small business problems. These programs recognize that small business is today the backbone and the stabilizing factor in our economy.

"Taken together, these programs will help us get more small business people started. They will provide them with the information they need, both to start up and to be competitive once they get going. They will assist more businesses in marketing their products. And they will protect small business people from unfair and deceptive practices.

"Since its inception, the Hawaii Capital Loan Program has produced 1,350 jobs directly and another 1,200 jobs indirectly through secondary efforts. Far more money has come back to the State than we have spent on the program. So it is, for the State itself, good business.

"Another key to a good business environment for Hawaii is that our visitor industry remain competitive in the intensely competitive world of tourism. Last year you provided additional resources for special promotional programs of the Hawaii Visitors Bureau. I am recommending that the budget proposal of the Hawaii Visitors Bureau sent to you earlier be increased by \$600,000 in each year of the biennium.

"I also urge you to consider the recommendations of the recent Governor's Tourism Congress. At some point, for example, we are going to have to move on to the complicated task of building a world-class convention center. We may not be ready to start building, but we do need to move ahead in our discussion on the size, scope, financing, and best location of such a

center.

"The details of the redevelopment of our Kakaako area are different, but our underlying philosophy is the same. Here again — on a substantial scale — we are opening a new path to a more vibrant economy, in this instance in an important and historic district in central Honolulu.

"The Kakaako of the future will be an attractive, functional community. Its redevelopment will do a lot to further the goals of our Hawaii State Plan by guiding population growth to an urban area, protecting open space, preserving agriculture, and expanding the local economy.

"It is clear that the revitalization of Kakaako will require the commitment of millions of public and private dollars, but not all at once. We are going at this in an orderly and cost conscious way.

"This year we are asking for \$17 million from the Legislature for Kakaako. If you agree to this appropriation, these funds will be used to begin infrastructure improvements in early 1986.

"The economic development of agriculture — the original source of wealth in our Islands — continues to be one of our great challenges in this modern era. We must hold to the patterns of the past when they serve us well today — but when they do not, we must move on to different forms of agriculture.

"So we are equally dedicated in this Administration to accomplishing what is feasible at the State level for the pineapple and sugar industries, and to continuing the promotion of diversified agriculture as well. For the pineapple industry, we are requesting \$200,000 for promotional efforts; and for the sugar industry, we are asking for \$2.7 million to support sugar research, along with research on possible alternative crops for the canefields.

"I am also in favor of the support and protection of sugar at the Federal level. Only our Federal government can deal with the fact that today some foreign governments are paying their farmers 26 cents a pound for sugar, and taking some of that surplus sugar into the United States market and dumping it here for 6 or 7 cents a pound. That is unfair competition for our sugar producers, and they deserve to be fairly protected.

"Let me add that we propose to spend \$5 million for the Waianae Agricultural Park and the Waimanalo Agricultural Park water system. It is good business for the State to invest in this way, for diversified agriculture has grown steadily over many years. I recall the years when we were first

starting on this effort — the early years of my Administration — and people were saying that it was a pipe dream on our part to even think about diversified agriculture; yet, it has become a very important part of our economy. The \$199 million value of our diversified crops in 1983 — the last year for which we have complete figures — was an almost \$17 million improvement over 1982.

"The years go swiftly by. The end of this century and the beginning of the Third Millennium A.D. are only 15 years away. We must be determined to find the ideal balance between tourism and technology, and our oldest economic standby, our agriculture. A steady growth in diversified agriculture will help insure a future economy for Hawaii that is stable, balanced, and with fewer ups and downs.

"A year ago, we called together the Governor's Committee on Hawaii's Economic Future. That committee's report will be out toward the end of this month. When it comes to your desk, I hope you will review it thoughtfully. Having seen an executive summary of its 11 points, I believe this careful piece of work will provide us with both discussion and legislative ideas for some time to come.

"Our economic history and our economic future are intimately linked to the fact that we are an Island State. Our land and other resources are limited. The pitfalls and opportunities that lie ahead for us are both unique. So perhaps more than the public servants in most States, we have the special obligation to try to peer into the future — to see what the process of government is going to be.

"The goal of the economic activity I've discussed is simply to make life here better for all of us. During the year, we have approached the matter of a better and a safer life in many ways.

"Let me report now on how our Administration is dealing with crime.

"Crime is the dark side of our society. Although we will never be entirely rid of it, we can stand up and courageously, persistently fight against crime.

"The criminal justice system has many different parts. When those parts work well, and when they work together, our efforts to fight crime become more effective. The rate of serious crime in our state has declined significantly since the summer of 1980. I believe that the cooperative efforts made in recent years by the different elements of our criminal justice system have been a major contributor to this decline.

"You in the legislature have been active in creating the laws that deal with crime.

In recent years, you have passed legislation making child abuse a crime; shifted the burden of proof in a plea of insanity from the prosecution to the defendant; you have eliminated probation for persons convicted of Class A felonies; and strengthened the definition of rape, among other things that you have done. You have also appropriated funds for the training of law enforcement officers, and for the security and protection of witnesses.

"Our Administration has also been active in the fight against crime. The Attorney General's office has been directly involved in the prosecution of welfare and unemployment insurance fraud. Since 1976, hundreds of people have been convicted, over \$1 million in restitution have been ordered, and prison sentences of five to ten years have been set in some cases. In 1983, we had our first conviction in a case of tax fraud.

"We have supported the efforts of other agencies through a number of programs. The highly successful Career Criminal Program, which now provides about \$900,000 each year to county prosecutors, helps to keep professional criminals out of circulation. The Green Harvest of marijuana plants, led by county police and supported by the national Guard in all the counties, has been an effective activity in curbing the cultivation of marijuana.

"As the whole system becomes more successful, as more criminals are captured and tried and convicted, we must find a solution to the problem of limited prison facilities. Our prison population has grown at a rate we have never known before.

"In 1974, Hawaii had an average of 300 prisoners in its detention facilities. In 1984, ten years later, that number was over 1800 — an increase of more than 600 percent. The Judiciary has gotten tougher, but in part, this is a result of the actions of the Hawaii Paroling Authority. During the past few years, the Paroling Authority actions have resulted in fewer parolees on the streets. And perhaps most importantly, Hawaii now has one of the longest average of prison terms in the nation — about 40 months.

"Our Administration has responded to this tremendous increase in the prison population by increasing our operating expenditures for corrections from \$3.8 million in 1973 to \$28.5 million for the current fiscal year — an increase of 750 percent — and by building more than \$94 million worth of new facilities since 1973 and we have been able to provide those things with the help that the Legislature has given to us. We've built new community correctional centers for each of the Neighbor Island counties. We've built the High Security Facility in Halawa and expanded the Oahu Community

Correctional Center. We are also proposing to establish facilities in Waiawa and Olinda. In the new budget we are asking for \$3 million to equip the new medium security facility at Halawa. We are also asking that you approve a substantial increase in the number of adult correction officers for our facilities.

"But prisons are not enough. I hope you will agree that the time has come for use to sit down together to find realistic alternatives to incarceration — alternatives that will not mean a decrease in safety for the community itself — alternatives which can provide for constructive punishment while also treating criminals with prudent compassion and practical firmness.

"We have some thoughts on this subject, and at the right time I will share them with you. The situation has not reached an emergency yet, so by taking action now, we can prevent an emergency.

"I am pleased to report progress on the matter of our Hawaiian Home Lands. Certainly when we discuss making life better, the possession of a home must be high on the priority list.

"Several weeks ago, I cancelled a number of executive orders and proclamations involving more than 28,000 acres of land that previous Administrations had set aside for public uses, but not for the development of Hawaiian homes as had been intended under the original legislation. Under the new order, the lands will once again be under the appropriate control of the Hawaiian Homes Commission. There will probably be some interim use of the lands while the Commission figures out which of the parcels are appropriate for the purposes of its programs, and reaches settlements for the various parcels of land used by other agencies.

"This is a step in the right direction. I want to see this Commission develop a stronger sense of initiative, and I'm happy to tell you that the Department of Hawaiian Home Lands and the Commission are working to accelerate their awarding of Hawaiian homestead lots. We know our past efforts have been on the right track. We have provided almost as many homes during our Administration as were provided by all previous Administrations combined, and that is from the beginning of its act in the 1920's. Yet we have not moved as fast as we would want. There are still 8,000 people awaiting action. That is too many. I have asked for \$3 million to be spent over each of the next two years to support the lot development effort — activities that will speed the process of getting the land back to the Hawaiian people. I hope you will look favorably on this important request.

"With our land area so clearly limited, our

problems of land allocation continue to be of prime importance. Many have strongly questioned whether enough land is designated for housing and urban development. This theme arises, of course, when agricultural lands are ready to be turned to new uses. And other, opposing voices contend — with equal passion — that our agricultural lands are our most valuable resource and should be retained.

"Well, the fact is that we need both types of land. We must develop the ability and wisdom to decide which use for particular pieces of land is most beneficial for the community as a whole. These determinations do not have to be made in a frozen, inflexible way, but rather can be made in a way that reflects both the current and future needs of the community. .

"That is why I believe that the work of the Land Evaluation and Site Assessment Commission has been a worthwhile endeavor. The Land Evaluation and Site Assessment Commission is developing hard information about our agricultural lands, information that will help us decide on a factual basis, rather than on an emotional or nostalgic basis, what is the best use for given parcels.

"Water remains, of course, one of the most important topics on our agenda of our community well-being. The Legislature's Advisory Study Commission on Water Resources has developed a recommended code for the regulation of water on a statewide basis. Everyone has a stake in this process: local government, private landowners, developers, the agriculture industry, and the environmental movement. But as with the use of our lands, we want this code to steer a path through the conflicting aims — to let us use our water resources wisely so they will bring benefits to all of us.

"In two areas we have made specific progress concerning water. We have chosen a consulting firm to assist the State in developing a demonstration water-desalting plant on Oahu to convert slightly saline water to fresh, drinkable water. It will be located in central Oahu, where there is a good supply of saline water, and it will be designed to produce more than a million gallons of fresh water each day. As our population increases over the years, it will be well for us to have experience in desalting techniques because we will probably need them. I think the prospect is eminently worth the \$4 million we are asking be appropriated.

"And we will request that the same amount be spent over the next two years in exploring surface and ground water resources. In that connection, I'm happy to

tell you that the State-drilled Mililani-Mauka exploration well 'A' is now complete at 1100 feet. It is capable of producing two million gallons a day of water that is free of pesticide contamination. Last year, you appropriated the money for this well when others in the area were found to be contaminated. Having closed some of those wells, we are fortunate that this new back-up source of water has turned out to be so bountiful.

"I have aimed at being comprehensive in these remarks, but I hope you won't think that if a program or subject has not been mentioned, that this Administration doesn't think it is important. In one sense, everything we do is important, and the budget itself will encompass everything — as will the testimony that our Administration will offer to your various legislative committees in support of what we believe.

"Let me close then with two announcements that, like everything else, are important. But each of these has a special poignancy that calls for your special attention.

"There has been much public concern about the adequacy and the enforcement of laws regarding child abuse. Our Administration has responded with a request in this budget to add 32 positions to the Child Protective Service units of the Department of Social Services over the next biennium. We are searching for ways to make this array of services more effective. This is, of course, one of the most difficult of all human problems and especially of law enforcement problems. It is made more complicated by the fact that aggressive actions against children, which were once swept under the rug and not reported at all, are now very much a part of the public dialogue. That something must be done is certain. But in this troublesome area where the law intersects with psychiatry, we want to be sure that we are doing the right thing.

"Finally, this biennial budget includes a request for \$15 million in capital improvement project funds to build a new Hawaii State Hospital. This will become the primary facility for dealing with and helping to cure — if possible — that forgotten segment of our population, the seriously mentally ill.

"My fellow citizens and my colleagues in government, this concludes my observations about the state of our State. The year 1984 — our Statehood Silver Jubilee Year — turned out not to be so dismal as George Orwell predicted back in 1948! Indeed, the general state of human affairs in Hawaii, as compared to many, many other places we read about in each day's headlines, is

remarkably good. This may not be Paradise, as travel brochures have labelled it, but in some ways, it comes pretty close.

"The governmental process goes on. The push-and-tug of life here in the Capitol of our 50th State reflects, of course, the push-and-tug of life throughout the State itself! In our constant search for what I have called 'the best Hawaii' we will disagree on many things, but happily, we will agree on many too. And always, we will have the job of earnestly striving to find solutions that will work for today as well as for tomorrow.

"The great violinist Yehudi Menuhin once said:

'Every performance counts. And no matter how skilled or experienced you become, there is no resting on your laurels. The most important performance is always the next one.'

"Perhaps, my friends and my fellow citizens, we can all keep that in mind as we move into this year. Let us keep moving forward with a strong and active faith in Divine Providence and in our wonderful people of Hawaii.

"Mahalo and Aloha."

Senate President Wong then rose and stated:

"Governor, on behalf of the members of the Thirteenth Legislature, I would like to take this opportunity to thank you for sharing with us your administration's blueprint for a better Hawaii. In particular for me, and I am sure I share the sentiments of all the members in the Thirteenth Legislature, your rededication to the commitment for quality education in Hawaii is deeply appreciated. We will in the next few days and weeks look forward for specific proposals from the administration to accomplish and implement the things that you discussed with us today."

"If there be no objections by the members of the Thirteenth Legislature, I now declare the Joint Session adjourned."

At 11:40 o'clock a.m., the President declared the Joint Session adjourned.

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

The President then made the following committee assignments:

AGRICULTURE

Malama Solomon, Chairman
Gerald T. Hagino, Vice Chairman
Lehua Fernandes Salling
Clayton H.W. Hee

Richard M. Matsuura
Norman Mizuguchi
Charles T. Toguchi
Richard Henderson
W. Buddy Soares

CONSUMER PROTECTION AND COMMERCE

Steve Cobb, Chairman
Bertrand Kobayashi, Vice Chairman
Benjamin J. Cayetano
Anthony K.U. Chang
Duke T. Kawasaki
Joseph T. Kuroda
Richard M. Matsuura
Mary-Jane McMurdo
Patsy K. Young
Richard Henderson
Ann Kobayashi

ECONOMIC DEVELOPMENT

James Aki, Chairman
Richard M. Matsuura, Vice Chairman
Lehua Fernandes Salling
Gerald T. Hagino
Milton Holt
Duke T. Kawasaki
Norman Mizuguchi
Mamoru Yamasaki
Patsy K. Young
Richard Henderson
W. Buddy Soares

EDUCATION

Charles T. Toguchi, Chairman
Malama Solomon, Vice Chairman
Neil Abercrombie
Lehua Fernandes Salling
Gerald T. Hagino
Clayton H.W. Hee
Joseph T. Kuroda
Ann Kobayashi
W. Buddy Soares

ENERGY

Richard M. Matsuura, Chairman
James Aki, Vice Chairman
Gerald T. Hagino
Mary-Jane McMurdo
Norman Mizuguchi
Richard Henderson
W. Buddy Soares

GOVERNMENT OPERATIONS

Duke T. Kawasaki, Chairman
Lehua Fernandes Salling, Vice Chairman
Clayton H.W. Hee
Joseph T. Kuroda
Mary-Jane McMurdo
Mary George
W. Buddy Soares

HEALTH

Bertrand Kobayashi, Chairman
Gerald K. Machida, Vice Chairman

Duke T. Kawasaki
 Richard M. Matsuura
 Malama Solomon
 Mary George
 Ann Kobayashi

Neil Abercrombie, Vice Chairman
 Steve Cobb
 Milton Holt
 Mamoru Yamasaki
 Richard Henderson
 Ann Kobayashi

HIGHER EDUCATION

Milton Holt, Chairman
 Anthony K.U. Chang, Vice Chairman
 Neil Abercrombie
 Benjamin J. Cayetano
 Gerald K. Machida
 Norman Mizuguchi
 Charles T. Toguchi
 Mamoru Yamasaki
 Patsy K. Young
 Richard Henderson
 W. Buddy Soares

HOUSING AND COMMUNITY DEVELOPMENT

Patsy K. Young, Chairman
 Clayton H.W. Hee, Vice Chairman
 James Aki
 Steve Cobb
 Milton Holt
 Mary-Jane McMurdo
 Malama Solomon
 Mary George
 Ann Kobayashi

HUMAN SERVICES

Neil Abercrombie, Chairman
 Mamoru Yamasaki, Vice Chairman
 Benjamin J. Cayetano
 Clayton H.W. Hee
 Milton Holt
 Richard Henderson
 Ann Kobayashi

JUDICIARY

Anthony K.U. Chang, Chairman
 Benjamin J. Cayetano, Vice Chairman
 Neil Abercrombie
 James Aki
 Steve Cobb
 Duke T. Kawasaki
 Joseph T. Kuroda
 Charles T. Toguchi
 Patsy K. Young
 Mary George
 Ann Kobayashi

LABOR AND EMPLOYMENT

Gerald K. Machida, Chairman

LEGISLATIVE MANAGEMENT

Patsy K. Young, Chairman
 Gerald T. Hagino, Vice Chairman
 Mary George

TOURISM AND RECREATION

Joseph T. Kuroda, Chairman
 Mary-Jane McMurdo, Vice Chairman
 James Aki
 Anthony K.U. Chang
 Lehua Fernandes Salling
 Bertrand Kobayashi
 Norman Mizuguchi
 Mary George
 W. Buddy Soares

TRANSPORTATION

Benjamin J. Cayetano, Chairman
 Charles T. Toguchi, Vice Chairman
 Anthony K.U. Chang
 Steve Cobb
 Gerald T. Hagino
 Bertrand Kobayashi
 Gerald K. Machida
 Mary George
 W. Buddy Soares

WAYS AND MEANS

Mamoru Yamasaki, Chairman
 Norman Mizuguchi, Vice Chairman
 Lehua Fernandes Salling
 Gerald T. Hagino
 Clayton H.W. Hee
 Milton Holt
 Bertrand Kobayashi
 Gerald K. Machida
 Richard M. Matsuura
 Mary-Jane McMurdo
 Malama Solomon
 Richard Henderson
 W. Buddy Soares

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, January 25, 1985.

EIGHTH DAY

Friday, January 25, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles Kaleikoa, St. George Church of Waimanalo, after which the Roll was called showing all Senators present with the exception of Senators Cobb, B. Kobayashi and McMurdo who were excused.

The Chair announced that he had read and approved the Journal of the Seventh Day.

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

Senator Young introduced Mr. Alan Tomonari, a visitor from New Jersey.

Senator Machida then rose and introduced on behalf of Senators Solomon and Yamasaki, 21 student government officers from Lahainaluna High School. They were accompanied by their advisors, Lewis Sakamoto and Emily Meyers. Also introduced, were a group from the art class with their advisors.

Senator Abercrombie then made the following introduction:

"Mr. President, I have the rare privilege and honor of introducing a gentleman who will play the position in professional football, a kind of person I used to knock down with regularity until I got into this body and learned that height isn't everything, a gentleman who has been an outside linebacker for three different teams in the AFC and NFC. He kept going until he got it right and he got it right so often that he has been perennially all-pro; played on four winning Super Bowl teams (Russ Francis hopes that he can emulate that before the end of his career); played in eight Pro Bowls, more than any other player in history; holds the NFL record for blocked kicks (something I wish I could say the same for in here); and for the past four years with his friend John Wilbur, good friends to many of us, has sponsored a football camp for Hawaii's youth, 7 to 17 years of age, and will be doing that again. He exemplifies the Hawaiian spirit of friendliness and Aloha, at least off the field, and is proud to be called a second citizen of Hawaii. I'm particularly pleased to introduce to this body and to our friends in the audience, Mr. Ted Hendricks. With your permission, Mr. President, we will

present him with a certificate at the appropriate time. Thank you very much."

Mr. Ted Hendricks rose to be recognized and was presented with a lei by Senator Solomon.

Senator A. Kobayashi then introduced Mr. Harold Han and stated as follows:

"Mr. President, we all want to honor Mr. Harold Han. Recently, there was a Super Bowl where two great teams in the nation played against each other, and before that there was an even greater Super Bowl which is a Super Bowl for youth football, the Pop Warner. For the first time, Hawaii was invited to be one of those teams and the Manoa Paniolos was the team chosen. They went on to win the National Championship, and Harold Han is coach of that team.

"He has voluntarily been a coach for about 17 years and has done an excellent job. His team has won many championships in many divisions and the team members keep up a very high scholastic average. Along with Mr. Han, his assistant coaches are Yoshiji Asami, Robert Suzuki, Clyde Freitas and Alvin Yasui.

"I've asked the six best Senators to present leis to Mr. Han and the six happen to be women. Thank you."

Mr. Harold Han rose to be recognized, was presented the Senate Certificate by Senator A. Kobayashi and leis by Senators Fernandes Salling, George, A. Kobayashi, Solomon and Young.

Senator Aki introduced Steve Pilialoha and Mrs. Pilialoha who were sitting in the gallery and added that "Steve Pilialoha is a good friend from Nanakuli, who, I might add, happens to be a very good football player in his prime."

At 11:47 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.

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, January 28, 1985.

NINTH DAY

Monday, January 28, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend George Kendall, Chaplain (Ret.), USAF, Pastor of First Christian Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Cobb, Holt, Machida, McMurdo, Solomon and Toguchi who were excused.

The Chair announced that he had read and approved the Journal of the Eighth Day.

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

Senator Chang introduced Mr. David Happe and stated that "Mr. Happe is a sophomore at St. John's University, majoring in business administration with a minor in government. He is no stranger to us; last year he served for a month with the Senate Ways and Means Committee and this year has assisted the Senate by conducting research into various manuals of parliamentary authority and recommending an alternative for the Senate's use."

Senator Kawasaki then introduced Mr. Clement Judd of the Hawaii Hotel Association.

At this time, Senator Abercrombie rose on a point of personal privilege and remarked as follows:

"Mr. President, I have just had the opportunity to participate in another aspect of our form of government, the separation of powers, to wit, the courts of the State of Hawaii, where I witnessed some people, among them the Waikiki Improvement Association exercising its usual brand of intelligence in trying to stop the painting of a mural on the walls of the Ilikai condominium on Ala Moana Boulevard.

"They tried to get a temporary restraining order today involving the painting of that mural with respect, in part, to having an attractive hazard. An attractive hazard apparently is something the Waikiki Improvement Association is against and, under those circumstances, I wonder when they will be able to get the hookers off of Kuhio Avenue.

"Pending that, Mr. President, I invite members of the body to go down to Ala Moana Boulevard to see the mural in action, if you will, because it's being painted right now; and there is a petition down there at the present time which the members are

invited to sign which would indicate that individual members of the Legislature might be in favor of this particular kind of decorative art in our modern context where we have so much blank concrete staring at us.

"Judge Chun this morning, Mr. President, made clear that he thought the Legislature and the City Council was the place to determine the regulations, that is to say, the statute language with respect to what constitutes a sign. And Judge Chun made it clear that his capacity to judge art was somewhat lacking. He again referred to the Legislature, which I know will amuse all of us here.

"Thank you."

The Chair then made the following announcement:

"Members of the Senate, the Chair would like to announce that bill introduction will commence tomorrow.

"You may submit bills and resolutions for introduction to the Assistant Clerk beginning at 8:30 a.m. tomorrow morning. Please submit one signed original and three conformed copies.

"The Chair would like to mention a few reminders at this time. First, in accordance with Rule 41 of our temporary rules, short form bills are supposed to be introduced only by the President and the Minority Leader. For the members' information, the Minority Leader and I will be working together to develop a joint short form bill package.

"Second, Rule 41 also provides that an individual member is not supposed to introduce bills which only appropriate money, except for one bill for capital improvement projects in the member's district. The Minority Leader and I will seek to coordinate our efforts on money bills.

"Third, according to Rule 57, the Senate no longer has congratulatory or memorial resolutions; such sentiments are now expressed by means of certificates.

"Your cooperation in abiding by these rules will be appreciated."

Senator Abercrombie then rose on a point of clarification and stated:

"Mr. President, when you mention bills with respect to appropriation, if I remember correctly, bills were introduced by individual members that were a compendium

of appropriation items. I want to make sure that I understood you correctly. I took it from your remarks that we were not to introduce such bills."

The Chair answered: "That is correct."

Senator Abercrombie continued:

"Mr. President, my difficulty is that if it was possible to introduce a single bill which incorporated various items previously under the Rules, and we are operating under the same Rules, why is it that we not follow that same procedure?"

The Chair answered: "The procedure set down is that with reference to CIP bills. If one feels that capital improvement is needed in a particular area, not necessarily his own, he may do so. We've already made that determination to"

Senator Abercrombie interjected:

"Yes, I see. What about, again for clarification purposes, where there are operating expenses, for example, with equipment that are not CIP bills. Could that also be put in a single bill?"

The Chair answered: "No."

Senator Abercrombie further inquired:

"They should be separate bills?"

The Chair answered: "Yes, and I would suggest you get to the President's office or to the Minority Leader and we will discuss it."

Senator Abercrombie further asked:

"Will it be possible then to send one of our office people down to make sure that we're in?"

The Chair replied in the affirmative.

Senator Yamasaki then introduced Mr. Jun Inouye, a visitor from Fukuoka, our sister-prefecture in Japan.

ADJOURNMENT

At 11:17 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 29, 1985.

TENTH DAY

Tuesday, January 29, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kim On Chong, former chaplain of Mid-Pacific Institute and retired minister of United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Cobb and Hee who were excused.

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

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

Senator Fernandes Salling introduced Miss Ellen Ching, the Kauai Director for the Association of Retarded Citizens.

Senator Kawasaki then made the following introduction:

"Mr. President, it's my delight this morning to introduce to this body three gentlemen seated in the gallery. First of all, there is the former majority leader of the House, former Representative Bob Kimura, who has two gentlemen with him that we'd like to introduce today.

"I'd like, first of all, Bob Kimura to stand. Bob, of course, was the pinup boy for the House for many, many years. We could stand him over here. Along with Mr. Kimura is Mr. Hiroshi Tsuchimoto who is president and chairman of the board of the Marumi Shoji Company, Ltd. and the Kogeisha Company, Ltd. of Japan. These two companies operate and control some 38 businesses, factories, and retail and wholesale outlets dealing with some 32 products such as, high quality Arita-yaki chinaware and fine ladies apparel.

"Mr. Tsuchimoto has recently established a Hawaii subsidiary dealing with some of his products, and I'm particularly delighted because ladies here know that there is a dearth of fine Japanese Arita chinaware that they can buy for wedding gifts, housewarming gifts, etc. We see nothing but these gaudy, cheap things that apparently appeal to some Mainland tourists. Shirokiya and Daiei now will get some quality products coming along. So, Mr. Tsuchimoto is going to deal with that.

"He has also with him his local manager, Mr. Satoshi Matsumoto, and the lady who is also part of the staff."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 90) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 1, transmitting the FY 1983 Annual Report for the Department of Labor and Industrial Relations, pursuant to Sec. 371-7, HRS, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 2, transmitting the report, "Statistics of Hawaiian Agriculture, 1983," prepared by the Hawaii Agricultural Reporting Service, was referred to the Committee on Agriculture.

Gov. Msg. No. 3, transmitting the "Report of the Governor: 1983," was placed on file.

Gov. Msg. No. 4, transmitting the Annual Report, 1983-1984, of the Teacher Education Coordinating Committee, pursuant to Sec. 304-20, HRS, was referred to the Committee on Education.

Gov. Msg. No. 5, transmitting a report prepared by the Department of Transportation, pursuant to H.R. No. 274 (1971), Requesting Annual Evaluation Reports on the Driver Education and Training Program, was referred to the Committee on Transportation.

Gov. Msg. No. 6, transmitting the Annual Report of Deposits and Investments of the State of Hawaii, FY ended June 30, 1984, prepared by the Finance Division of the Department of Budget and Finance, was referred to the Committee on Ways and Means.

Gov. Msg. No. 7, transmitting the 10 State Functional Plans, adopted by the Twelfth State Legislature on April 19, 1984, as follows:

State Conservation Lands Functional Plan;

State Energy Functional Plan;

State Health Functional Plan;

State Higher Education Functional Plan;

State Historic Preservation Functional Plan;

State Housing Functional Plan;

State Recreation Functional Plan;

State Tourism Functional Plan;

State Transportation Functional Plan;
and

State Water Resources Development
Functional Plan,

was referred to the Committee on Economic
Development.

Gov. Msg. No. 8, transmitting reports
prepared by the Department of Education,
in response to the following:

H.B. No. 1640-84, Part III, Sec. 24 -
Review of Department of Education's
Program and Operations, was referred to
the Committee on Education;

H.B. No. 1640-84, Part III, Sec. 30 -
Early Provisions for School Success
Program, was referred to the Committee
on Education;

H.B. No. 1640-84, Part III, Sec. 30B -
Summer Program for the Enhancement of
Basic Education, was referred to the
Committee on Education;

H.B. No. 1640-84, Part III, Sec. 31 -
Comprehensive School Alienation
Program, was referred to the Committee
on Education;

H.B. No. 1640-84, Part III, Sec. 31E -
Student Activity Travel Expenses, was
referred to the Committee on Education;

H.B. No. 1640-84, Part III, Sec. 37A -
Plans for Use of Funds and Positions, was
referred to the Committee on Education;

H.R. No. 154 (1984) - Concerning
Marine Education, was referred jointly to
the Committee on Education and the
Committee on Higher Education;

H.R. No. 311 (1984) - Requesting the
State Board of Education to Submit a Plan
for the Education of the Children of the
Niihau Island Community, was referred to
the Committee on Education;

H.R. No. 349 (1984) - Requesting the
Board of Education and Representatives
of the Appropriate Leagues and the
Teachers' Union to Develop an Adequate
Compensation Schedule for Coaches, was
referred to the Committee on Education;

H.R. No. 383 (1984) - Requesting the
Department of Education to Conduct a
Review of the Approval Process for
Computer Purchases Requests, was
referred to the Committee on Education;

H.R. No. 395 (1984) - Requesting the
Department of Education and Department
of Health to Cooperate and Coordinate a
Study on the Feasibility of Establishing

Intermediate Nursing Facilities for the Care
of Severely Multiply Handicapped Children,
was referred jointly to the Committee on
Education and the Committee on Health;

S.R. No. 21 (1984) - Requesting the
Department of Education to Respond to
July 1983 Report by Hawaii Advisory
Committee to the U.S. Commission on
Civil Rights, was referred to the
Committee on Education; and

S.R. No. 133 (1984) - Requesting the
Board of Education to Encourage the
Department of Education to Continue to
Promote Hawaiian Studies Programs in
Our Public Schools and to Request the
Department of Education to Complete a
Study Regarding Its Hawaiian Studies
Program, was referred to the Committee
on Education.

Gov. Msg. No. 9, transmitting reports
prepared by the Department of Health, in
response to the following:

H.R. No. 171 (1984) - Regarding
Suicide in Hawaii; and

Act 201 (1982) - Agent Orange
Program,

was referred to the Committee on Health.

Gov. Msg. No. 10, transmitting a report
prepared by the Department of Health, in
response to H.R. No. 56 (1984), the
Prevalence of Alzheimer's Disease in
Hawaii, was referred to the Committee on
Health.

Gov. Msg. No. 11, transmitting the
"Proceedings of the Governor's Conference
on Videotex, Transportation and Energy
Conservation," (January 21 to February 2,
1984), prepared by the Department of
Planning and Economic Development, was
referred to the Committee on Economic
Development.

Gov. Msg. No. 12, transmitting reports
prepared by the University of Hawaii, in
response to the following:

H.B. No. 1940-84 - Relating to the
University of Hawaii Research and
Training Revolving Fund Annual Report,
was referred to the Committee on Higher
Education;

S.B. No. 1062 (1983) - Relating to High
Technology Development Annual Report
(1984), was referred to the Committee on
Higher Education;

S.R. No. 45, H.C.R. No. 35, and S.C.R.
39 (1984) - Requesting a Status Report on
the Big Island Ocean Recreation and
Tourism Project, was referred to the
Committee on Tourism;

S.R. No. 37 (1984) - Requesting Honolulu Community College to Implement a Pilot Program on Non-Credit Courses for Small Business, was referred to the Committee on Higher Education;

S.R. No. 38 (1984) - Requesting the Board of Regents and the University of Hawaii to Submit a Comprehensive Report on Its Assessment of the Need and Subsequent Impact of Adopting and Implementing More Rigorous Standards for Admission, was referred to the Committee on Higher Education;

S.R. No. 83 (1984) - Requesting the University of Hawaii to Submit a Report on the Need to Develop and Offer a Regular Program of Courses Which Will Provide the Necessary Training Required for Dental Hygienists to Properly Administer Local Anesthetics and Perform Other Expanded Functions, was referred jointly to the Committee on Higher Education and the Committee on Consumer Protection and Commerce;

S.R. No. 172 (1984) - Requesting a Study of Research in Environmentally Sound Means of Controlling Pests Without the Use of Dangerous Chemicals, was referred to the Committee on Agriculture; and

H.R. No. 335 (1984) - Study the Feasibility of Establishing a Program to Assist Registered Nurses Become Certified Geriatric Nurse Practitioners, was referred to the Committee on Higher Education.

Gov. Msg. No. 13, transmitting a report prepared by the Department of Agriculture, in response to H.R. No. 26 (1984), Requesting an Investigation into the Feasibility of Establishing Consolidation Facilities for the Storage and Distribution of Agricultural Products, was referred to the Committee on Agriculture.

Gov. Msg. No. 14, transmitting a report, "Alternative Means of Providing Direct Classroom Services," prepared by the Department of Education, in response to H.B. No. 1640-84, Part III, Sec. 27A, was referred to the Committee on Education.

Gov. Msg. No. 15, transmitting the 1983-1984 Annual Report of the Department of Taxation, pursuant to Sec. 231-3(8), HRS, was referred to the Committee on Ways and Means.

Gov. Msg. No. 16, transmitting a report prepared by the Department of Health, in response to H.R. No. 253 (1983), A Study of the Health Status of a Population Exposed to Low Levels of Hydrogen Sulfide (and Other Geothermal Effluents) in Puna,

Hawaii, was referred to the Committee on Health.

Gov. Msg. No. 17, transmitting reports prepared by the Department of Transportation, in response to the following resolutions adopted in 1984:

S.R. No. 157 - Requesting the Department of Transportation to Provide Immediate Improvements to General Aviation Facilities in Hawaii; and

H.R. No. 240 - Requesting Alleviation of Traffic Congestion on the Waipahu On-Ramp to the Honolulu-Bound H-1 Freeway,

was referred to the Committee on Transportation.

Gov. Msg. No. 18, transmitting a report prepared by the Department of Health, pursuant to Act 285, Sec. 15, SLH 1984, Relating to the Modifications Made to the Hawaii State Plan for Alcohol, Drug Abuse and Mental Health, was referred to the Committee on Health.

Gov. Msg. No. 19, transmitting the "Report to the State Legislature Concerning the Requirements of Act 124, SLH 1984, Relating to the Sale of Energy-Efficient Water Heaters in Hawaii," prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

Gov. Msg. No. 20, transmitting report prepared by the Department of Accounting and General Services, in response to H.R. No. 309 (1984), Requesting Findings and Recommendations on the Issue of the Ten-year Age Limitation for Conventional School Busses, was referred to the Committee on Education.

Gov. Msg. No. 21, transmitting a report prepared by the Attorney General of Hawaii, in response to S.R. No. 84 (1984), Relating to Non-criminal Immigrant Detainees in State Correctional Facilities, was referred to the Committee on Judiciary.

Gov. Msg. No. 22, transmitting the Statement of Special Purpose Revenue Bonds, Issued and Outstanding and Authorized but Unissued as of July 1, 1984, in compliance with Sec. 12, Article VII, of the Constitution of the State of Hawaii and pursuant to Sec. 39A-1, HRS, was referred to the Committee on Ways and Means.

Gov. Msg. No. 23, transmitting a report prepared by the University of Hawaii, in response to H.R. No. 154 (1984), Concerning Marine Education, was referred jointly to the Committee on Education and the Committee on Higher Education.

Gov. Msg. No. 24, transmitting a report, "Youth Development Project: Preventive Intervention in Delinquency," prepared by the State Intake Service Centers, pursuant to Act 285, Sec. 50A, SLH 1984, was referred to the Committee on Judiciary.

Gov. Msg. No. 25, transmitting the 1983-1984 Annual Report prepared by the Hawaii Public Employment Relations Board, pursuant to Sec. 89-5, HRS, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 26, transmitting a report prepared by the Insurance Division of the Department of Commerce and Consumer Affairs, in response to S.R. No. 76 (1983), Requesting the Insurance Commissioner to Determine How Private Medical Insurance May Be Used to Provide Long-Term Benefits to Hawaii's Elderly People, was referred jointly to the Committee on Human Services and the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 27, transmitting the Annual Report of the Hawaii Community Development Authority for FY 1983-1984, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 28, transmitting reports prepared by the University of Hawaii, in response to the following:

H.B. No. 1640-84, Part III, Sec. 40 - Requesting the UH to Study Ways of Lowering Its Electricity Usage and to Submit to the Legislature to Report Describing Usage Compared to Projection and Explanation of Variances and Suggested Recommendations for Electricity Conservation, was referred to the Committee on Higher Education;

H.B. No. 1640-84, Part III, Sec. 39 - Molokai Educational Outreach Program; Requiring Maui Community College to Submit an Evaluation Report on Its Educational Outreach Program Goals and Objectives, was referred to the Committee on Education; and

H.R. No. 174 (1984) - Relating to a Plan for the Transfer of the Administration and Function of the Social Rehabilitation of Confined Adults Program to the Department of Social Services and Housing, was referred to the Committee on Judiciary.

Gov. Msg. No. 29, transmitting reports prepared by the Department of Transportation, in response to the following:

S.R. No. 69 (1984) - Requesting Provisions for Yacht Charter Operations at Kewalo Basin; and

S.R. No. 139 (1984) - Requesting a

Progress Report on Efforts to Solve Dredging and Navigational Problems at Waikaea Canal Near Kapaa, Kauai,

was referred to the Committee on Transportation.

Gov. Msg. No. 30, transmitting a report prepared by the Department of Social Services and Housing and the Department of Health, in response to H.R. No. 282 (1984), Concerning the Regulation of Boarding and Care Homes, was referred to the Committee on Human Services.

Gov. Msg. No. 31, transmitting a report in response to H.B. No. 2305-84 on sign language interpreter services for hearing impaired persons, was referred to the Committee on Government Operations.

Gov. Msg. No. 32, transmitting a brochure prepared by the Executive Office on Aging, "Hawaii State Income Tax Benefits for Taxpayers Over 65," (January 1, 1984 to December 31, 1984), was placed on file.

Gov. Msg. No. 33, transmitting a report in response to S.R. No. 123 (1984), Requesting a Study for Sharing the Cost of Providing Handi Van Special Transit, was referred to the Committee on Human Services.

Gov. Msg. No. 34, transmitting reports prepared pursuant to Sec. 226-58, HRS, as amended, as follows:

Findings and Recommendations of the State Plan Policy Council on the State Education Functional Plan, December 13, 1984; and

Findings and Recommendations of the State Plan Policy Council on the State Agriculture Functional Plan, December 13, 1984,

was referred to the Committee on Economic Development.

Gov. Msg. No. 35, transmitting, pursuant to Article VII, Sec. 3 of the Hawaii Constitution as amended in 1978, the "Report of the First Tax Review Commission to the Thirteenth Legislature, State of Hawaii," December 17, 1984, was referred to the Committee on Ways and Means.

Gov. Msg. No. 36, transmitting a report prepared by the University of Hawaii, in response to H.R. No. 5 (1984), Requesting the Designation of an Official State Fish, was referred to the Committee on Education.

Gov. Msg. No. 37, transmitting the 1984 Annual Report of the Commission to Promote Uniform Legislation, Department of the Attorney General, was referred to the Committee on Judiciary.

Gov. Msg. No. 38, transmitting the report "Statewide Strategy for High Technology Growth," prepared by the High Technology Development Corporation, in response to H.C.R. No. 138 and H.R. No. 364 (1984), was referred to the Committee on Economic Development.

Gov. Msg. No. 39, transmitting "The 1984 Hawaii State Plan Survey," prepared for the Department of Planning and Economic Development by SMS Research, Inc., was referred to the Committee on Economic Development.

Gov. Msg. No. 40, transmitting a report prepared by the Department of Planning and Economic Development, in response to H.C.R. No. 121 (1984), Requesting Hawaii's Utility Companies to Take Greater Efforts to Encourage the Development of Alternate Energy Sources, together with reports from the electric utility companies in the state, was referred to the Committee on Energy.

Gov. Msg. No. 41, transmitting a report prepared by the Executive Office on Aging, "Prevalence of Incontinence Among Hawaii's Elderly," in response to H.R. No. 79 (1984), was referred to the Committee on Human Services.

Gov. Msg. No. 42, transmitting reports prepared by the Department of Health, in response to the following:

S.R. No. 131 (1984) - Requesting a Delay in Implementing the Department of Health's Administrative Rules on Private Wastewater Treatment Works and Individual Treatment Systems; and

S.R. No. 155 (1984) - Relating to the Transfer of Authority Over Private Wastewater Treatment Plants from the State to the Counties,

was referred to the Committee on Health.

Gov. Msg. No. 43, transmitting, pursuant to Sec. 171-50(c), HRS, a draft of a resolution for review of action involving a land exchange entered into by and between the Department of Land and Natural Resources and Seibu Hawaii, Inc., in compliance with H.C.R. No. 41 (1984), was referred to the Committee on Economic Development.

Gov. Msg. No. 44, transmitting, pursuant to Sec. 171-50(c), HRS, a draft of a resolution requesting review of land exchange of public land for private land entered into by the Department of Land and Natural Resources with the Trustees of the Bernice Pauahi Bishop Estate, was referred to the Committee on Economic Development.

Gov. Msg. No. 45, transmitting a report, "Findings and Recommendations on the Issue of Funding Speech Pathologists under Separate EDN Budget Categories," prepared by the Department of Budget and Finance, in response to S.R. No. 141 (1984), was referred to the Committee on Education.

Gov. Msg. No. 46, transmitting a report prepared by the Department of Land and Natural Resources, in response to S.C.R. No. 31 (1984), Requesting a Report on an Assessment of Water Hazard Warning Measures at State and County Parks, was referred to the Committee on Tourism.

Gov. Msg. No. 47, transmitting the Second Annual Report on the Nursing Home Without Walls Demonstration Project, prepared by the Department of Social Services and Housing, pursuant to Sec. 7, Act 192, SLH 1983, was referred to the Committee on Human Services.

Gov. Msg. No. 48, transmitting the following:

The Multi-Year Program and Financial Plan and Executive Budget for the Period 1985-1991 (Budget Period: 1985-1987), Volumes I, II and II, pursuant to Sec. 37-69, Budget - The Six-Year Program and Financial Plan; and

The Variance Report for Fiscal Years 1984 and 1985, Volumes I and II, pursuant to Sec. 37-75, Budget - Variance Report,

was referred to the Committee on Ways and Means.

Gov. Msg. No. 49, transmitting the Hawaii Fisheries Coordinating Council Annual Report FY 1983-1984, prepared by the Department of Land and Natural Resources, pursuant to Section 188E-1, HRS, was referred to the Committee on Economic Development.

Gov. Msg. No. 50, transmitting the Annual Report of the Hawaii Public Broadcasting Authority, FY 1983-1984, pursuant to Section 314-12, HRS, was referred to the Committee on Education.

Gov. Msg. No. 51, transmitting the Annual Report of the Compliance Resolution Fund, Department of Commerce and Consumer Affairs, pursuant to Act 60, SLH 1982, together with a response (Attachment 1) to S.R. No. 70 (1984), Requesting the Department of Commerce and Consumer Affairs to Review Its Administrative Support for Boards and Commissions Which Are Subject to the Sunset Law, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 52, transmitting the Progressive Neighborhoods Program Annual Report, pursuant to Chapter 362-2, HRS, was referred to the Committee on Human Services.

Gov. Msg. No. 53, transmitting the 1984 Annual Report of the Office of Collective Bargaining, pursuant to Chapter 89, HRS, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 54, transmitting the 1984 Annual Report prepared by the Department of Defense, pursuant to Chapter 93-12, HRS, was referred to the Committee on Government Operations.

Gov. Msg. No. 55, transmitting the 1985 Annual Report to the Governor on Employment prepared by the Commission on Manpower and Full Employment, pursuant to Chapter 202, HRS, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 56, transmitting the Hawaii Advisory Commission on Drug Abuse and Controlled Substances Report and the Department of Health, Mental Health Division, Alcohol and Drug Abuse Branch Report, pursuant to Sec. 1, Act 10, SLH 1972, was referred to the Committee on Health.

Gov. Msg. No. 57, transmitting reports prepared by the Department of Commerce and Consumer Affairs, in response to the following:

S.R. No. 90 (1984) - Requesting the Real Estate Commission to Study Methods to Exempt Hotel Operations from Real Estate Licensing; and

H.R. No. 326 (1984) - Requesting Clarification of Exemptions for Hotel Operations from Real Estate Licensing Requirements,

was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 58, transmitting a report, Hawaii County Emergency Medical Services System, prepared by the Department of Health and Hawaii County Fire Department, in response to S.R. No. 101 (1984), was referred to the Committee on Health.

Gov. Msg. No. 59, transmitting the Supplementary Report to the Juvenile Justice Information System Study, Phase I, prepared by the State Law Enforcement Planning Agency, was referred to the Committee on Judiciary.

Gov. Msg. No. 60, transmitting the 1984 Annual Report of the Design Professional Conciliation Panel prepared by the

Department of Commerce and Consumer Affairs, pursuant to Sec. 672-12, HRS, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 61, transmitting a report prepared by the Department of Health and the Department of Planning and Economic Development, in response to H.R. No. 218 (1984), Relating to a Health Survey of the Volcano Community, was referred to the Committee on Health.

Gov. Msg. No. 62, transmitting the Report of the Residential Property Transfer Code Advisory Committee to the Hawaii Real Estate Commission, prepared by the Real Estate Commission, in conjunction with the Director of Commerce and Consumer Affairs and the Hawaii State Bar Association, in response to S.R. No. 51 (1983), was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 63, transmitting the Bank Examiner's Report to the Legislature on the Thrift Guaranty Corporation of Hawaii, in response to Sec. 53A of the Supplemental Appropriation Act of 1984, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 64, transmitting the following program memoranda, pursuant to Sec. 37-70:

Program Memorandum 01, Economic Development;

Program Memorandum 02, Employment;

Program Memorandum 03, Transportation;

Program Memorandum 04, Environmental Protection;

Program Memorandum 05, Health;

Program Memorandum 06, Social Services;

Program Memorandum 07, Formal Education;

Program Memorandum 08, Culture and Recreation;

Program Memorandum 09, Public Safety;

Program Memorandum 10, Individual Rights; and

Program Memorandum 11, Government-Wide Support.

was referred to the Committee on Ways and

Means.

Gov. Msg. No. 65, transmitting the Annual Report of the Foreign-Trade Zone No. 9, October 1, 1983 - September 30, 1984, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

Gov. Msg. No. 66, transmitting a report prepared by the Department of Social Services and Housing, in response to S.R. No. 84 (1984), Urging the Termination of the Practice of Holding Non-Criminal Immigrant Detainees in State Correctional Facilities, was referred to the Committee on Judiciary.

Gov. Msg. No. 67, transmitting a report prepared by the University of Hawaii, in response to Act 301, Sec. 41, SLH 1983, Transfer of Instruction Positions, was referred to the Committee on Higher Education.

Gov. Msg. No. 68, transmitting the 1984 Annual Report of the State Intake Service Centers, pursuant to Sec. 353-1.4, HRS, as amended, was referred to the Committee on Judiciary.

Gov. Msg. No. 69, transmitting the "Compensation Plans for the State of Hawaii," dated July 1, 1984, prepared by the Department of Personnel Services, and the survey report, "Pay Rates in Hawaii," dated September 1984, prepared by the Hawaii Employers Council, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 70, transmitting the 1984 Annual Report of the Criminal Injuries Compensation Commission, pursuant to Chapter 351, HRS, as amended, was referred to the Committee on Human Services.

Gov. Msg. No. 71, transmitting a report, "Hawaii as a Base for Tuna Purse Seining Operations," prepared by the Department of Planning and Economic Development, in response to S.R. No. 46 and H.R. No. 4, 1984, Concerning Commercial Fishing Activities in Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 72, transmitting a report prepared by the Board of Cosmetology and the Department of Commerce and Consumer Affairs, in response to S.R. No. 71 (1984), Requesting a Review of Changes to Improve the Regulation of Hairdressers, Cosmeticians, Beauty Shops, and Beauty Schools, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 73, transmitting the Hawaii Housing Authority Annual Report July 1, 1983/June 30, 1984, pursuant to Chapter 356, HRS, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 74, transmitting a report prepared by the Department of Accounting and General Services, in response to H.C.R. No. 104 (1984), Requesting a Report on Telecommunications Resources within State Government, was referred to the Committee on Government Operations.

Gov. Msg. No. 75, transmitting a report prepared by the Department of Health, pursuant to Sec. 329-11, HRS, Uniform Controlled Substance Act, was referred to the Committee on Health.

Gov. Msg. No. 76, transmitting reports prepared by the Department of Land and Natural Resources, pursuant to Sec. 171-29, HRS, as follows:

Land Disposition by Sales, Revocable Permits and Leases;
Subleases Approved by the Board of Land and Natural Resources;
Executive Orders; and
Dispositions to Public Utilities,

was referred to the Committee on Economic Development.

Gov. Msg. No. 77, transmitting a report, "Effects on Hawaii of a Worldwide Rise in Sea Level Induced by the 'Greenhouse Effect,'" prepared by the Hawaii Coastal Zone Management Program, Department of Planning and Economic Development, in response to S.R. No. 137 (1984), was referred to the Committee on Economic Development.

Gov. Msg. No. 78, transmitting a report prepared by the Department of Planning and Economic Development, in response to H.R. No. 19 (1984), Requesting a Study on the Concept of Shifting Reliance in Existing State Loan Programs from Direct Loans by the State to the Guarantee of Loans Made by Private Lenders, was referred to the Committee on Ways and Means.

Gov. Msg. No. 79, transmitting a report prepared by the Governor's Agriculture Coordinating Committee, in response to S.R. No. 99 (1984), Requesting a Report on Comprehensive Crop Projection Action Plan for Hawaii, was referred to the Committee on Agriculture.

Gov. Msg. No. 80, transmitting a report prepared by the Department of Planning and Economic Development, in response to H.R. No. 154 (1984), Concerning Marine Education, was referred jointly to the Committee on Education and the Committee on Higher Education.

Gov. Msg. No. 81, transmitting the "Department of Transportation Report to the Governor, 1984," (annual report), was referred to the Committee on Transportation.

Gov. Msg. No. 82, transmitting the "Tax Credits Claimed by Hawaii Residents, 1983," prepared by the Department of Taxation, in compliance with Sec. 231-3(8), HRS, was referred to the Committee on Ways and Means.

Gov. Msg. No. 83, transmitting the study and analysis of Act 103, SLH 1981 (gross proceeds from the sale of electricity to a public utility company for resale will be assessed at the one-half of the one percent general excise tax rate), prepared by the Department of Taxation, pursuant to Chapter 351, HRS, as amended, was referred to the Committee on Ways and Means.

Gov. Msg. No. 84, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of Nelson K. Moku, Jr., term to expire December 31, 1987, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 85, submitting for consideration and confirmation to the State Board of Nursing, the nomination of Lani Hiyaue Nakazawa, term to expire December 31, 1986, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 86, submitting for consideration and confirmation as Director of Health, the nomination of Leslie S. Matsubara, term to expire December 1, 1986, was referred to the Committee on Health.

Gov. Msg. No. 87, submitting for consideration and confirmation to the State Planning Council on Developmental Disabilities, the nomination of Calvin T. Masaki, term to expire December 31, 1987, was referred to the Committee on Health.

Gov. Msg. No. 88, submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nomination of Jane Iwalani Han, term to expire December 31, 1987, was referred to the Committee on Human Services.

Gov. Msg. No. 89, submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of Susan P. Walker, term to expire December 31, 1986, was referred to the Committee on Human Services.

Gov. Msg. No. 90, submitting for consideration and confirmation as Attorney General, the nomination of Michael A. Lilly, term to expire December 1, 1986, was referred to the Committee on Judiciary.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept.

Com. Nos. 1-26) were read by the Clerk and were disposed of as follows:

Dept. Com. No. 1 from the Department of Budget and Finance, transmitting certified statements and supporting schedules on the debt limit and total outstanding indebtedness of the State of Hawaii as of July 1, 1984, pursuant to Sec. 39-92(e) and Sec. 39-93(d), Part IV, Chapter 39, HRS, was referred to the Committee on Ways and Means.

Dept. Com. No. 2 from the Department of Budget and Finance, transmitting the seventh revised edition of the "Plan of Organization: Executive Branch of the Hawaii State Government," was referred to the Committee on Ways and Means.

Dept. Com. No. 3 from the Department of Commerce and Consumer Affairs, transmitting a letter, in response to S.R. No. 66 (1984), Requesting that the Director of Transportation and the Insurance Commissioner Compile Certain Motorcycle Accident Information, was referred to the Committee on Consumer Protection and Commerce.

Dept. Com. No. 4 from the Department of Commerce and Consumer Affairs, in response to S.R. No. 61 (1984), Requesting the Attorney General and the Contractors License Board to Seek Judicial Determination of the Constitutionality of Act 274, SLH 1983, enclosing a copy of an opinion from the State Attorney General, dated January 19, 1984, was referred to the Committee on Consumer Protection and Commerce.

Dept. Com. No. 5 from the Office of the Auditor, transmitting the following reports:

"Sunset Evaluation Update, Elevator Mechanics, Chapter 448H, HRS";
 "Sunset Evaluation Report, Osteopathy, Chapter 460, HRS";
 "Sunset Evaluation Report, Naturopathy, Chapter 455, HRS"; and
 "Sunset Evaluation Report, Pilotage, Chapter 462A, HRS, "Statutes,"

was referred to the Committee on Consumer Protection and Commerce.

Dept. Com. No. 6 from the Supreme Court, transmitting the Judiciary's Multi-Year Program and Financial Plan (1985-1991), Budget (1985-1987), and Variance Report (1983-1985), pursuant to Sec. 601-2 and Sec. 37-92, HRS, was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

Dept. Com. No. 7 from the Supreme Court, Judicial Council of Hawaii, transmitting a (proposed) bill concerning a

comprehensive review and reformation of the Hawaii Penal Code, prepared by the Committee on Penal Code Revision and Reform, pursuant to Sec. 10, Act 291 (1983), was referred to the Committee on Judiciary.

Dept. Com. No. 8 from the Department of Attorney General, transmitting a report, "Crime Trends in Hawaii, First Six Months Review, September 1984," was referred to the Committee on Judiciary.

Dept. Com. No. 9 from the Department of Attorney General, transmitting a report, "Crime Trends in Hawaii, Nine Month Review, December 1984," was referred to the Committee on Judiciary.

Dept. Com. No. 10 from the Department of Education, transmitting a copy of the "Agreement Between the State of Hawaii, Board of Education and Hawaii State Teachers Association, July 1, 1983 - June 30, 1985," was referred to the Committee on Labor and Employment.

Dept. Com. No. 11 from the Department of Planning and Economic Development, entitled "Economic Development on the Island of Hawaii, Issues and Options," was referred to the Committee on Economic Development.

Dept. Com. No. 12 from the Department of Labor and Industrial Relations, transmitting a study entitled, "The Impact of Technology on Hawaii's Automotive Mechanics: An Analysis with Recommendations," pursuant to Chapter 202, HRS, was referred to the Committee on Labor and Employment.

Dept. Com. No. 13 from the Tax Review Commission, transmitting the "Background Report," a study of the state's tax structure, was referred to the Committee on Ways and Means.

Dept. Com. No. 14 from the Office of the Auditor, transmitting a report, "Study of the Workers' Compensation Program of the State of Hawaii, Final Report," prepared by Haldi Associates, Inc., was referred jointly to the Committee on Labor and Employment and the Committee on Consumer Protection and Commerce.

Dept. Com. No. 15 from the Office of the Auditor, transmitting the following reports:

"Sunset Evaluation Update, Hearing Aid Dealers and Fitters, Chapter 451A, HRS";

"Sunset Evaluation Update, Nursing Home Administrators, Chapter 457B, HRS"; and

"Sunset Evaluation Report, Pharmacists and Pharmacy, Chapter 461, HRS,"

was referred to the Committee on

Consumer Protection and Commerce.

Dept. Com. No. 16 from the Office of the Auditor, transmitting a report, "Sunset Evaluation Report, Podiatrists, Chapter 463A, HRS," was referred to the Committee on Consumer Protection and Commerce.

Dept. Com. No. 17 from the Office of the Auditor, transmitting a report, "Interim Report of the Temporary Commission on Comparable Worth," pursuant to Act 185 of 1984, was referred to the Committee on Labor and Employment.

Dept. Com. No. 18 from the Office of the Auditor, transmitting a report, "Financial Audit of the Department of Taxation," pursuant to Sec. 23-4, HRS, was referred to the Committee on Ways and Means.

Dept. Com. No. 19 from the Office of the Administrative Director of the Courts, transmitting the "Report of the Commission on Judicial Salaries," was referred to the Committee on Judiciary.

Dept. Com. No. 20 from the Department of Planning and Economic Development, transmitting the State Functional Plans Progress Report and Progress Reports on Implementation of the Ten State Functional Plans, pursuant to the H.C.R. Nos. 21 - 30 (1984), was referred to the Committee on Economic Development.

Dept. Com. No. 21 from the Department of Hawaiian Home Lands, transmitting the Department of Hawaiian Home Lands Progress Report, was referred to the Committee on Economic Development.

Dept. Com. No. 22 from the Office of the Ombudsman, transmitting the Annual Report, FY 1983-1984, pursuant to Sec. 96-16, HRS, was referred to the Committee on Legislative Management.

Dept. Com. No. 23 from the Office of the Administrative Director of the Courts, the Judiciary, transmitting the annual report, "The Judiciary, FY 1983-84," was referred to the Committee on Judiciary.

Dept. Com. No. 24 from the Office of Collective Bargaining, transmitting collective bargaining agreements from Units 1, 2, 3, 4, 9, 10, 13, and IAFF Local Union No. 1463, was referred to the Committee on Labor and Employment.

Dept. Com. No. 25 from the Tax Review Commission, transmitting the "Report of the First Tax Review Commission to the Thirteenth Legislature, State of Hawaii," pursuant to Article VII, Sec. 3 of the Hawaii Constitution, as amended in 1978, was referred to the Committee on Ways and Means.

Dept. Com. No. 26 from the Office of the

Comptroller, Department of Accounting and General Services, transmitting the Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 1984, pursuant to Sec. 40-5, HRS, was referred to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, January 30, 1985:

Senate Bills

No. 1 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Senator Wong, by request.

No. 2 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Senator Wong, by request.

No. 3 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Wong, by request.

No. 4 "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES."

Introduced by: Senator Wong, by request.

No. 5 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Wong, by request.

No. 6 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Wong, by request.

No. 7 "A BILL FOR AN ACT RELATING TO NAMES."

Introduced by: Senator Wong, by request.

No. 8 "A BILL FOR AN ACT RELATING TO NAMES."

Introduced by: Senator Wong, by request.

No. 9 "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES."

Introduced by: Senator Wong, by request.

No. 10 "A BILL FOR AN ACT RELATING TO STATE WARRANTS."

Introduced by: Senator Wong, by request.

No. 11 "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS."

Introduced by: Senator Wong, by request.

No. 12 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES."

Introduced by: Senator Wong, by request.

No. 13 "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS."

Introduced by: Senator Wong, by request.

No. 14 "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE."

Introduced by: Senator Wong, by request.

No. 15 "A BILL FOR AN ACT RELATING TO CHICKEN EGGS."

Introduced by: Senator Wong, by request.

No. 16 "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE."

Introduced by: Senator Wong, by request.

No. 17 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES."

Introduced by: Senator Wong, by request.

No. 18 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE."

Introduced by: Senator Wong, by request.

No. 19 "A BILL FOR AN ACT
RELATING TO EXPORT OF FRUITS,
VEGETABLES, NUTS, AND COFFEE."

Introduced by: Senator Wong, by
request.

No. 20 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
SUGAR RESEARCH AND DEVELOPMENT."

Introduced by: Senator Wong, by
request.

No. 21 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
PROMOTION OF PINEAPPLE."

Introduced by: Senator Wong, by
request.

No. 22 "A BILL FOR AN ACT
RELATING TO DRUG PARAPHERNALIA."

Introduced by: Senator Wong, by
request.

No. 23 "A BILL FOR AN ACT
RELATING TO THE STATE TORT
LIABILITY ACT."

Introduced by: Senator Wong, by
request.

No. 24 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Wong, by
request.

No. 25 "A BILL FOR AN ACT
RELATING TO INVESTIGATIVE POWER OF
THE ATTORNEY GENERAL."

Introduced by: Senator Wong, by
request.

No. 26 "A BILL FOR AN ACT
RELATING TO THE SUBPOENA POWER OF
THE ATTORNEY GENERAL."

Introduced by: Senator Wong, by
request.

No. 27 "A BILL FOR AN ACT
RELATING TO THE STATE FIRE
COUNCIL."

Introduced by: Senator Wong, by
request.

No. 28 "A BILL FOR AN ACT
RELATING TO LIABILITY OF PUBLIC
ENTITIES."

Introduced by: Senator Wong, by
request.

No. 29 "A BILL FOR AN ACT
RELATING TO THE ADVISORY COUNCIL

FOR CHILDREN AND YOUTH."

Introduced by: Senator Wong, by
request.

No. 30 "A BILL FOR AN ACT
RELATING TO COMPACT FOR
EDUCATION."

Introduced by: Senator Wong, by
request.

No. 31 "A BILL FOR AN ACT
RELATING TO LIMITATION OF ACTIONS."

Introduced by: Senator Wong, by
request.

No. 32 "A BILL FOR AN ACT
RELATING TO THE BOARD OF
EDUCATION."

Introduced by: Senator Wong, by
request.

No. 33 "A BILL FOR AN ACT
RELATING TO LANDOWNERS' LIABILITY."

Introduced by: Senator Wong, by
request.

No. 34 "A BILL FOR AN ACT
RELATING TO PRIVATE ACTIVITY
BONDS."

Introduced by: Senator Wong, by
request.

No. 35 "A BILL FOR AN ACT
RELATING TO GENERAL OBLIGATION
BONDS OF THE STATE OF HAWAII."

Introduced by: Senator Wong, by
request.

No. 36 "A BILL FOR AN ACT
RELATING TO THE COMPENSATION OF
CERTAIN PERSONS UNDER THE
CRIMINAL INJURIES COMPENSATION
ACT AND PROVIDING APPROPRIATIONS
THEREFOR."

Introduced by: Senator Wong, by
request.

No. 37 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by
request.

No. 38 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR
COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by
request.

No. 39 "A BILL FOR AN ACT
MAKING APPROPRIATIONS FOR

COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 40 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 41 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 42 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 43 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 44 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 45 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 46 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 47 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 48 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Senator Wong, by request.

No. 49 "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND

EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS."

Introduced by: Senator Wong, by request.

No. 50 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Wong, by request.

No. 51 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Wong, by request.

No. 52 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Wong, by request.

No. 53 "A BILL FOR AN ACT RELATING TO DEFENSE."

Introduced by: Senator Wong, by request.

No. 54 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE GUARD."

Introduced by: Senator Wong, by request.

No. 55 "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS."

Introduced by: Senator Wong, by request.

No. 56 "A BILL FOR AN ACT RELATING TO MEMBERS OF BOARDS AND COMMISSIONS."

Introduced by: Senator Wong, by request.

No. 57 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 58 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 59 "A BILL FOR AN ACT
RELATING TO IMMUNIZATION FOR
SCHOOL ATTENDANCE."

Introduced by: Senator Wong, by
request.

No. 60 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senator Wong, by
request.

No. 61 "A BILL FOR AN ACT
RELATING TO MENTAL HEALTH FEES."

Introduced by: Senator Wong, by
request.

No. 62 "A BILL FOR AN ACT
RELATING TO MENTAL HEALTH AND
SUBSTANCE ABUSE."

Introduced by: Senator Wong, by
request.

No. 63 "A BILL FOR AN ACT
RELATING TO HANSEN'S DISEASE."

Introduced by: Senator Wong, by
request.

No. 64 "A BILL FOR AN ACT
RELATING TO DOMICILIARY CARE."

Introduced by: Senator Wong, by
request.

No. 65 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senator Wong, by
request.

No. 66 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senator Wong, by
request.

No. 67 "A BILL FOR AN ACT
RELATING TO MEDICAL RECORDS."

Introduced by: Senator Wong, by
request.

No. 68 "A BILL FOR AN ACT
RELATING TO MENTAL HEALTH."

Introduced by: Senator Wong, by
request.

No. 69 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senator Wong, by
request.

No. 70 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL

QUALITY."

Introduced by: Senator Wong, by
request.

No. 71 "A BILL FOR AN ACT
RELATING TO NAMES."

Introduced by: Senator Wong, by
request.

No. 72 "A BILL FOR AN ACT
RELATING TO DRUG ABUSE AND
CONTROLLED SUBSTANCES."

Introduced by: Senator Wong, by
request.

No. 73 "A BILL FOR AN ACT
RELATING TO ADMISSION TO A
PSYCHIATRIC FACILITY."

Introduced by: Senator Wong, by
request.

No. 74 "A BILL FOR AN ACT
RELATING TO MENTAL HEALTH."

Introduced by: Senator Wong, by
request.

No. 75 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senator Wong, by
request.

No. 76 "A BILL FOR AN ACT
RELATING TO CONTROLLED
SUBSTANCES."

Introduced by: Senator Wong, by
request.

No. 77 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT RELATIONS
BOARDS."

Introduced by: Senator Wong, by
request.

No. 78 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT
PRACTICES."

Introduced by: Senator Wong, by
request.

No. 79 "A BILL FOR AN ACT
RELATING TO THE COMMISSION ON
MANPOWER AND FULL EMPLOYMENT."

Introduced by: Senator Wong, by
request.

No. 80 "A BILL FOR AN ACT
RELATING TO DAMS AND RESERVOIRS."

Introduced by: Senator Wong, by
request.

No. 81 "A BILL FOR AN ACT
RELATING TO MAINTENANCE OF
DRAINAGEWAYS."

Introduced by: Senator Wong, by
request.

No. 82 "A BILL FOR AN ACT
RELATING TO THE USE OF THE SPECIAL
LAND AND DEVELOPMENT FUND."

Introduced by: Senator Wong, by
request.

No. 83 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL PARKS."

Introduced by: Senator Wong, by
request.

No. 84 "A BILL FOR AN ACT
RELATING TO HISTORIC PRESERVATION."

Introduced by: Senator Wong, by
request.

No. 85 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
LAND AND NATURAL RESOURCES."

Introduced by: Senator Wong, by
request.

No. 86 "A BILL FOR AN ACT
RELATING TO STATE ENVIRONMENTAL
POLICY."

Introduced by: Senator Wong, by
request.

No. 87 "A BILL FOR AN ACT
RELATING TO THE AQUACULTURE
ADVISORY COUNCIL."

Introduced by: Senator Wong, by request.

No. 88 "A BILL FOR AN ACT
RELATING TO AQUACULTURE
MARKETING COOPERATIVES."

Introduced by: Senator Wong, by
request.

No. 89 "A BILL FOR AN ACT
RELATING TO EXEMPTIONS FOR
CERTAIN SMALL-SCALE AQUACULTURE
PROJECTS PREVIOUSLY SUBJECT TO
THE STATE ENVIRONMENTAL IMPACT
STATEMENT LAW."

Introduced by: Senator Wong, by
request.

No. 90 "A BILL FOR AN ACT
RELATING TO COMMERCIAL MARINE
LICENSE."

Introduced by: Senator Wong, by
request.

No. 91 "A BILL FOR AN ACT

RELATING TO FISHING."

Introduced by: Senator Wong, by
request.

No. 92 "A BILL FOR AN ACT
RELATING TO COMMERCIAL MARINE
DEALERS."

Introduced by: Senator Wong, by
request.

No. 93 "A BILL FOR AN ACT
RELATING TO FISH CATCH REPORTS."

Introduced by: Senator Wong, by
request.

No. 94 "A BILL FOR AN ACT
RELATING TO AQUATIC RESOURCES AND
WILDLIFE."

Introduced by: Senator Wong, by
request.

No. 95 "A BILL FOR AN ACT
RELATING TO AQUATIC RESOURCES."

Introduced by: Senator Wong, by
request.

No. 96 "A BILL FOR AN ACT
RELATING TO WILDLIFE."

Introduced by: Senator Wong, by
request.

No. 97 "A BILL FOR AN ACT
RELATING TO ACCRETION."

Introduced by: Senator Wong, by
request.

No. 98 "A BILL FOR AN ACT
RELATING TO THE ENFORCEMENT
PROGRAM OF THE DEPARTMENT OF
LAND AND NATURAL RESOURCES."

Introduced by: Senator Wong, by
request.

No. 99 "A BILL FOR AN ACT
RELATING TO INDIGENT BURIALS."

Introduced by: Senator Wong, by
request.

No. 100 "A BILL FOR AN ACT
RELATING TO GENERAL EXCISE TAX
EXEMPTIONS."

Introduced by: Senator Wong, by
request.

No. 101 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by
request.

No. 102 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by
request.

No. 103 "A BILL FOR AN ACT
RELATING TO RETENTION OF STATE
TAX REFUNDS."

Introduced by: Senator Wong, by
request.

No. 104 "A BILL FOR AN ACT
RELATING TO RECIPROCAL
ENFORCEMENT OF SUPPORT."

Introduced by: Senator Wong, by
request.

No. 105 "A BILL FOR AN ACT
RELATING TO CHILD SUPPORT."

Introduced by: Senator Wong, by
request.

No. 106 "A BILL FOR AN ACT
RELATING TO CHILD SUPPORT."

0 Introduced by: Senator Wong, by request.

No. 107 "A BILL FOR AN ACT
RELATING TO CHILD SUPPORT."

Introduced by: Senator Wong, by
request.

No. 108 "A BILL FOR AN ACT
RELATING TO CHILD SUPPORT."

Introduced by: Senator Wong, by
request.

No. 109 "A BILL FOR AN ACT
RELATING TO HOUSING LOAN AND
MORTGAGE PROGRAMS."

Introduced by: Senator Wong, by
request.

No. 110 "A BILL FOR AN ACT
RELATING TO HOUSING."

Introduced by: Senator Wong, by
request.

No. 111 "A BILL FOR AN ACT
RELATING TO HOUSING."

Introduced by: Senator Wong, by
request.

No. 112 "A BILL FOR AN ACT
RELATING TO HOUSING."

Introduced by: Senator Wong, by
request.

No. 113 "A BILL FOR AN ACT

RELATING TO HOME CARE SERVICES."

Introduced by: Senator Wong, by
request.

No. 114 "A BILL FOR AN ACT
RELATING TO FAIR HEARINGS."

Introduced by: Senator Wong, by
request.

No. 115 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 116 "A BILL FOR AN ACT
RELATING TO WITHHOLDING AND
COLLECTION OF TAX AT SOURCE."

Introduced by: Senator Wong, by
request.

No. 117 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 118 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 119 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 120 "A BILL FOR AN ACT
RELATING TO USE TAX LAW."

Introduced by: Senator Wong, by
request.

No. 121 "A BILL FOR AN ACT
RELATING TO DRINKING AGE."

Introduced by: Senator Chang, by
request.

No. 122 "A BILL FOR AN ACT
PROPOSING AMENDMENTS TO ARTICLES
II, III, AND XVII OF THE CONSTITUTION
OF THE STATE OF HAWAII TO PROVIDE
FOR THE INITIATIVE."

Introduced by: Senator Chang, by
request.

No. 123 "A BILL FOR AN ACT
RELATING TO THE STATE HIGHWAY
FUND."

Introduced by: Senator Wong, by
request.

No. 124 "A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Wong, by request.

No. 125 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senator Wong, by request.

No. 126 "A BILL FOR AN ACT RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR."

Introduced by: Senator Wong, by request.

No. 127 "A BILL FOR AN ACT RELATING TO AERONAUTICS."

Introduced by: Senator Wong, by request.

No. 128 "A BILL FOR AN ACT RELATING TO THE SHORES AND SHORELINE."

Introduced by: Senator Wong, by request.

No. 129 "A BILL FOR AN ACT RELATING TO LIENS ON AIRCRAFT."

Introduced by: Senator Wong, by request.

No. 130 "A BILL FOR AN ACT RELATING TO REAL PROPERTY IN AIRPORT NOISE EXPOSURE AREAS."

Introduced by: Senator Wong, by request.

No. 131 "A BILL FOR AN ACT RELATING TO CONCESSIONS."

Introduced by: Senator Wong.

No. 132 "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES."

Introduced by: Senator Wong, by request.

No. 133 "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT."

Introduced by: Senator Wong, by request.

No. 134 "A BILL FOR AN ACT RELATING TO AERONAUTICS."

Introduced by: Senator Wong, by request.

request.

No. 135 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII AT MANOA MALPRACTICE SELF-INSURANCE SPECIAL FUND."

Introduced by: Senator Wong, by request.

No. 136 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL FUNDS FOR THE UNIVERSITY OF HAWAII AT MANOA, THE UNIVERSITY OF HAWAII AT HILO, AND WEST OAHU COLLEGE."

Introduced by: Senator Wong.

No. 137 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR THE INTERCOLLEGIATE ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Wong, by request.

No. 138 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR INTERNAL SUPPORT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO."

Introduced by: Senator Wong, by request.

No. 139 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII STATEWIDE COMPUTER SERVICES REVOLVING FUND."

Introduced by: Senator Wong, by request.

No. 140 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S TRANSCRIPT AND DIPLOMA REVOLVING FUND."

Introduced by: Senator Wong, by request.

No. 141 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND."

Introduced by: Senator Wong, by request.

No. 142 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Wong, by request.

No. 143 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Wong, by
request.

No. 144 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Wong, by
request.

No. 145 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Wong, by
request.

No. 146 "A BILL FOR AN ACT
RELATING TO PUBLIC OFFICERS AND
EMPLOYEES NOT COVERED BY CHAPTER
89."

Introduced by: Senator Wong, by
request.

No. 147 "A BILL FOR AN ACT
RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Wong, by
request.

No. 148 "A BILL FOR AN ACT
RELATING TO CIVIL SERVICE."

Introduced by: Senator Wong, by
request.

No. 149 "A BILL FOR AN ACT
RELATING TO LAND USE."

Introduced by: Senator Wong, by
request.

No. 150 "A BILL FOR AN ACT
RELATING TO TAX INCENTIVES FOR
SOLAR AND WIND ENERGY DEVICES AND
HEAT PUMPS."

Introduced by: Senator Wong, by
request.

No. 151 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
PLANNING AND ECONOMIC
DEVELOPMENT."

Introduced by: Senator Wong, by
request.

No. 152 "A BILL FOR AN ACT
RELATING TO THE FACILITATION OF
PERMIT PROCESSING."

Introduced by: Senator Wong, by
request.

No. 153 "A BILL FOR AN ACT

RELATING TO GEOTHERMAL ENERGY."

Introduced by: Senator Wong, by
request.

No. 154 "A BILL FOR AN ACT
RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY."

Introduced by: Senator Wong, by
request.

No. 155 "A BILL FOR AN ACT
RELATING TO TAX INCREMENT
FINANCING."

Introduced by: Senator Wong, by
request.

No. 156 "A BILL FOR AN ACT
RELATING TO THE HIGH TECHNOLOGY
DEVELOPMENT CORPORATION."

Introduced by: Senator Wong, by
request.

No. 157 "A BILL FOR AN ACT
RELATING TO HIGH TECHNOLOGY
DEVELOPMENT CORPORATION."

Introduced by: Senator Wong, by
request.

No. 158 "A BILL FOR AN ACT
RELATING TO TAX CREDITS FOR THE
SALE OF GASOLINE."

Introduced by: Senator Wong, by
request.

No. 159 "A BILL FOR AN ACT
RELATING TO THIRD-PARTY FINANCING
ARRANGEMENTS FOR PUBLIC
FACILITIES."

Introduced by: Senator Wong, by
request.

No. 160 "A BILL FOR AN ACT
RELATING TO COMMITTEE MEMBERSHIP."

Introduced by: Senator Wong, by
request.

No. 161 "A BILL FOR AN ACT
RELATING TO CAPITAL LOAN
PROGRAM."

Introduced by: Senator Wong, by
request.

No. 162 "A BILL FOR AN ACT
RELATING TO THE NATURAL ENERGY
LABORATORY OF HAWAII."

Introduced by: Senator Wong, by
request.

No. 163 "A BILL FOR AN ACT
RELATING TO HARBORS."

Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 164 "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING."	No. 175 "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 165 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS."	No. 176 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 166 "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT."	No. 177 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 167 "A BILL FOR AN ACT RELATING TO INTEREST."	No. 178 "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 168 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."	No. 179 "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 169 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)."	No. 180 "A BILL FOR AN ACT RELATING TO OPTOMETRY."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 170 "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND."	No. 181 "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 171 "A BILL FOR AN ACT RELATING TO INSURERS' SUPERVISION, REHABILITATION AND LIQUIDATION."	No. 182 "A BILL FOR AN ACT RELATING TO TIME SHARING."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 172 "A BILL FOR AN ACT RELATING TO ACUPUNCTURE."	No. 183 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 173 "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES."	No. 184 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANELS."
Introduced by: Senator Wong, by request.	Introduced by: Senator Wong, by request.
No. 174 "A BILL FOR AN ACT RELATING TO CONTRACTORS."	No. 185 "A BILL FOR AN ACT RELATING TO BOARDS."

- Introduced by: Senator Wong, by request.
- No. 186 "A BILL FOR AN ACT RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS."
- Introduced by: Senator Wong.
- No. 187 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
- Introduced by: Senator Wong, by request.
- No. 188 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS."
- Introduced by: Senator Wong, by request.
- No. 189 "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES."
- Introduced by: Senator Wong, by request.
- No. 190 "A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION."
- Introduced by: Senator Wong, by request.
- No. 191 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS."
- Introduced by: Senator Wong, by request.
- No. 192 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS."
- Introduced by: Senator Wong, by request.
- No. 193 "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS."
- Introduced by: Senator Wong, by request.
- No. 194 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."
- Introduced by: Senator Wong, by request.
- No. 195 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS."
- Introduced by: Senator Wong, by request.
- No. 196 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY."
- Introduced by: Senator Wong, by request.
- No. 197 "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY."
- Introduced by: Senator Wong, by request.
- No. 198 "A BILL FOR AN ACT RELATING TO NATUROPATHY."
- Introduced by: Senator Wong, by request.
- No. 199 "A BILL FOR AN ACT RELATING TO OSTEOPATHY."
- Introduced by: Senator Wong, by request.
- No. 200 "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS."
- Introduced by: Senator Wong, by request.
- No. 201 "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS."
- Introduced by: Senator Wong, by request.
- No. 202 "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS."
- Introduced by: Senator Wong, by request.
- No. 203 "A BILL FOR AN ACT RELATING TO CONTRACTORS."
- Introduced by: Senator Wong, by request.
- No. 204 "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES."
- Introduced by: Senator Wong, by request.
- No. 205 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."
- Introduced by: Senators Cobb, B. Kobayashi, Aki, Hagino, Yamasaki, Chang and Machida.
- No. 206 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."
- Introduced by: Senators Cobb, B.

Kobayashi, Aki, Hagino, Kuroda, Matsuura and Chang.

No. 207 "A BILL FOR AN ACT RELATING TO THE HAWAII NONPROFIT CORPORATION ACT."

Introduced by: Senators Cobb, Aki, Kuroda, Matsuura, Holt, Machida, Young and Solomon.

No. 208 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT."

Introduced by: Senators Cobb, Aki, Matsuura and George.

No. 209 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senators Cobb, Aki, Machida, Matsuura, Chang and Fernandes Salling.

No. 210 "A BILL FOR AN ACT RELATING TO CRIMINAL AND CIVIL LIABILITY."

Introduced by: Senators Cobb and Aki.

No. 211 "A BILL FOR AN ACT RELATING TO THE CLOSING AND CONSOLIDATION OF PUBLIC SCHOOLS."

Introduced by: Senators Cobb and Aki.

No. 212 "A BILL FOR AN ACT RELATING TO STATE AGENCIES."

Introduced by: Senators Cobb, Aki, Hee, Yamasaki, Chang and Matsuura.

No. 213 "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS."

Introduced by: Senators Cobb, B. Kobayashi, Aki, Chang, Machida, Matsuura and Holt.

No. 214 "A BILL FOR AN ACT RELATING TO OSTEOPATHY."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 215 "A BILL FOR AN ACT RELATING TO PHARMACY."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 216 "A BILL FOR AN ACT RELATING TO NATUROPATHY."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 217 "A BILL FOR AN ACT

RELATING TO PODIATRY."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 218 "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 219 "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS ACT."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 220 "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 221 "A BILL FOR AN ACT RELATING TO PILOTAGE."

Introduced by: Senators Cobb, B. Kobayashi and Henderson.

No. 222 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Senators Cobb, Kuroda, Matsuura, Fernandes Salling, George, Machida and Aki.

No. 223 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Senator Cobb, by request.

No. 224 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Cobb, Aki, Matsuura and Fernandes Salling.

No. 225 "A BILL FOR AN ACT RELATING TO CHECKS."

Introduced by: Senators Cobb, Yamasaki, Aki, Matsuura, Holt, George and Chang.

No. 226 "A BILL FOR AN ACT RELATING TO CREDIT SALES."

Introduced by: Senators Cobb, Aki, Young, Solomon, Fernandes Salling and Hagino.

No. 227 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Cobb, Hee,

Aki, Yamasaki, Mizuguchi, Machida, Matsuura and Chang.

No. 228 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Senators Cobb, Hee, Aki, Yamasaki, Machida, Matsuura and Chang.

No. 229 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Cobb, Aki, Chang, Matsuura, Toguchi, Holt and Hagino.

No. 230 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator Cobb, by request.

No. 231 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator Cobb, by request.

No. 232 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Kawasaki, Kuroda, Abercrombie, Aki, A. Kobayashi, Fernandes Salling, Matsuura, Henderson and Soares.

No. 233 "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES."

Introduced by: Senators Kawasaki, Kuroda, Aki, A. Kobayashi, Matsuura, Henderson and Soares.

No. 234 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Senator Young.

No. 235 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Senator Young.

No. 236 "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS."

Introduced by: Senator Young, by request.

ORDER OF THE DAY

MISCELLANEOUS COMMUNICATION

A communication from the Department of Water, County of Kauai (Misc. Com. No. 1), transmitting the following:

Proposed CIP Projects Request for

State Aid, 1985 Session; and

County of Kauai, Board of Water Supply, Resolution No. 2, approving the proposed CIP projects request,

was read by the Clerk and was referred to the Committee on Ways and Means.

Senator Kawasaki rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege. Mr. President, I'd like to respond to a statement made by the Majority Leader in the House because I think it's going to affect the posture of the Senate here.

"Apparently, the House Democrats seem to have this lemming complex. Apparently, they want to commit political suicide in next year's, two year's hence election. They're talking about raising the excise tax to a level of five percent, a total of a one percent increase, which, of course, we very wisely in the Senate have opposed for many years. I notice in the state of the State message by the Governor, he too said that there's no need to raise the excise tax.

"The tourist industry will be delighted for us to raise the excise tax in lieu of the tourist tax that you propose so wisely.

"What I am concerned about, primarily, is that the Democrats, as I said, with a lemming complex, don't seem to realize that the posture of raising taxes is very unpopular. They don't quite realize that aside of President Reagan's personality, which is very appealing to the whole mass of voters in America, that his stance that he shall not raise taxes, unless absolutely necessary, was what elected him. Again, one of the major issues that elected Mayor Fasi was that he said he was going to freeze property taxes, as he will. The Democrats, on the other hand, on the House side at least, are talking about raising the excise tax to a five percent level. This is, in my judgment, sheer nonsense.

"I hope that the Senate will remain steadfast in their opposition to raising the excise tax, which tax experts generally agree is one of the most regressive type of taxes.

"And, never mind this talk about how we're going to refund the taxpayers of the state a certain percentage of the one percent increase. That will not happen in an equitable fashion, so I would hope and trust that the Senate Democrats, at least, will hold firm in our wise posture not to increase the excise tax."

Senator Kuroda then responded as follows:

"Mr. President, I rise as an alleged

lemming. I think that there will be bills introduced by a senator or senators, with the same idea as has been mentioned on the floor just now, but I hope that the Senate will have an open mind with respect to these various proposals, whether to raise taxes of one form or another."

Senator Abercrombie then rose and stated:

"Mr. President, I rise on a point of personal privilege. I simply want to thank

Senator Kawasaki for settling this whole issue on saving Senator Yamasaki and his committee so much work."

ADJOURNMENT

At 11:49 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 30, 1985.

ELEVENTH DAY

Wednesday, January 30, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Bishop Yoshiaki Fujitani, Honpa Hongwanji Mission of Hawaii State, after which the Roll was called showing all Senators present with the exception of Senator Cobb who was excused.

The Chair announced that he had read and approved the Journal of the Tenth Day.

Senator Kuroda then introduced to the members of the Senate Mr. Steve Self, Hawaii Marketing Manager, and Mrs. Alicia Miller, Marketing Research Representative, of United Airlines, Chicago, who were accompanied by Mrs. Evelyn Richardson from the Hawaii Visitors Bureau Research Division.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 91 to 93) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 91, transmitting the "Kekaha Flood Control Management Plan, Island of Kauai," prepared by the Department of Land and Natural Resources, pursuant to S.R. No. 146 (1984), was referred to the Committee on Economic Development.

Gov. Msg. No. 92, transmitting a report prepared by the Governor's Agriculture Coordinating Committee, in response to H.R. No. 26 (1984), Requesting an Investigation into the Feasibility of Establishing Consolidation Facilities for the Storage and Distribution of Agricultural Products, was referred to the Committee on Agriculture.

Gov. Msg. No. 93, transmitting the Annual Report of the Governor's Agriculture Coordinating Committee, FY 1983 - 1984, pursuant to Sec. 164-3, HRS, was referred to the Committee on Agriculture.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, January 31, 1985:

Senate Bills

No. 237 "A BILL FOR AN ACT

RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 238 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 239 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 240 "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND."

Introduced by: Senator Wong, by request.

No. 241 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 242 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVIII, SECTION 6, OF THE HAWAII CONSTITUTION, TO ALLOW THE COUNTIES TO TAX THE REAL PROPERTY OF PUBLIC SERVICE COMPANIES."

Introduced by: Senator Wong, by request.

No. 243 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senator Wong, by request.

No. 244 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 245 "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES."

Introduced by: Senator Wong, by request.

No. 246 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 247 "A BILL FOR AN ACT

RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 248 "A BILL FOR AN ACT RELATING TO RETIREMENT OF ELECTED OFFICERS AND JUDGES."

Introduced by: Senator Wong, by request.

No. 249 "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS."

Introduced by: Senator Wong, by request.

No. 250 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Wong, by request.

No. 251 "A BILL FOR AN ACT RELATING TO OPTIONAL DISPOSITION OF TRAFFIC CHARGES."

Introduced by: Senator Wong, by request.

No. 252 "A BILL FOR AN ACT RELATING TO LAND COURT FEES."

Introduced by: Senator Wong, by request.

No. 253 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senator Wong, by request.

No. 254 "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE."

Introduced by: Senator Wong, by request.

No. 255 "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES."

Introduced by: Senator Wong, by request.

No. 256 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Wong, by request.

No. 257 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Wong, by request.

No. 258 "A BILL FOR AN ACT RELATING TO VOLUNTEERS."

Introduced by: Senator Wong, by request.

No. 259 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Wong, by request.

No. 260 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES."

Introduced by: Senator Wong, by request.

No. 261 "A BILL FOR AN ACT RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE ETHICS COMMISSION."

Introduced by: Senator Wong, by request.

No. 262 "A BILL FOR AN ACT RELATING TO GOVERNMENT MINERAL RIGHTS."

Introduced by: Senators Matsuura and Aki.

No. 263 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Matsuura and Toguchi.

No. 264 "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES."

Introduced by: Senators Matsuura and Aki.

No. 265 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Matsuura and Toguchi.

No. 266 "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS."

Introduced by: Senators Matsuura and Chang.

No. 267 "A BILL FOR AN ACT ESTABLISHING A JOINT SENATE AND HOUSE INTERIM COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS."

Introduced by: Senators Matsuura and Kawasaki.

No. 268 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 4, AND ARTICLE IV, SECTION 8, OF THE CONSTITUTION OF THE STATE OF HAWAII TO AMEND THE DATE OF ELECTION OF A CANDIDATE FOR THE LEGISLATURE WHO IS UNOPPOSED AFTER THE PRIMARY ELECTION."

Introduced by: Senators Matsuura and Toguchi.

No. 269 "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM THE GENERAL EXCISE TAX."

Introduced by: Senators Matsuura and Kuroda.

No. 270 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Matsuura and Kuroda.

No. 271 "A BILL FOR AN ACT RELATING TO HILO HOSPITAL."

Introduced by: Senators Matsuura, Solomon and Henderson.

No. 272 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Matsuura and Holt.

No. 273 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Senators Matsuura, Cayetano and Chang.

No. 274 "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT."

Introduced by: Senators Matsuura and Aki.

No. 275 "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM."

Introduced by: Senators Matsuura and Mizuguchi.

No. 276 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Senators Matsuura and Mizuguchi.

No. 277 "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY ACT."

Introduced by: Senators Matsuura and Kuroda.

No. 278 "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING."

Introduced by: Senators Matsuura and Aki.

No. 279 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Matsuura and Aki.

No. 280 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Matsuura and Aki.

No. 281 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE REVENUE SHARING PROGRAM FOR THE SEVERAL COUNTIES."

Introduced by: Senators Matsuura and Mizuguchi.

No. 282 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Matsuura and Mizuguchi.

No. 283 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Senators Matsuura and Hagino.

No. 284 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chang, A. Kobayashi, Abercrombie, Mizuguchi, Yamasaki, Aki, Solomon, Matsuura, Fernandes Salling, Hee, Holt, Soares, Hagino, Cayetano, Toguchi, McMurdo and Machida.

No. 285 "A BILL FOR AN ACT RELATING TO CAPITAL CRIMES."

Introduced by: Senators Kawasaki, Kuroda, Aki, A. Kobayashi, Matsuura and McMurdo.

No. 286 "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES."

Introduced by: Senators Young and McMurdo.

No. 287 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Senator Young.

No. 288 "A BILL FOR AN ACT RELATING TO DRUGS."

- Introduced by: Senator Abercrombie.
- No. 289 "A BILL FOR AN ACT RELATING TO CHILD CARE AT THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Abercrombie.
- No. 290 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."
- Introduced by: Senator Abercrombie.
- No. 291 "A BILL FOR AN ACT RELATING TO ADOPTION."
- Introduced by: Senator Abercrombie.
- No. 292 "A BILL FOR AN ACT RELATING TO DISCRIMINATION."
- Introduced by: Senator Abercrombie.
- No. 293 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."
- Introduced by: Senator Abercrombie.
- No. 294 "A BILL FOR AN ACT RELATING TO CORRECTIONS."
- Introduced by: Senator Abercrombie.
- No. 295 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."
- Introduced by: Senator Abercrombie.
- No. 296 "A BILL FOR AN ACT RELATING TO RAISING THE AGE OF MAJORITY AND CONFORMING AMENDMENTS TO THE HAWAII REVISED STATUTES."
- Introduced by: Senator Abercrombie.
- No. 297 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR VOTING."
- Introduced by: Senator Abercrombie.
- No. 298 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."
- Introduced by: Senator Abercrombie.
- No. 299 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."
- Introduced by: Senator Abercrombie.
- No. 300 "A BILL FOR AN ACT RELATING TO MANOA FINANCE AND GREAT HAWAIIAN FINANCIAL CORPORATION."
- Introduced by: Senator Abercrombie.
- No. 301 "A BILL FOR AN ACT RELATING TO THE AQUARIUM."
- Introduced by: Senator Abercrombie.
- No. 302 "A BILL FOR AN ACT RELATING TO THE ATTORNEY GENERAL."
- Introduced by: Senator Abercrombie.
- No. 303 "A BILL FOR AN ACT RELATING TO POLITICAL PARTIES."
- Introduced by: Senator Abercrombie.
- No. 304 "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE."
- Introduced by: Senator Abercrombie.
- No. 305 "A BILL FOR AN ACT RELATING TO SECURITY DEPOSITS."
- Introduced by: Senator Abercrombie.
- No. 306 "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION."
- Introduced by: Senator Abercrombie.
- No. 307 "A BILL FOR AN ACT RELATING TO TIME SHARING PLANS."
- Introduced by: Senator Abercrombie.
- No. 308 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."
- Introduced by: Senator Abercrombie.
- No. 309 "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES."
- Introduced by: Senator Abercrombie.
- No. 310 "A BILL FOR AN ACT RELATING TO RECONSTRUCTED VEHICLES."
- Introduced by: Senator Abercrombie.
- No. 311 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 8, OF THE HAWAII CONSTITUTION, TO CHANGE LEGISLATIVE DISQUALIFICATIONS."
- Introduced by: Senator Abercrombie.
- No. 312 "A BILL FOR AN ACT RELATING TO THE RESEARCH AND TRAINING REVOLVING FUND."
- Introduced by: Senator Abercrombie.

No. 313 "A BILL FOR AN ACT
RELATING TO THE WESTERN
INTERSTATE COMMISSION FOR HIGHER
EDUCATION."

Introduced by: Senator Abercrombie.

No. 314 "A BILL FOR AN ACT
RELATING TO A TOURIST DESTINATION
AREA IMPROVEMENT FEE."

Introduced by: Senator Abercrombie.

No. 315 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Abercrombie.

No. 316 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT
PRACTICES."

Introduced by: Senator Abercrombie.

No. 317 "A BILL FOR AN ACT
RELATING TO JOINT TORTFEASORS."

Introduced by: Senators Matsuura and
Toguchi.

No. 318 "A BILL FOR AN ACT
RELATING TO THE RIGHT OF
CONTRIBUTION AMONG JOINT
TORTFEASORS."

Introduced by: Senators Matsuura and
Toguchi.

No. 319 "A BILL FOR AN ACT
RELATING TO CHAPTER 237, HAWAII
REVISED STATUTES."

Introduced by: Senators Matsuura and
Aki.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 1) informing the
Senate that S.B. Nos. 1 to 148 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The Chair then made the following
committee assignments of bills that were
introduced on Tuesday, January 29, 1985:

Senate Bills Referred to:

No. 1 Committee on Ways and

Means

No. 2 Committee on Ways and
Means

No. 3 Committee on Judiciary,
then to the Committee on Ways and Means

No. 4 Committee on Human
Services, then to the Committee on Ways
and Means

No. 5 Committee on Labor and
Employment

No. 6 Committee on Labor and
Employment, then to the Committee on
Ways and Means

No. 7 Committee on Judiciary

No. 8 Committee on Judiciary

No. 9 Committee on Government
Operations

No. 10 Committee on Government
Operations

No. 11 Committee on Government
Operations

No. 12 Committee on Government
Operations

No. 13 Committee on Government
Operations

No. 14 Committee on Agriculture

No. 15 Committee on Agriculture

No. 16 Committee on Agriculture

No. 17 Committee on Agriculture

No. 18 Committee on Agriculture

No. 19 Committee on Agriculture

No. 20 Committee on Agriculture,
then to the Committee on Ways and Means

No. 21 Committee on Agriculture,
then to the Committee on Ways and Means

No. 22 Committee on Judiciary

No. 23 Committee on Judiciary

No. 24 Committee on Labor and
Employment

No. 25 Committee on Judiciary

No. 26 Committee on Judiciary

No. 27 Committee on Government
Operations, then to the Committee on Ways
and Means

No. 28	Committee on Judiciary	Ways and Means
No. 29 Services	Committee on Human	No. 49 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 30	Committee on Education	No. 50 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 31	Committee on Judiciary	No. 51 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 32	Committee on Education, then to the Committee on Judiciary	No. 52 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 33	Committee on Tourism and Recreation, then to the Committee on Judiciary	No. 53 Committee on Government Operations
No. 34	Committee on Ways and Means	No. 54 Committee on Government Operations, then to the Committee on Ways and Means
No. 35	Committee on Ways and Means	No. 55 Committee on Education
No. 36	Committee on Human Services, then to the Committee on Ways and Means	No. 56 Committee on Judiciary
No. 37	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 57 Committee on Economic Development, then to the Committee on Ways and Means
No. 38	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 58 Committee on Economic Development
No. 39	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 59 Jointly to the Committee on Education and the Committee on Health
No. 40	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 60 Committee on Health
No. 41	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 61 Committee on Health, then to the Committee on Ways and Means
No. 42	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 62 Committee on Health
No. 43	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 63 Committee on Health
No. 44	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 64 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Ways and Means
No. 45	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 65 Committee on Health
No. 46	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 66 Committee on Health
No. 47	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 67 Committee on Health
No. 48	Committee on Labor and Employment, then to the Committee on	No. 68 Committee on Health
		No. 69 Committee on Health, then to the Committee on Ways and Means
		No. 70 Committee on Economic Development
		No. 71 Committee on Judiciary
		No. 72 Committee on Health
		No. 73 Committee on Health, then

to the Committee on Judiciary		Development	
No. 74	Committee on Health, then to the Committee on Judiciary	No. 97	Committee on Economic Development, then to the Committee on Judiciary
No. 75	Committee on Agriculture	No. 98	Committee on Economic Development
No. 76	Committee on Health	No. 99	Committee on Human Services
No. 77	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 100	Committee on Housing and Community Development, then to the Committee on Ways and Means
No. 78	Committee on Labor and Employment	No. 101	Committee on Human Services, then to the Committee on Judiciary
No. 79	Committee on Labor and Employment	No. 102	Committee on Human Services
No. 80	Committee on Economic Development	No. 103	Committee on Judiciary, then to the Committee on Ways and Means
No. 81	Committee on Economic Development	No. 104	Committee on Judiciary
No. 82	Committee on Economic Development, then to the Committee on Ways and Means	No. 105	Committee on Judiciary
No. 83	Committee on Agriculture, then to the Committee on Ways and Means	No. 106	Committee on Judiciary
No. 84	Committee on Tourism and Recreation	No. 107	Committee on Labor and Employment, then to the Committee on Judiciary
No. 85	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 108	Committee on Labor and Employment, then to the Committee on Judiciary
No. 86	Committee on Agriculture, then to the Committee on Economic Development	No. 109	Committee on Housing and Community Development
No. 87	Committee on Agriculture, then to the Committee on Ways and Means	No. 110	Committee on Housing and Community Development
No. 88	Committee on Agriculture	No. 111	Committee on Housing and Community Development
No. 89	Committee on Agriculture, then to the Committee on Economic Development	No. 112	Committee on Housing and Community Development
No. 90	Committee on Economic Development	No. 113	Committee on Human Services, then to the Committee on Ways and Means
No. 91	Committee on Economic Development	No. 114	Committee on Human Services, then to the Committee on Judiciary
No. 92	Committee on Economic Development	No. 115	Committee on Ways and Means
No. 93	Committee on Economic Development	No. 116	Committee on Ways and Means
No. 94	Committee on Economic Development	No. 117	Committee on Ways and Means
No. 95	Committee on Economic Development	No. 118	Committee on Ways and Means
No. 96	Committee on Economic Development		

No. 119 Means	Committee on Ways and	No. 141 Education, then to the Committee on Ways and Means	Committee on Higher
No. 120 Means	Committee on Ways and	No. 142 Employment	Committee on Labor and
No. 121	Committee on Judiciary	No. 143 Employment	Committee on Labor and
No. 122	Committee on Judiciary	No. 144 Employment	Committee on Labor and
No. 123 Transportation, then to the Committee on Ways and Means	Committee on	No. 145 Employment	Committee on Labor and
No. 124	Committee on Judiciary	No. 146 Employment	Committee on Labor and
No. 125 Transportation, then to the Committee on Judiciary	Committee on	No. 147 Employment	Committee on Labor and
No. 126 Transportation	Committee on	No. 148 Employment	Committee on Labor and
No. 127 Transportation	Committee on	By unanimous consent, consideration of Senate Bill Nos. 149 to 236 was deferred until Thursday, January 31, 1985.	
No. 128 Transportation	Committee on	At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.	
No. 129 Transportation	Committee on	The Senate reconvened at 11:46 o'clock a.m.	
No. 130 Protection and Commerce	Committee on Consumer	At this time, the Chair announced that two additional members have been appointed to the Majority leadership, as follows:	
No. 131 Operations	Committee on Government	Senator Gerald T. Hagino as Assistant Majority Leader, and	
No. 132 Transportation	Committee on	Senator Norman Mizuguchi as Assistant Majority Floor Leader.	
No. 133 Transportation	Committee on	Senator Soares then rose on a point of personal privilege and remarked:	
No. 134 Transportation, then to the Committee on Ways and Means	Committee on	"Mr. Vice President, I want to enter into the Journal this morning a point-by-point rebuttal to the package of seven amendments to the Land Reform Act, which the Bishop Estate says it intends to bring before the Legislature for action, it announced at a press conference yesterday.	
No. 135 Education, then to the Committee on Ways and Means	Committee on Higher	"The issue of conversion of leasehold land to fee, Mr. Vice President, impacts heavily on the people of Hawaii and is of critical concern to residents of my district.	
No. 136 Education, then to the Committee on Ways and Means	Committee on Higher	"Number 1, the Bishop Estate proposes that the Hawaii Housing Authority should be required to be 'neutral' in the leased fee conversion process.	
No. 137 Education, then to the Committee on Ways and Means	Committee on Higher	"Mr. Vice President, the Hawaii Housing Authority is charged by law to file condemnation proceedings against the lessor whenever negotiations fail. In the court,	
No. 138 Education, then to the Committee on Ways and Means	Committee on Higher		
No. 139 Education, then to the Committee on Ways and Means	Committee on Higher		
No. 140 Education, then to the Committee on Ways and Means	Committee on Higher		

they are the plaintiff, the lessees and a lessors are both defendants. To fulfill the law, the Hawaii Housing Authority is representing the people and are committed to obtaining the lowest possible price consistent with the law. While respecting the legal rights of the lessor, the Hawaii Housing Authority must, if the law is to work, be the advocate for the lessees. It is the court's duty to insure that the proceedings are conducted fairly and justly for both sides.

"The second proposal, once the court sets a value, etc., lessees have two years to pay, etc.

"The lessees do not pay the lessor after the valuation is made by the court. As the plaintiff, the Hawaii Housing Authority does. There should be no delay at all in this area.

"Number 3, lessees who drop out should pay more of Bishop Estate's costs incident to the trial.

"Mr. Vice President, lessees who drop out will usually do so because the valuation is so high they cannot afford it. It is only fair that they should pay only those fees directly attributable to their involvement in the trial.

"Number 4, the Estate wants the option to buy back lots sold to lessees.

"There is no equity in giving the Estate first refusal on buying back lots from lessees who may be forced to sell for personal reasons or any other reason. They have already...the Estate that is...in such cases received just compensation for their interest in the land and have no further claims on it.

"Number 5, Mr. Vice President, setting a value on leasehold property should be based on comparable value of similar residential lots. Condominiums and other types of leasehold property have been used, etc.

"Mr. Vice President, this is a very misleading statement. The leased fee interest in the land under any residence whether a condominium, a duplex, or a single family residence consists of two elements which are financially identical:

a. The present value of the rental income.

b. The present value of the reversion of the land.

In effect, the lessee is not buying his land, he is buying his lease document which says he must pay rent and give back the land after using it for 50 years or so.

"Further, if any restriction is made on what is used as evidence in the valuation

process, attention should be given to the stipulation in the law that says that leased fee interests should be valued as if they were traded in the open market. This recognizes that sales of leased fee interests between lessees and lessors in the past have not been 'open market' transactions. If any restrictions were to be passed in this area it might be to make this provision of the Land Reform Act more specific.

"Number 6, if lease rents are to be controlled by state law then the controlled rents should not be used to establish a purchase price on lots.

"Mr. Vice President, Bishop Estate has not objected to the use of the current version of the law in arriving at purchase prices which are heavily weighted in their favor. Now that there is the prospect of relief for lessees who are being financially crushed by so-called 'renegotiated' lease rents 20 to 40 times higher than their original rent, they want to change the rules.

"Number 7, restrictions on who participates in the lease-to-fee program should be tightened.

"Mr. Vice President, how this is of any concern to Bishop Estate is a question. We passed the various qualifications for lease-to-fee conversion for the protection of the state and the people of Hawaii for several reasons:

a. To protect the taxpayers against any losses incident to the proceedings.

b. To insure that the land was for the bona fide use of residents and not speculators.

c. To insure that the land would not be added to existing estates.

In the eighteen years that the law has been in effect, the qualifications contained in the law have served these purposes well and there have been few if any complaints.

"Mr. Vice President, I realize that our Housing Committee has worked long and hard in the interim on another part of our leasehold problems. They had hearings, lot of hearings in the past, discussing the issue of leasehold reform.

"I take these announcements on these seven points to be a strategy on the part of the Estate to stymie the process, to cloud all the issues, and to further complicate what is now moving ahead in proper fashion.

"I ask this body to consider these issues and the rebuttal that I've made as you go ahead in the coming session. Thank you."

The Chair then made the following observation:

"The Chair has allowed your comments on a personal privilege point in the interest of providing information to the body here. I trust that you will attend the committee hearings of the Senate Judiciary Committee and make your points further."

Senator Young then remarked:

"Mr. Vice President, just for the record, this is to inform the body that no one from

the Estate has come to the chairperson to discuss the introduction of the measures to amend the Land Reform Act."

ADJOURNMENT

At 11:54 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, January 31, 1985.

TWELFTH DAY

Thursday, January 31, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Malcolm Stuart, Kailua Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Aki, Cobb, Kawasaki and Toguchi who were excused.

The Chair announced that he had read and approved the Journal of the Eleventh Day.

Senator George then made the following introduction to the members of the Senate:

"Mr. President, I have an unusual privilege this morning of being able to introduce a colleague in government from a long way away. We have visiting with us this morning Dr. T. S. Hsu, which I'm probably pronouncing improperly, from Beijing.

"Dr. Hsu is involved in government as we are, as a member of the National People's Political Consolidated Conference, which is a political advisory group to the central government in Beijing. We are fortunate to have him here because of his wife, Mrs. Joan Hsu, whose mother, Mrs. Ellen Wang, lives here in Waipio. Mrs. Hsu's sister, Winifred Chien is also a resident of Hawaii.

"Mrs. Hsu is also well known in her own country and here as a volunteer teacher of English, and has developed some unusually successful methods for teaching.

"They are accompanied this morning by Dr. Paul Hooper. You may remember honoring Dr. Hooper last year as a resident of Beijing as a visiting scholar there."

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

The Senate reconvened at 11:15 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 94 to 155) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 94, submitting for consideration and confirmation to the Board of Agriculture, the nomination of David K. Oshiro, term to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 95, submitting for consideration and confirmation to the Governor's Agriculture Coordinating Committee, the nomination of Herbert M. Richards, Jr., term to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 96, submitting for consideration and confirmation to the Advisory Committee on Agricultural Products, the nominations of Mamoru Shimizu and Stanley T. Tomono, terms to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 97, submitting for consideration and confirmation to the Advisory Committee on Flowers and Foliage, the nomination of Kenneth W. Leonhardt, term to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 98, submitting for consideration and confirmation to the Boxing Commission, the nominations of George J. A. Kaahanui, Jr. and Thomas S. Shimabuku, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 99, submitting for consideration and confirmation to the Contractors License Board, the nominations of Joseph Akiona and Tsukasa Murakami, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 100, submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Patricia N. Kramer, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 101, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of George Uesato, D.D.S., term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 102, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of Warren M. La France, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 103, submitting for consideration and confirmation to the Board

of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nominations of E. Claude Moore and Michael T. Miyabara, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 104, submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nominations of Roy R. Kamisato and George Kimata, M.D., terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 105, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Paul T. Esaki, M.D., term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 106, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of Dwane Brennemann and Carolyn C. van der Linden, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 107, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Clifford K. M. Yuen, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 108, submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nominations of Abe Sakai, Dorothy C. Hoe and Steven A. Scott-Hosaka, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 109, submitting for consideration and confirmation to the Pest Control Board, the nominations of Miyoji Furusho and Claire Wolter, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 110, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Mary A. Wahlman, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 111, submitting for consideration and confirmation to the Real Estate Commission, the nominations of Gloria Damron and Constance B. Smales, terms to expire December 31, 1988, was referred to the Committee on Consumer

Protection and Commerce.

Gov. Msg. No. 112, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of Barbara L. Hanchett, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 113, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of J. Douglas Ing, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 114, submitting for consideration and confirmation to the Land Use Commission, the nominations of Robert S. Tamaye and Everett Cuskaden, terms to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 115, submitting for consideration and confirmation to the Board of Directors, High Technology Development Corporation, the nominations of David A. Heenan, Ph.D. and Paul Yuen, Ph.D., terms to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 116, submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of William J. Walsh, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 117, submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nominations of Franklin S. Odo, Ph.D. and Joanne Vaughan Trotter, terms to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 118, submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of Rochelle Lee Gregson and Willard E. Welsh, terms to expire December 31, 1990, was referred to the Committee on Education.

Gov. Msg. No. 119, submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nomination of Sam Leong, term to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 120, submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Dee Dudley, term to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 121, submitting for consideration and confirmation to the Board of Health, the nomination of Robert E. L.

Berry, M.D., term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 122, submitting for consideration and confirmation to the Honolulu Subarea Health Planning Council, the nomination of Elena Gaborno, term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 123, submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nominations of Norberto Baysa, M.D. and Patrick R. Cullen, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 124, submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of Yvonne M. Angut, Maryknoll K. Spotkaeff and Richard P. Bettini, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 125, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Reverend Kenneth W. Smith, term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 126, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nomination of Warren Y. Toriano, term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 127, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nomination of Bertram A. Weeks, M.D., term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 128, submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of Howard G. Medeiros and Hisao Nakamura, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 129, submitting for consideration and confirmation to the Drug Product Selection Board, the nomination of Nellie S. Chang, term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 130, submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of Vincent H. S. Lee and Coletta M. Whitcomb, terms to expire

December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 131, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of Darryl K. H. Choy, Eugene M. Yamane, Wayne K. Ogasawara, Frederick C. Greenwood, Ph.D. and Tom Poy, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 132, submitting for consideration and confirmation to the Technical Advisory Committee on Pesticides, the nominations of the following:

Kazu Hayashida, L. Stephen Lau, Ph.D. and James J. Nakatani, terms to expire December 31, 1985, or upon the expiration of the board, whichever occurs sooner;

Melvin Koizumi, Susumu Ono and Jack K. Suwa, terms to expire December 31, 1986, or upon the expiration of the board, whichever occurs sooner; and

James W. Morrow, Samuel S. H. Lee, James Kumagai, Ph.D. and Jacqueline Parnell, terms to expire December 31, 1987, or upon the expiration of the board, whichever occurs sooner,

was referred to the Committee on Health.

Gov. Msg. No. 133, submitting for consideration and confirmation to the Board of Radiologic Technologists, the nominations of Violet S. Tsukayama, Ronald Brian Fitzgerald, and Louisa Leones Sumaoang, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 134, submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of Julia Frohlich, M.D. and James F. Gary, terms to expire December 31, 1988, was referred to the Committee on Higher Education.

Gov. Msg. No. 135, submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of George G. Costa, Jr., term to expire December 31, 1988, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 136, submitting for consideration and confirmation to the Board of Social Services and Housing, the nomination of Richard M. Iga, term to expire December 31, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 137, submitting for consideration and confirmation to the Board

of Vocational Rehabilitation, the nomination of Karen A. Taketa, term to expire December 31, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 138, submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nominations of Rene M. Mansho and Betty Ona, terms to expire December 31, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 139, submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nominations of Roy Lee Roberts and Colette V. Browne, terms to expire December 31, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 140, submitting for consideration and confirmation to the Child Abuse and Neglect Secondary Prevention Advisory Committee, the nominations of the following:

Frances D. Riggs, M.D., Sumiko Akena and Beverly Ing Lee, terms to expire December 31, 1985;
Genevieve T. Okinaga, Gail Breakey, Patti J. Lyons and Calvin S. J. Sia, M.D., terms to expire December 31, 1986,

was referred to the Committee on Human Services.

Gov. Msg. No. 141, submitting for consideration and confirmation to the Progressive Neighborhoods Task Force, the nominations of Ruby L. Hargrave and Ben B. Mayes, terms to expire December 31, 1988, was referred to the Committee on Human Services.

Gov. Msg. No. 142, submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of Marc V. Oley, term to expire December 31, 1988, was referred to the Committee on Judiciary.

Gov. Msg. No. 143, submitting for consideration and confirmation to the Board of Registration, Island of Hawaii, the nomination of George H. Walker, term to expire December 31, 1988, was referred to the Committee on Judiciary.

Gov. Msg. No. 144, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of Lani Liu Ewart, term to expire December 31, 1988, was referred to the Committee on Judiciary.

Gov. Msg. No. 145, submitting for consideration and confirmation to the Civil Service Commission, the nomination of Richard T. Subiaga, term to expire December 31, 1988, was referred to the

Committee on Labor and Employment.

Gov. Msg. No. 146, submitting for consideration and confirmation to the Board of Trustees of the Deferred Compensation Plan, the nominations of Herbert M. Dias and Ronald N. Hirano, terms to expire December 31, 1988, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 147, submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Robert M. Fukunaga, term to expire December 31, 1988, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 148, submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of Roy E. King, Jr., term to expire December 31, 1988, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 149, submitting for consideration and confirmation to the Hawaii Historic Places Review Board, the nomination of Glenn E. Mason, term to expire January 1, 1989, was referred to the Committee on Tourism and Recreation.

Gov. Msg. No. 150, submitting for consideration and confirmation to the Stadium Authority, the nominations of Robert L. Shuford, Tom T. Okuda and Sharon R. Weiner, terms to expire December 31, 1988, was referred to the Committee on Tourism and Recreation.

Gov. Msg. No. 151, submitting for consideration and confirmation to the Commission on Transportation, the nominations of Chew Hoy Lee and Paul T. Matsumoto, terms to expire December 31, 1988, was referred to the Committee on Transportation.

Gov. Msg. No. 152, submitting for consideration and confirmation to the State Highway Safety Council, the nominations of Arthur H. Loebl, Paul K. Findeisen, Clyde W. Namuo and Herbert S. Tsuda, terms to expire December 31, 1988, was referred to the Committee on Transportation.

Gov. Msg. No. 153, submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District, the nomination of Harriette M. Davis, term to expire December 31, 1988, was referred to the Committee on Ways and Means.

Gov. Msg. No. 154, submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District, the nomination of Lovey Leinaala Apana, term to expire December 31, 1988, was referred to the Committee on Ways and Means.

Gov. Msg. No. 155, transmitting the 1983-84 Transition Center Program Annual Report, prepared by the Department of Labor and Industrial Relations, pursuant to Act 40, SLH 1984, was referred to the Committee on Labor and Employment.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print, and were placed on the calendar for further consideration on Friday, February 1, 1985:

Senate Bills

No. 320 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE."

Introduced by: Senators McMurdo, Abercrombie, Toguchi, B. Kobayashi, Cayetano, Wong, Chang, A. Kobayashi, George, Hee, Solomon and Fernandes Salling.

No. 321 "A BILL FOR AN ACT RELATING TO THE FAMILY COURTS."

Introduced by: Senators B. Kobayashi, McMurdo, Machida, Solomon, A. Kobayashi, Young and Hee.

No. 322 "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION."

Introduced by: Senators Matsuura and Toguchi.

No. 323 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Senators Matsuura and Toguchi.

No. 324 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Matsuura and Toguchi.

No. 325 "A BILL FOR AN ACT RELATING TO PESTICIDES."

Introduced by: Senators Cayetano, Kawasaki, McMurdo, Abercrombie and Hee.

No. 326 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Cayetano, McMurdo, Abercrombie and Hee.

No. 327 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 328 "A BILL FOR AN ACT RELATING TO THE STATE BAIL BOND SYSTEM."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, Hee, McMurdo, Fernandes Salling and Abercrombie.

No. 329 "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 330 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 331 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III OF THE HAWAII CONSTITUTION TO MAKE THE LEGISLATIVE PROCESS ENACTING STATUTES MORE EFFICIENT."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Yamasaki, Abercrombie, Hee and Fernandes Salling.

No. 332 "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMEN'S LIENS."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 333 "A BILL FOR AN ACT RELATING TO WRONGFUL DEATH."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 334 "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 335 "A BILL FOR AN ACT RELATING TO DEFICIENCY JUDGMENTS."

Introduced by: Senators Cayetano, Kawasaki, Matsuura, Aki, McMurdo, Abercrombie, Hee and Fernandes Salling.

No. 336 "A BILL FOR AN ACT
RELATING TO INTEREST ON
JUDGMENTS."

Introduced by: Senators Cayetano,
Matsuura, Aki, McMurdo, Abercrombie,
Hee and Fernandes Salling.

No. 337 "A BILL FOR AN ACT
RELATING TO SUITS BETWEEN SPOUSES."

Introduced by: Senators Cayetano,
Kawasaki, Matsuura, Aki, McMurdo,
Abercrombie, Hee and Fernandes Salling.

No. 338 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Yamasaki,
Wong, Kawasaki, Cayetano, Kuroda,
Chang, A. Kobayashi and Toguchi.

No. 339 "A BILL FOR AN ACT
RELATING TO INDUSTRY."

Introduced by: Senator Wong.

No. 340 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL
QUALITY."

Introduced by: Senators A. Kobayashi,
Chang, Henderson, Soares, Young, Hagino,
Kuroda, Aki, Toguchi, George, Yamasaki
and McMurdo.

No. 341 "A BILL FOR AN ACT
RELATING TO THE EXPIRATION OF
DRIVER'S LICENSES."

Introduced by: Senators A. Kobayashi,
Kawasaki, Soares, Henderson, Young, Aki,
Toguchi, Yamasaki and McMurdo.

No. 342 "A BILL FOR AN ACT
RELATING TO PESTICIDES."

Introduced by: Senators A. Kobayashi,
Chang, Aki, Toguchi, George, Yamasaki
and McMurdo.

No. 343 "A BILL FOR AN ACT
RELATING TO LIFE-SAVING SERVICES
FOR STATE PARKS."

Introduced by: Senators A. Kobayashi,
Chang, Soares, Henderson, Young, Hagino,
Kuroda, Aki, Toguchi, George, Yamasaki
and McMurdo.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 2) informing the
Senate that S.B. Nos. 149 to 236 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President then made the following
committee assignments of bills that were
introduced on Tuesday, January 29, 1985:

Senate Bills Referred to:

No. 149 Committee on Economic
Development

No. 150 Committee on Energy, then
to the Committee on Ways and Means

No. 151 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 152 Committee on Economic
Development

No. 153 Committee on Energy

No. 154 Committee on Housing and
Community Development, then to the
Committee on Ways and Means

No. 155 Committee on Housing and
Community Development, then to the
Committee on Ways and Means

No. 156 Committee on Economic
Development, then to the Committee on
Judiciary

No. 157 Committee on Economic
Development

No. 158 Committee on Energy, then
to the Committee on Ways and Means

No. 159 Committee on Energy, then
to the Committee on Ways and Means

No. 160 Committee on Government
Operations

No. 161 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 162 Committee on Energy

No. 163 Committee on
Transportation

No. 164 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 165 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 166 Committee on Economic
Development

No. 167	Committee on Consumer Protection and Commerce	
No. 168	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	
No. 169	Committee on Consumer Protection and Commerce	
No. 170	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	
No. 171	Committee on Consumer Protection and Commerce	
No. 172	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	
No. 173	Committee on Consumer Protection and Commerce	
No. 174	Committee on Consumer Protection and Commerce	
No. 175	Committee on Consumer Protection and Commerce	
No. 176	Committee on Consumer Protection and Commerce	
No. 177	Committee on Consumer Protection and Commerce	
No. 178	Committee on Consumer Protection and Commerce	
No. 179	Committee on Consumer Protection and Commerce	
No. 180	Committee on Consumer Protection and Commerce	
No. 181	Committee on Consumer Protection and Commerce	
No. 182	Committee on Consumer Protection and Commerce	
No. 183	Committee on Economic Development	
No. 184	Committee on Consumer Protection and Commerce	
No. 185	Committee on Consumer Protection and Commerce	
No. 186	Committee on Consumer Protection and Commerce	
No. 187	Committee on Consumer Protection and Commerce	
No. 188	Committee on Consumer Protection and Commerce	
No. 189	Committee on Consumer Protection and Commerce	
No. 190	Committee on Consumer Protection and Commerce	
No. 191	Committee on Consumer Protection and Commerce	
No. 192	Committee on Consumer Protection and Commerce	
No. 193	Committee on Consumer Protection and Commerce	
No. 194	Committee on Consumer Protection and Commerce	
No. 195	Committee on Consumer Protection and Commerce	
No. 196	Committee on Consumer Protection and Commerce	
No. 197	Committee on Consumer Protection and Commerce	
No. 198	Committee on Consumer Protection and Commerce	
No. 199	Committee on Consumer Protection and Commerce	
No. 200	Committee on Consumer Protection and Commerce	
No. 201	Committee on Consumer Protection and Commerce	
No. 202	Committee on Consumer Protection and Commerce	
No. 203	Committee on Consumer Protection and Commerce	
No. 204	Committee on Consumer Protection and Commerce	
No. 205	Committee on Consumer Protection and Commerce	
No. 206	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	
No. 207	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary	
No. 208	Committee on Labor and Employment, then to the Committee on Ways and Means	
No. 209	Committee on Judiciary	
No. 210	Committee on Judiciary	
No. 211	Committee on Education	
No. 212	Committee on Government Operations, then to the Committee on Ways and Means	
No. 213	Committee on Consumer Protection and Commerce	

Protection and Commerce				No. 227	Committee on Judiciary
No. 214	Committee	on	Consumer	No. 228	Committee on Judiciary
Protection and Commerce				No. 229	Committee on Consumer
No. 215	Committee	on	Consumer	Protection and Commerce, then to the	Committee on Ways and Means
Protection and Commerce				No. 230	Committee on Consumer
No. 216	Committee	on	Consumer	Protection and Commerce	
Protection and Commerce				No. 231	Committee on Ways and
No. 217	Committee	on	Consumer	Means	
Protection and Commerce				No. 232	Committee on Labor and
No. 218	Committee	on	Consumer	Employment	
Protection and Commerce				No. 233	Committee on Judiciary
No. 219	Committee	on	Consumer	No. 234	Committee on Housing and
Protection and Commerce				Community Development	
No. 220	Committee	on	Consumer	No. 235	Committee on Housing and
Protection and Commerce				Community Development	
No. 221	Committee	on	Consumer	No. 236	Committee on Government
Protection and Commerce				Operations	
No. 222	Committee	on	Housing and	By unanimous consent, consideration of Senate Bill Nos. 237 to 319 was deferred until Friday, February 1, 1985.	
Community Development					
No. 223	Committee	on	Housing and	ADJOURNMENT	
Community Development					
No. 224	Committee	on	Consumer	At 11:18 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, February 1, 1985.	
Protection and Commerce					
No. 225	Committee	on	Consumer		
Protection and Commerce					
No. 226	Committee	on	Consumer		
Protection and Commerce					

THIRTEENTH DAY

Friday, February 1, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Anthony Bolger of St. Theresa's Church, after which the Roll was called showing all Senators present with the exception of Senators Chang, Cobb and Kawasaki who were excused.

The Chair announced that he had read and approved the Journal of the Twelfth Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 156, transmitting the following reports prepared by the Executive Office on Aging: Annual Report, FY 1984; and Report on Hawaii's Programs on Aging, FY 1984, was read by the Clerk and was referred to the Committee on Human Services.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 27 from the Department of Taxation, transmitting a report in response to Act 103, SLH 1981, directing the Department of Taxation to study and analyze the effect of Act 103 which provides that the gross proceeds from the sale of electricity to a public utility company for resale will be assessed at the one-half of one percent general excise tax rate, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators George, Cobb, Kawasaki, Henderson, A. Kobayashi, Soares, Aki, Cayetano, Matsuura, Hee, Toguchi, McMurdo, B. Kobayashi and Fernandes Salling, and was read by the Clerk.

By unanimous consent, S.C.R. No. 1 was referred to the Committee on Government Operations.

INTRODUCTION OF SENATE BILLS

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were

printed and distributed, and were referred to committee:

Senate Bills

No. 344 "A BILL FOR AN ACT RELATING TO FRESH FRUITS AND VEGETABLES."

Introduced by: Senators Solomon, Hagino, B. Kobayashi, McMurdo, Abercrombie, Kuroda, Soares, Kawasaki, Chang, A. Kobayashi, Mizuguchi, Toguchi, Matsuura, Holt, George, Fernandes Salling, Young, Yamasaki and Aki.

Referred to: Committee on Agriculture.

No. 345 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Cayetano, Abercrombie, Hee, Aki, McMurdo, Yamasaki and Fernandes Salling.

Referred to: Committee on Transportation.

No. 346 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senator B. Kobayashi.

Referred to: Committee on Judiciary.

No. 347 "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Introduced by: Senator B. Kobayashi.

Referred to: Committee on Judiciary.

No. 348 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Senators B. Kobayashi and Kawasaki.

Referred to: Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 4, 1985:

Senate Bills

No. 349 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XII, SECTION 5, OF THE HAWAII CONSTITUTION, TO CHANGE THE COMPOSITION OF THE BOARD OF

TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Hee, Holt, Fernandes Salling, Abercrombie, McMurdo, Chang, Kuroda, Hagino and Toguchi.

No. 350 "A BILL FOR AN ACT RELATING TO SAFETY."

Introduced by: Senators Hee, Abercrombie, Cayetano, Toguchi, Hagino, Kuroda, McMurdo and Chang.

No. 351 "A BILL FOR AN ACT RELATING TO ADVERTISING AND MARKETING OF FRUITS, VEGETABLES, AND COFFEE."

Introduced by: Senators Solomon, Hagino, Holt, Matsuura, A. Kobayashi, George, Yamasaki, Soares, B. Kobayashi, Aki, Fernandes Salling and Chang.

No. 352 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Senators Matsuura and Young.

No. 353 "A BILL FOR AN ACT RELATING TO KULANI CORRECTIONAL FACILITY."

Introduced by: Senators Matsuura and Abercrombie.

No. 354 "A BILL FOR AN ACT RELATING TO FELONS."

Introduced by: Senators Matsuura and McMurdo.

No. 355 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senators Matsuura and Cayetano.

No. 356 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senators Matsuura and Hee.

No. 357 "A BILL FOR AN ACT RELATING TO NAMES."

Introduced by: Senators Matsuura and Hee.

No. 358 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANELS."

Introduced by: Senators Matsuura and Young.

No. 359 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senators Matsuura and Abercrombie.

No. 360 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Matsuura and A. Kobayashi.

No. 361 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Matsuura and A. Kobayashi.

No. 362 "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENT."

Introduced by: Senators Matsuura and Mizuguchi.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3) informing the Senate that S.B. Nos. 237 to 348 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made following committee assignments of bills that were introduced on Wednesday, January 30, 1985:

Senate Bills	Referred to:
No. 237	Committee on Ways and Means
No. 238	Committee on Ways and Means
No. 239	Committee on Ways and Means
No. 240	Committee on Ways and Means
No. 241	Committee on Ways and Means
No. 242	Committee on Ways and Means
No. 243	Committee on Judiciary, then to the Committee on Ways and Means
No. 244	Committee on Ways and Means
No. 245	Committee on Judiciary, then to the Committee on Ways and Means

No. 246 Means	Committee on Ways and	No. 270 Operations, then to the Committee on Ways and Means	Committee on Government
No. 247 Means	Committee on Ways and	No. 271 to the Committee on Ways and Means	Committee on Health, then
No. 248	Committee on Judiciary	No. 272 Recreation	Committee on Tourism and
No. 249	Committee on Judiciary	No. 273 Transportation	Committee on
No. 250	Committee on Judiciary	No. 274 Ways and Means	Committee on Economic Development, then to the Committee on
No. 251 Transportation	Committee on	No. 275 Ways and Means	Committee on Economic Development, then to the Committee on
No. 252 then to the Committee on Ways and Means	Committee on Judiciary,	No. 276 Development	Committee on Economic
No. 253	Committee on Judiciary	No. 277 Committee on Judiciary	Committee on Judiciary
No. 254 Ways and Means	Committee on Transportation, then to the Committee on	No. 278 Committee on Ways and Means	Committee on Housing and Community Development, then to the Committee on Ways and Means
No. 255 Transportation	Committee on	No. 279 Development	Committee on Economic
No. 256 then to the Committee on Ways and Means	Committee on Judiciary,	No. 280 Development	Committee on Economic
No. 257 Ways and Means	Committee on Labor and Employment, then to the Committee on	No. 281 and Means	Committee on Government Operations, then to the Committee on Ways and Means
No. 258 Ways and Means	Committee on Labor and Employment, then to the Committee on	No. 282 Ways and Means	Committee on Economic Development, then to the Committee on
No. 259 Consumer Protection and Commerce	Committee on Labor and Employment, then to the Committee on	No. 283 Committee on Judiciary	Committee on Judiciary
No. 260	Committee on Judiciary	No. 284 Ways and Means	Committee on Economic Development, then to the Committee on
No. 261 then to the Committee on Ways and Means	Committee on Judiciary,	No. 285 Committee on Judiciary	Committee on Judiciary
No. 262 Ways and Means	Committee on Economic Development, then to the Committee on	No. 286 Community Development	Committee on Housing and Community Development
No. 263 Ways and Means	Committee on Labor and Employment, then to the Committee on	No. 287 Community Development	Committee on Housing and Community Development
No. 264 Development	Committee on Economic	No. 288 Committee on Health	Committee on Health
No. 265	Committee on Education	No. 289 and Means	Committee on Higher Education, then to the Committee on Ways and Means
No. 266	Committee on Judiciary	No. 290 then to the Committee on Ways and Means	Committee on Education, then to the Committee on Ways and Means
No. 267 Legislative Management	Committee on Government Operations, then to the Committee on	No. 291 Committee on Judiciary	Committee on Judiciary
No. 268	Committee on Judiciary	No. 292 Employment	Committee on Labor and Employment
No. 269 Means	Committee on Government Operations, then to the Committee on Ways and Means		

No. 293	Committee on Transportation, then to the Committee on Judiciary	No. 316	Committee on Labor and Employment
No. 294	Committee on Judiciary, then to the Committee on ways and Means	No. 317	Committee on Judiciary
No. 295	Committee on Government Operations	No. 318	Committee on Judiciary
No. 296	Committee on Judiciary	No. 319	Committee on Energy, then to the Committee on Ways and Means
No. 297	Committee on Judiciary	The President made the following committee assignments of bills that were introduced on Thursday, January 31, 1985:	
No. 298	Committee on Government Operations	Senate Bills	Referred to:
No. 299	Committee on Judiciary	No. 320	Committee on Judiciary
No. 300	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 321	Committee on Judiciary
No. 301	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 322	Committee on Health, then to the Committee on Judiciary
No. 302	Committee on Judiciary, then to the Committee on Ways and Means	No. 323	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 303	Committee on Judiciary	No. 324	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce
No. 304	Committee on Consumer Protection and Commerce	No. 325	Jointly to the Committee on Agriculture and the Committee on Health, then to the Committee on Ways and Means
No. 305	Committee on Consumer Protection and Commerce	No. 326	Committee on Ways and Means
No. 306	Committee on Government Operations, then to the Committee on Ways and Means	No. 327	Committee on Consumer Protection and Commerce
No. 307	Committee on Consumer Protection and Commerce	No. 328	Committee on Judiciary, then to the Committee on Ways and Means
No. 308	Committee on Consumer Protection and Commerce	No. 329	Committee on Health, then to the Committee on Judiciary
No. 309	Committee on Consumer Protection and Commerce	No. 330	Committee on Economic Development, then to the Committee on Ways and Means
No. 310	Committee on Transportation	No. 331	Committee on Judiciary
No. 311	Committee on Judiciary	No. 332	Committee on Judiciary
No. 312	Committee on Higher Education, then to the Committee on Ways and Means	No. 333	Committee on Judiciary
No. 313	Committee on Higher Education, then to the Committee on Ways and Means	No. 334	Committee on Education, then to the Committee on Ways and Means
No. 314	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 335	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
No. 315	Committee on Judiciary, then to the Committee on Ways and Means	No. 336	Committee on Judiciary
		No. 337	Committee on Judiciary
		No. 338	Committee on Ways and Means

No. 339 Committee on Economic Development, then to the Committee on Ways and Means

No. 340 Committee on Health, then to the Committee on Ways and Means

No. 341 Committee on Transportation

No. 342 Committee on Health, then to the Committee on Ways and Means

No. 343 Committee on Tourism and Recreation, then to the Committee on Ways and Means

At this time, Senator Cayetano rose on a point of personal privilege and remarked as follows:

"Mr. President, in the January 30, 1985 issue of the Honolulu Star-Bulletin there appeared an article entitled 'Hale Mohalu Leasing Rapped.' Mr. President, I'd like to respond to this article since I am mentioned in the article and the manner in which I am mentioned, I think, reflects on every member of this Senate. Let me read the article for the record.

'A group of church and social agencies were "stonewalled" when they tried last year to lease the Hale Mohalu site in Pearl City to build housing for the elderly and handicapped, an attorney said last week.

'Attorney Boyce Brown suggested in a court hearing that the state Land Board was influenced by state Sen. Ben Cayetano and Hawaii Democratic Party Chairman James Kumagai in awarding the lease to the Pearl City Youth Complex Association.

'He said Cayetano and Kumagai were present at the Oct. 26 board meeting when the lease was granted. "The fix was on," Brown said.'

"Mr. President, as a member of this body and, as we all know, each member of this body who has been elected by the public has been subject to criticism. I think we can expect that. But, where we have criticism which is based on a lack of knowledge or outright falsehood, then I think those who throw stones ... their integrity should also be revealed for the public to peruse.

"This article, Mr. President, this statement by Mr. Brown before the court that I was present at the October 26 meeting is utterly false. I have never attended a meeting of the Board of Land and Natural Resources in my life. In fact, I suggest that Mr. Brown or anybody else who is not satisfied with my disclaimer call the board and have them check the minutes to

see whether I was there. I was not there. I checked my calendar and, in fact, at the time that this meeting was being held, I was doing something equally important. I was at Pearl City High School judging a float.

"This accusation, Mr. President, is a disparagement of the integrity of every member of the Board of Land and Natural Resources. It also disparages Mr. Kumagai, me, and, by association, the members of this Senate because it implies that this is the way business is done here. It is, as I said, utterly false. Anyone who believes that I have the power to fix anything with this administration is living in fantasy land. The only way it will be done is if I get on my knees. That's why I haven't been able to fix anything.

"Now, if credit has to be given to anyone for the granting of the lease, and I think credit should be given, then credit should be given to Representative Arnold Morgado who spearheaded the drive and did a lot of hard work on this project. And if credit should be given here in the Senate, it should be given to Senator Kuroda who also, I think, did a helluva lot more work than I did. Mr. Brown is familiar with the involvement of other legislators in this project.

"When I read this article, I had to wonder why I was singled out and I have come to the conclusion that I was singled out because Mr. Brown is upset about a case that was recently resolved in the Circuit Court of this state. Let me be brief in the details of this case and let me say that the case involved my law firm.

"We represented a former client of Mr. Brown and our client was suing Mr. Brown for malpractice. The complaint, and it's a matter of public record, stated that among other things Mr. Brown in representing our client had caused our client to lose hundreds of thousands of dollars; that Mr. Brown had engaged in self-dealing, was in conflict and had not acted in the best interests of our client. Mr. President, if anyone would check the court records, he will see that that case involving Mr. Brown has been resolved. That's a matter of public record. I'm not at liberty at this time, because of agreement between the parties, to give you further details about the case but let me tell you a story.

"Not too long ago, our client, Mr. Brown's former client, called our office and said that this was the best Christmas he ever had. So, to those out in the public who wish to criticize or hurl accusations at us, I say, fine, that's part of the game, but, before you throw stones, you had better check your facts and make sure that the facts are correct; and before you throw stones, you had better make sure your own house is in

order.

"We are at a tremendous disadvantage, as many of you may know, in dealing with accusations from non-public figures. Because of the Supreme Court's ruling in the Sullivan case, it's virtually impossible for us to sue a person who makes false accusations against us because we have to prove malice. Ariel Sharon in his lawsuit against Time magazine just found out what the court meant in the Sullivan case. This does not mean, however, that we must sit on our hands and not respond when these kinds of charges are being made. We should respond. And that is exactly what I am doing. And anyone else who wants to make charges which are unfounded, which are false, had better be ready for more of the same.

"Thank you."

Senator Abercrombie added his remarks as follows:

"Mr. President, may I have the opportunity to express remarks on the basis of personal privilege as a result of the previous speaker's comments.

"Mr. President, for the illumination of the members here I would like to indicate my distress, as well, at the appearance of this story. I would like to, as a long time supporter of the people who lived at Hale Mohalu, and as you know, Mr. President, the history of that having mostly taken place here in the Senate, you can imagine my distress at the appearance of this story. My comment is as follows.

"There are two or three points and I hope the members will indulge me, particularly those who are interested in the future of this situation. It is a story in the newspaper. It is a quotation and the context of the quotation about meetings may very well not be what was in the court record. I think I have an idea from my own perusal of the records of the minutes of the Board of Land and Natural Resources over the past years in connection with this issue that the story may in fact be referring to another meeting or meetings that may have taken place.

"It could be that the Star-Bulletin story simply does not have its own facts correct. Nonetheless, even if it is a case of incompetence on the part of the Star-Bulletin, either in its editing or in its reporting or both, nonetheless, to the degree the remark reflected in the story is an accurate one, even if it is taken out of context or in any context, again, is very distressing and absolutely does not represent the point of view of those of us who are attempting to find a resolution to this problem in the nature of one which will

satisfy all parties and be in the public interest.

"And I am appreciative of the tenor of Senator Cayetano's remarks because he in no way is disparaging the motivations of the people who support a solution which would involve some housing possibilities on the basis of sharing this site with the athletic activities complex people who now have the lease to the site.

"I want to indicate that to the degree that Mr. Brown's remarks are accurately portrayed, that they disparage not only Senator Cayetano but they disparage the Council of Churches, Bishops Fujitani, Browning, Ferrario, and Rabbi Magid who support the Council of Churches proposal, and disparage myself and other supporters of the proposal of the Council of Churches.

"If Mr. Brown has a legal argument to make with respect to the awarding of the lease, it is not only his right representing individuals who have an interest in this, but his obligation and duty to bring that to the attention of the court, strictly based on the legal merits or demerits of the awarding of the lease. To characterize those proceedings, however, in the manner which appears in the newspaper is not only unfortunate but does an actual disservice to the cause that I think I represent here today, at least in terms of being a supporter of the proposal to locate housing for the handicapped and for the aged on the site known as Hale Mohalu in the Pearl City area. It is my intention to continue.

"I've had the good fortune to speak briefly with Senator Kuroda at previous times and with Senator Cayetano about the possibility of discussing this plan. I am perhaps having a meeting, if not a meeting of the minds, an actual meeting, with the people who are in support of the sports activities complex there to see if it might not be possible to find a way to have joint use of this site, which would be mutually beneficial. And I am pleased to say that both Senator Kuroda and Senator Cayetano have indicated they'd be perfectly willing to discuss the issue.

"So, Mr. President, the bottom line burden of my remarks is that I appreciate the tenor and temperament of Senator Cayetano's remarks because they reflect a sane and sober approach that does not obviate the possibility of good-hearted people with proper motivation who are associated with the Council of Churches plan from being characterized in the same category with the intemperate and false remarks to the degree that they do in fact represent Mr. Brown's point of view as indicated in the story.

"I want to conclude by saying that those of us who do support this proposal by the Council of Churches will continue to seek a

positive dialogue with not only members of this Legislature but members of the community associated with the sports activities complex in the hopes that reasonable people, people who have the public interest at heart, can come to a conclusion.

"I hope that it is clear that this kind of characterization of the proceedings does not originate nor proceed from those of us who are in support of this alternative proposal or

additional proposal, as you might want to put it, and that we look forward to a happy conclusion all the way around on this very unfortunate and distressing episode."

ADJOURNMENT

At 11:57 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 4, 1985.

FOURTEENTH DAY

Monday, February 4, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mrs. Cosy Schneberger, Christian Science Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Aki, Machida and Solomon who were excused.

The Chair announced that he had read and approved the Journal of the Thirteenth Day.

At this time, Senator Holt introduced to the members of the Senate seven third graders from Kamehameha Schools, who are studying government. They were accompanied by their teacher, Miss Alice Yanigahara, and Mr. Bob Crowell of the Office of Information and Complaints.

HOUSE COMMUNICATION

Hse. Com. No. 2, transmitting House Bill No. 2, H.D. 1, which passed Third Reading in the House of Representatives on February 4, 1985, was read by the Clerk and placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed First Reading by title and was referred to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were printed and distributed, and were referred to committee:

Senate Bills

No. 363 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators B. Kobayashi and Cayetano.

Referred to: Committee on Transportation, then to the Committee on Ways and Means

No. 364 "A BILL FOR AN ACT RELATING TO RESPIRATORY CARE SERVICES."

Introduced by: B. Kobayashi.

Referred to: Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 5, 1985:

No. 365 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators Matsuura and Toguchi.

No. 366 "A BILL FOR AN ACT RELATING TO SCHOOL PRIORITY FUNDS."

Introduced by: Senators A. Kobayashi, Mizuguchi, Fernandes Salling, Solomon, Yamasaki, McMurdo and George.

No. 367 "A BILL FOR AN ACT RELATING TO HAZARDOUS SUBSTANCES."

Introduced by: Senators A. Kobayashi, Mizuguchi, Toguchi, Solomon, Yamasaki, McMurdo, George, Hee and Matsuura.

No. 368 "A BILL FOR AN ACT RELATING TO THE University of Hawaii."

Introduced by: Senators Soares, by request, A. Kobayashi and George.

No. 369 "A BILL FOR AN ACT RELATING TO THE SALARY OF THE UNIVERSITY OF HAWAII PRESIDENT."

Introduced by: Senators Soares, Henderson, A. Kobayashi and George.

No. 370 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Soares, A. Kobayashi and George.

No. 371 "A BILL FOR AN ACT RELATING TO WAIVER OF JURY."

Introduced by: Senators Soares, A. Kobayashi and George.

No. 372 "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL COMPANIES TAX CREDIT PROGRAM."

Introduced by: Senator Soares.

No. 373 "A BILL FOR AN ACT
RELATING TO EXPORT TRADE."

Introduced by: Senator Soares.

No. 374 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senator Hagino.

No. 375 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Kawasaki,
Fernandes Salling, Abercrombie, A.
Kobayashi, Kuroda, Hee and Matsuura.

No. 376 "A BILL FOR AN ACT
RELATING TO FRAUD UNDER THE
WORKERS' COMPENSATION LAW."

Introduced by: Senators Kawasaki,
Hagino, Hee, Matsuura and Young.

No. 377 "A BILL FOR AN ACT
RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Kawasaki,
Hagino, Chang, Hee, Matsuura and Young.

No. 378 "A BILL FOR AN ACT
RELATING TO COMMON CARRIERS."

Introduced by: Senator Cayetano, by
request.

No. 379 "A BILL FOR AN ACT
RELATING TO THE MOTOR CARRIER
SAFETY LAW."

Introduced by: Senator Cayetano, by
request.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 4) informing the
Senate that S.B. Nos. 349 to 364 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.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following
committee assignments of bills that were
introduced on Friday, February 1, 1985:

Senate Bills Referred to:

No. 349 Committee on Economic
Development, then to the Committee on
Judiciary

No. 350 Committee on
Transportation, then to the Committee on
Ways and Means

No. 351 Committee on Agriculture

No. 352 Committee on Consumer
Protection and Commerce, then to the
Committee on Judiciary

No. 353 Committee on Judiciary

No. 354 Committee on Judiciary

No. 355 Committee on Consumer
Protection and Commerce

No. 356 Committee on Judiciary

No. 357 Committee on Judiciary

No. 358 Committee on Consumer
Protection and Commerce, then to the
Committee on Judiciary

No. 359 Committee on Judiciary

No. 360 Committee on Ways and
Means

No. 361 Committee on Ways and
Means

No. 362 Committee on Ways and
Means

At 11:42 o'clock a.m., the Senate stood in
recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock
a.m.

ADJOURNMENT

At 11:45 o'clock a.m., on motion by
Senator Cobb, seconded by Senator Soares
and carried, the Senate adjourned until
11:30 o'clock a.m., Tuesday, February 5,
1985.

FIFTEENTH DAY

Tuesday, February 5, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Steve Ito of the United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Aki, Holt, Machida and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Fourteenth Day.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 157, submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of Edward L. Correa, Jr., term to expire December 31, 1993, was read by the Clerk and was referred to the Committee on Labor and Employment.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 3 to 5) were read by the Clerk and were disposed of as follows:

S.R. No. 3, entitled: "SENATE RESOLUTION REQUESTING THE CHIEF JUSTICE OF THE SUPREME COURT OF THE STATE OF HAWAII TO TAKE ALL STEPS NECESSARY TO ELIMINATE BARRIERS TO SPEEDY TRIAL," was offered by Senators Soares, A. Kobayashi and George.

By unanimous consent, S.R. No. 3 was referred to the Committee on Judiciary.

S.R. No. 4, entitled: "SENATE RESOLUTION URGING IMMEDIATE ACTION TO ESTABLISH JUVENILE INTAKE AGENCIES IN THE FAMILY COURTS," was offered by Senators Soares, A. Kobayashi and George.

By unanimous consent, S.R. No. 4 was referred to the Committee on Judiciary.

S.R. No. 5, entitled: "SENATE RESOLUTION SUPPORTING STRONG ENFORCEMENT OF OBSCENITY LAWS," was offered by Senators Soares and A. Kobayashi.

By unanimous consent, S.R. No. 5 was referred to the Committee on Judiciary.

INTRODUCTION OF SENATE BILLS

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

bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 6, 1985:

Senate Bills

No. 380 "A BILL FOR AN ACT RELATING TO APPROPRIATIONS."

Introduced by: Senator Yamasaki.

No. 381 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS."

Introduced by: Senator Yamasaki.

No. 382 "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION."

Introduced by: Senators Matsuura and Fernandes Salling.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 5) informing the Senate that S.B. Nos. 365 to 379 have been printed and have been distributed to the members of the Senate.

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

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 6) recommending that House Bill No. 2, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Henderson and carried, the report of the Committee was adopted and H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was placed on the calendar for Third Reading on Wednesday, February 6, 1985.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Monday, February 4, 1985:

Senate Bills Referred to:

No. 365 Jointly to the Committee on Labor and Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 366 Committee on Education, then to the Committee on Ways and Means

No. 367 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 368 Committee on Higher Education

No. 369 Committee on Higher Education, then to the Committee on Ways and Means

No. 370 Committee on Ways and Means

No. 371 Committee on Judiciary

No. 372 Committee on Economic Development, then to the Committee on Ways and Means

No. 373 Committee on Consumer Protection and Commerce, then to the

Committee on Ways and Means

No. 374 Committee on Higher Education, then to the Committee on Ways and Means

No. 375 Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce

No. 376 Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce

No. 377 Committee on Transportation

No. 378 Committee on Economic Development

No. 379 Committee on Economic Development

ADJOURNMENT

At 11:43 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 6, 1985.

SIXTEENTH DAY

Wednesday, February 6, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major Richard Taba, Associate Officer, The Salvation Army, Kauluwela Mission, 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 Fifteenth Day.

At this time, Senator George introduced to the members of the Senate six Kailua Elementary School Junior Girl Scouts of Troop 287. They were accompanied by their leader Mary Ann Crocker, and parent Cindy Stevens.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 158 to 159) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 158, transmitting a report prepared by Tillinghast, Nelson & Warren, Inc., in response to Act 285, Sec. 53B, SLH 1984, requesting the Insurance Commissioner to conduct a comprehensive review of the Hawaii No-Fault Insurance Law, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 159, transmitting a report, "1984 Student Achievement Report, Basic Skills," prepared by the Department of Education, pursuant to Sec. 296-11, HRS, was referred to the Committee on Education.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were printed and distributed, and were referred to committee:

Senate Bills

No. 383 "A BILL FOR AN ACT RELATING TO THE SPECIAL SUMMER SCHOOL FUND."

Introduced by: Senator Yamasaki.

Referred to: Committee on Education, then to the Committee on Ways and Means.

No. 384 "A BILL FOR AN ACT

RELATING TO STATE BONDS."

Introduced by: Senator Yamasaki.

Referred to: Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Thursday, February 7, 1985:

No. 385 "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION."

Introduced by: Senators Henderson, Soares, George, Abercrombie, Solomon, Hee, Aki, Kuroda, McMurdo, Chang, B. Kobayashi, Kawasaki, Matsuura and Toguchi.

No. 386 "A BILL FOR AN ACT RELATING TO THEFT."

Introduced by: Senators Henderson, Soares, George, A. Kobayashi, Machida, Abercrombie, Aki, Kuroda, Matsuura, Solomon, Hee, Cayetano, McMurdo, Chang, Kawasaki, Toguchi and B. Kobayashi.

No. 387 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Senator Yamasaki, by request.

No. 388 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators George, Soares, McMurdo, Kuroda, Henderson, Aki, Cayetano, A. Kobayashi and Chang.

No. 389 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Senators Cayetano, Henderson, Matsuura, Hee, Kuroda, Solomon, Machida and Mizuguchi.

No. 390 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Cayetano, Hee, Fernandes Salling, Kuroda, Solomon and Machida.

No. 391 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Senators George,

Soares, McMurdo, Matsuura, Aki, Cayetano, Kuroda and Henderson.

No. 392 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators George, Soares, McMurdo, Kuroda, A. Kobayashi, Chang and Young.

No. 393 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators George, Soares, McMurdo, Cayetano, Kuroda, Henderson, A. Kobayashi, Chang and Young.

No. 394 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators George, Soares, McMurdo, Matsuura, Aki, Kuroda, Henderson, A. Kobayashi, Chang and Young.

No. 395 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Senators George, Soares, McMurdo, Matsuura, Aki, Cayetano, Kuroda, Henderson, A. Kobayashi, Chang and Young.

No. 396 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Senators George, Soares, McMurdo, Chang, Aki, A. Kobayashi and Young.

No. 397 "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES."

Introduced by: Senators George, Matsuura, A. Kobayashi, McMurdo, Chang, Young, Cayetano, Soares and Henderson.

No. 398 "A BILL FOR AN ACT RELATING TO VOLUNTEER SERVICES TAX CREDIT PILOT PROGRAM."

Introduced by: Senators George, B. Kobayashi, Matsuura, McMurdo, Chang, Cayetano and Soares.

No. 399 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators George, Soares, McMurdo, Matsuura, Aki, Cayetano, Kuroda, Henderson, Young, A. Kobayashi and Chang.

No. 400 "A BILL FOR AN ACT RELATING TO LICENSING."

Introduced by: Senators George, Matsuura, A. Kobayashi, McMurdo, Chang, Soares, Cayetano and Henderson.

No. 401 "A BILL FOR AN ACT RELATING TO DRINKING AGE."

Introduced by: Senators Matsuura and Mizuguchi.

No. 402 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE HAWAII CONSTITUTION RELATING TO JUSTICES AND JUDGES."

Introduced by: Senators George, McMurdo, Soares and Henderson.

No. 403 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE II, III, AND XVII OF THE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR THE INITIATIVE."

Introduced by: Senators George, Soares, Henderson, McMurdo and Chang.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 7) informing the Senate that S.B. Nos. 380 to 384 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.

ORDER OF THE DAY

THIRD READING

House Bill No. 2, H.D. 1:

Senator Yamasaki moved that H.B. No. 2, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, would you ask the chairman if the bill before us provides for staffing for the Senate offices other than the eight hours per week that has been the practice in the past?"

Senator Yamasaki replied:

"Mr. President, that does not belong in my jurisdiction. It's more administrative and I defer to the President."

Senator Abercrombie then queried as follows:

"Mr. President, I will be pleased then to ask you, is it your intention to see to it within the boundaries of the monies that are provided in this bill, to have staffing in the offices of all senators beyond the eight hours per week?"

The Chair answered as follows:

"I have been informed by the Legislative Management chairman that yes, we are addressing that."

Senator Hee then asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Hee inquired as follows:

"Mr. President, would you ask the chairman if the appropriation bill before us includes stationery which is current to the Thirteenth Legislative Session?"

Senator Yamasaki replied: "I yield to the President."

The Chair answered: "Yes."

Senator Hee further inquired: "When will the members of the Thirteenth Senate be given the appropriate stationery which is current and correct?"

The Chair replied: "In two days."

Senator Kawasaki's request to have his remarks in support of the measure entered into the Journal follows:

"Mr. President, I speak in favor of H. B. No. 2...I do so with some reservations and concerns that I would like to enter into the Journal of the Senate as chairman of the Government Operations Committee, charged with the responsibility of promoting the cause of efficient and economical functioning of our government bureaus and agencies paid for by our taxpayers.

"Provided in the budget for the office of the Ombudsman is the amount of \$47,520 of taxpayer funds for the appointment of a first assistant to the Ombudsman.

"It is my judgment that there is no need for this position which could be replaced by a position to be designated perhaps as a senior analyst at substantially less cost.

"I suggest that the Senate instruct the Ombudsman to keep that position unfilled and a bill will be introduced to delete the position which was statutorily created in 1974, subsequent to the enactment of the Ombudsman legislation in 1967.

"It is my judgment also that the staff of

twelve people in the office could be reduced substantially without affecting the utility of the agency to the public.

"I am appalled at the efficiency with which Parkinson's Law has affected the agency when I examine the budget for the office which provides \$347,810 for staff and \$32,540 for all other expense ... a ratio more than 10 to 1 for personnel services.

"I must accept responsibility for the creation of the office which was needed back in 1967 but never did I intend that the agency get to be the \$380,000 bureaucracy that it has become.

"I certainly did not envisage a director for the office at a salary of \$50,490 and a deputy at \$47,520 or almost \$100,000 or one third of the bureau's budget to be consumed by salaries for two positions.

"It appears to me that the thousands of legitimate complaints by our citizens...complaints about government agents' arbitrary, unfair actions, public neglect, etc. have been addressed by the operation of the office for the past sixteen years...and discretionary screening of complaints received by the office should gradually reduce the number of annual legitimate grievances received by the agency.

"I would advocate the reduction of the twelve positions in the office by attrition if need be.

"Being the original enthusiastic sponsor-author of the Ombudsman, I have been kidded with justification I suppose...about the efficacy and necessity of the agency by many of my fellow legislators...including some of you in this body, who have been disappointed with the operation of the agency and the high cost to the taxpayers for its existence.

"I feel a responsibility to help 'cut the fat' so to speak...in the operation.

"I do think there is justification for the existence of the office with minimal and prudent staffing and management.

"I would not recommend complete elimination of the office as many of you have seriously suggested.

"So much for the Ombudsman.

"I am additionally concerned about the increase in the cost of operating the office of the Ethics Commission.

"Again, I must plead guilty to having been an original proponent co-author of the statute.

"We started the office back in 1967 with a

budget (if memory serves me correctly, at \$25,000) as the bill emerged from my government efficiency committee.

"I accept no responsibility for subsequent amendments to the statute which eventually resulted in the expensive \$179,000 bureaucracy that it is, an agency unable to resolve some of the most flagrant conflicts of interest prevalent in the legislature.

"Contained in the cost item in the budget for the office is an expenditure for annual out-of-state conference attendance.

"While the amount involved is nothing monumental, why do we need to have staff for the agency attend conferences overseas?

"Do we need to import ethical standards from elsewhere in the country? Included also in their budget is a \$26,851 item for an 'educational' program, I suppose ostensibly to educate government employees as to what constitutes unethical or conflict of interest actions.

"However well-meaning the commission may be...I don't think the taxpayers should be charged with the Ethics Commission office instructing employees on the subject of public morality on an on-going basis at \$26,000 a year...I trust that we are hiring into government service, reasonably intelligent adults who know right from wrong...and if they are in doubt...they should make inquiries at the office...without the necessity of scheduled orientation classes at \$25,000 per year.

"The testimony of the commission attempts to make a case for an increase in salary classification that I cannot agree with.

"My admonition to people who receive over \$30,000 per year in government service, including judges in the judiciary system, in positions that do not make unduly burdensome demands is...leave your positions if you are unhappy...

"My final recommendation, Mr. President...one that I have made for a good many years...is that the legislative expenses bill to finance the operation of the legislature provide enough funding so we can provide adequate and competent staff particularly for the two finance committees, the Finance committee in the House and the Senate Ways and Means Committee...with resources to enable the staff to regularly monitor the many programs which are funded by sizable appropriations...programs including the grants-in-aid organizations.

"Regular examination of these programs should be conducted somewhat in the fashion of the Federal GSA operation to ensure that our taxpayer funds are prudently

appropriated and utilized.

"The cost of providing the staff to do all this will easily come out of the savings effectuated by our monitor efforts I am convinced. We can then say to the taxpayer...'we are doing our best to see that we use your dollars wisely'...from what I have observed over the last eighteen years here...I am not overwhelmed with the conviction that we are doing our best in this regard...

"With this sermon I will support H.B. No. 2 with reservations, so to speak."

The motion was put by the Chair and carried, and H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki, Toguchi).

REFERRAL OF SENATE BILLS

The President then made the following committee assignments of bills that were introduced on Tuesday, February 5, 1985:

Senate Bills Referred to:

No. 380 Committee on Judiciary, then to the Committee on Ways and Means

No. 381 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 382 Jointly to the Committee on Economic Development and the Committee on Energy

Senator Abercrombie rose on a point of personal privilege and stated as follows:

"I trust that people of the state will await the arrival in person, so to speak, of the Majority package before they make decisions as to what is contained in it.

"If one is to read Mr. Kakesako's story today in the Honolulu Star-Bulletin, they will have a very misshapened sense of what that package will contain. I notice just with respect to everything from the drinking age to state funding of abortion to Manoa Finance, that everything in their is either inaccurate or misleading.

"Thank you."

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

Senator Kawasaki rose and stated:

"Mr. President, first of all I apologize for being late. I was delayed unavoidably. I had some remarks to make on the passage of House Bill No. 2, the legislative expenses bill.

"As chairman of the Government Operations Committee, I had some suggestions to make in the way of reducing the total expenditure for both the Ombudsman's office and the Ethics Commission office. I also had some suggestions for an increase in appropriations so that when we're out of session both committees in the Legislature, the Finance

in the House and the Ways and Means in the Senate, could provide for competent, full-time, adequate staff to do some monitoring of some of these programs for which taxpayers' funds are appropriated, specifically grants-in-aid appropriations amounting to \$7-8 million. But I would just enter the comments I had to make, pages of it, in the Journal, if you will allow it."

The Chair replied: "So ordered."

ADJOURNMENT

At 11:51 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, February 7, 1985.

SEVENTEENTH DAY

Thursday, February 7, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Herb Schaan, Pastor of Good Shepherd Lutheran Church, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

The Chair announced that he had read and approved the Journal of the Sixteenth Day.

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

Senator Cobb introduced a group of 35 students from Maryknoll High School U.S. History Class who were accompanied by their teacher Daryl Matsui.

Senator Yamasaki, on behalf of the Senators from Maui, introduced the following persons representing the Hui Malama organization: Harolyn Hong and Nora Vierra, students; Charlene Montalvo, former student and current secretary; and Priscilla Mikell, executive director.

Senator Matsuura introduced Mr. Yuki Nishimoto, a constituent from Hilo.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 160 to 162) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 160, transmitting a report prepared by the Department of Social Services and Housing, in response to H.R. No. 35 (1984), Requesting a Study of the Feasibility of Developing a Systematic Process for Prison Population Management, was referred to the Committee on Judiciary.

Gov. Msg. No. 161, informing the Senate that on February 6, 1985, he signed H.B. No. 2 as Act 1, entitled: "MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE LEGISLATIVE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was placed on file.

Gov. Msg. No. 162, submitting for consideration and confirmation to the Board of Private Detectives and Guards, the nomination of Stephen D. Goodenow, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 28 from the Department of Defense, transmitting the "Economic Contributions of the Hawaii Army and Air National Guard, Fiscal Year 1984," was read by the Clerk and was referred to the Committee on Government Operations.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were printed and distributed and were referred to committee:

Senate Bills

No. 404 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920."

Introduced by: Senators Solomon, B. Kobayashi, Chang, McMurdo, Holt, Mizuguchi, George, Matsuura, A. Kobayashi, Henderson, Cobb and Hagino

Referred to: Committee on Economic Development.

No. 405 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator B. Kobayashi.

Referred to: Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce.

No. 406 "A BILL FOR AN ACT RELATING TO THE BOARD OF TRUSTEES, OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators B. Kobayashi and Aki.

Referred to: Committee on Housing and Community Development, then to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Friday, February 8, 1985:

No. 407 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Soares.

No. 408 "A BILL FOR AN ACT

RELATING TO EMPLOYMENT SECURITY."

Yamasaki.

Introduced by: Senator Soares.

No. 421 "A BILL FOR AN ACT
RELATING TO PUBLIC OFFICERS AND
EMPLOYEES."No. 409 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT SECURITY."Introduced by: Senators Machida and
Yamasaki.

Introduced by: Senator Soares.

No. 410 "A BILL FOR AN ACT
RELATING TO NEW EMPLOYER TAX
CREDITS."No. 422 "A BILL FOR AN ACT
RELATING TO COUNTIES."

Introduced by: Senator Soares.

Introduced by: Senators Machida and
Yamasaki.No. 411 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT SECURITY."No. 423 "A BILL FOR AN ACT
RELATING TO PUBLIC OFFICERS AND
EMPLOYEES."

Introduced by: Senator Soares.

Introduced by: Senators Machida and
Yamasaki.No. 412 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."No. 424 "A BILL FOR AN ACT
RELATING TO HOLIDAYS."Introduced by: Senators McMurdo,
Abercrombie, Kuroda, George, Soares and
Henderson.Introduced by: Senators Machida and
Yamasaki.No. 413 "A BILL FOR AN ACT
RELATING TO COMMON CARRIERS."No. 425 "A BILL FOR AN ACT
RELATING TO PUBLIC OFFICERS AND
EMPLOYEES."Introduced by: Senators McMurdo and
Abercrombie.Introduced by: Senators Machida and
Yamasaki.No. 414 "A BILL FOR AN ACT
RELATING TO INCOME TAXATION."No. 426 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND."

Introduced by: Senator Young.

Introduced by: Senators Machida and
Yamasaki.No. 415 "A BILL FOR AN ACT
RELATING TO PUBLIC CONTRACTS."

Introduced by: Senator Young.

No. 427 "A BILL FOR AN ACT
RELATING TO A JOB-SHARING PILOT
PROJECT IN THE DEPARTMENT OF
HEALTH."No. 416 "A BILL FOR AN ACT
RELATING TO THE STATE
COORDINATOR."Introduced by: Senators Machida and
Yamasaki.

Introduced by: Senator Young.

No. 417 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."No. 428 "A BILL FOR AN ACT
RELATING TO ALLOWANCE ON SERVICE
RETIREMENT."

Introduced by: Senator Young.

Introduced by: Senators Machida and
Yamasaki.No. 418 "A BILL FOR AN ACT
RELATING TO ENTERPRISE ZONES."No. 429 "A BILL FOR AN ACT
RELATING TO RETIREMENT BENEFITS OF
PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senator Young.

Introduced by: Senators Machida and
Yamasaki.No. 419 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Young.

No. 430 "A BILL FOR AN ACT
RELATING TO ORDINARY DISABILITY
RETIREMENT UNDER THE EMPLOYEES'
RETIREMENT SYSTEM."No. 420 "A BILL FOR AN ACT
RELATING TO SICK LEAVE BENEFITS."

Introduced by: Senators Machida and

Introduced by: Senators Machida and

Yamasaki.

No. 431 "A BILL FOR AN ACT
RELATING TO PENSIONERS BONUS AND
POST RETIREMENT ALLOWANCE."

Introduced by: Senators Machida and
Yamasaki.

No. 432 "A BILL FOR AN ACT
RELATING TO PENSIONER'S BONUS."

Introduced by: Senators Machida and
Yamasaki.

No. 433 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES' HEALTH
RETIREMENT SYSTEM."

Introduced by: Senators Machida and
Yamasaki.

No. 434 "A BILL FOR AN ACT
RELATING TO STATUTORY REVISION:
AMENDING VARIOUS PROVISIONS OF THE
HAWAII REVISED STATUTES FOR THE
PURPOSE OF CORRECTING ERRORS,
CLARIFYING LANGUAGE, CORRECTING
REFERENCES, AND DELETING OBSOLETE
OR UNNECESSARY PROVISIONS."

Introduced by: Senator Wong, by
request.

No. 435 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Wong, by
request.

No. 436 "A BILL FOR AN ACT
RELATING TO THE OFFICE OF HAWAIIAN
AFFAIRS."

Introduced by: Senator Wong, by
request.

No. 437 "A BILL FOR AN ACT
RELATING TO TOURISM."

Introduced by: Senators McMurdo,
Yamasaki, B. Kobayashi and Matsuura.

No. 438 "A BILL FOR AN ACT
RELATING TO TOURISM."

Introduced by: Senators Kuroda,
Solomon, Matsuura, Aki, Young,
Fernandes Salling, McMurdo, Kawasaki,
Yamasaki, Cayetano, Hagino,
Abercrombie, Hee, Toguchi, Cobb, Wong
and Chang.

No. 439 "A BILL FOR AN ACT
RELATING TO TOURISM."

Introduced by: Senators Kuroda,
Machida, Yamasaki and Chang.

No. 440 "A BILL FOR AN ACT

RELATING TO LITTER."

Introduced by: Senators George,
Henderson, A. Kobayashi and Soares.

No. 441 "A BILL FOR AN ACT
RELATING TO SCHOOL BONDS."

Introduced by: Senators Henderson,
George, Soares and A. Kobayashi.

No. 442 "A BILL FOR AN ACT
RELATING TO PRIVATE ENTERPRISE."

Introduced by: Senators Henderson,
Soares, George and A. Kobayashi.

No. 443 "A BILL FOR AN ACT
RELATING TO LAND."

Introduced by: Senators Henderson,
Soares, George and A. Kobayashi.

No. 444 "A BILL FOR AN ACT
RELATING TO THE DISBURSEMENT OF
FINES AND FORFEITURES."

Introduced by: Senators Henderson,
Soares, George and A. Kobayashi.

No. 445 "A BILL FOR AN ACT
RELATING TO DRIVING UNDER THE
INFLUENCE OF INTOXICATING LIQUOR
OR DRUGS."

Introduced by: Senators Cayetano,
Kuroda, Solomon, A. Kobayashi, George,
Toguchi, Young, Aki and McMurdo.

No. 446 "A BILL FOR AN ACT
RELATING TO CONTROLLED
SUBSTANCES."

Introduced by: Senators Cayetano,
Kuroda, Solomon, Machida, A. Kobayashi,
George, Mizuguchi, Toguchi, Aki and
McMurdo.

No. 447 "A BILL FOR AN ACT
RELATING TO MOTOR VEHICLES."

Introduced by: Senators Cayetano,
Abercrombie, Kuroda, Solomon, Machida,
A. Kobayashi, George, Mizuguchi, Aki,
McMurdo and Fernandes Salling.

No. 448 "A BILL FOR AN ACT
RELATING TO THE TAXATION OF
AFFILIATED CORPORATIONS."

Introduced by: Senator Young.

No. 449 "A BILL FOR AN ACT
RELATING TO REAL PROPERTY IN
DESIGNATED AREAS."

Introduced by: Senators Cobb, George,
Hagino, Toguchi, Mizuguchi, Fernandes
Salling, Solomon, A. Kobayashi and
Cayetano.

No. 450 "A BILL FOR AN ACT
RELATING TO SENTENCING."

Introduced by: Senators George,
Matsuura, McMurdo, Cayetano, Soares,
Henderson, Kuroda, Solomon, Hagino and
Toguchi.

No. 451 "A BILL FOR AN ACT
RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY."

Introduced by: Senators George,
Soares, McMurdo, Cayetano, Henderson,
A. Kobayashi, Solomon and Toguchi.

No. 452 "A BILL FOR AN ACT
RELATING TO DRIVING UNDER THE
INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senators George,
Soares, Henderson, Kuroda, McMurdo,
Chang, Solomon, Hagino, Toguchi and A.
Kobayashi.

No. 453 "A BILL FOR AN ACT
RELATING TO INTOXICATING LIQUORS."

Introduced by: Senators George,
Soares, Henderson, Kuroda, McMurdo,
Chang, Solomon, Hagino, Toguchi and A.
Kobayashi.

No. 454 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY
REGIMES."

Introduced by: Senators Cobb,
Matsuura, Yamasaki, Chang, Mizuguchi,
B. Kobayashi, Kuroda and Young.

No. 455 "A BILL FOR AN ACT
RELATING TO EXPENDITURE OF STATE
MONEY."

Introduced by: Senators Cobb,
Yamasaki, Aki, Kuroda, Cayetano,
Machida, Fernandes Salling and George.

No. 456 "A BILL FOR AN ACT
RELATING TO BEAUTY CULTURE."

Introduced by: Senator Cobb, by
request.

No. 457 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY
REGIMES."

Introduced by: Senator Cobb, by
request.

No. 458 "A BILL FOR AN ACT
RELATING TO PSYCHOLOGISTS."

Introduced by: Senator Cobb, by
request.

No. 459 "A BILL FOR AN ACT
RELATING TO THE HAWAII CRIMINAL

JUSTICE DATA CENTER."

Introduced by: Senator Wong, by
request.

No. 460 "A BILL FOR AN ACT
RELATING TO THE HAWAII CRIMINAL
JUSTICE DATA CENTER."

Introduced by: Senator Wong, by
request.

No. 461 "A BILL FOR AN ACT
RELATING TO SHOPLIFTING."

Introduced by: Senator Wong, by
request.

No. 462 "A BILL FOR AN ACT
RELATING TO TERMS OF BOARDS AND
COMMISSIONS."

Introduced by: Senator Wong, by
request.

No. 463 "A BILL FOR AN ACT
RELATING TO THE RELIEF OF CERTAIN
PERSONS' CLAIMS AGAINST THE STATE
AND PROVIDING APPROPRIATIONS
THEREFOR."

Introduced by: Senator Wong, by
request.

No. 464 "A BILL FOR AN ACT
RELATING TO ORGANIZED CRIME."

Introduced by: Senator Wong, by
request.

No. 465 "A BILL FOR AN ACT
RELATING TO WITNESS AND DEFENDANT
EXPENSES."

Introduced by: Senator Wong, by
request.

No. 467 "A BILL FOR AN ACT
RELATING TO REPORTING OF PENAL
CODE OFFENSES OCCURRING IN PUBLIC
SCHOOLS."

Introduced by: Senator Wong, by
request.

No. 468 "A BILL FOR AN ACT
RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by
request.

No. 469 "A BILL FOR AN ACT
RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by
request.

No. 470 "A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senator Wong, by request.

No. 472 "A BILL FOR AN ACT RELATING TO A HAWAII FILM INDUSTRY AUTHORITY."

Introduced by: Senator Wong, by request.

No. 473 "A BILL FOR AN ACT RELATING TO RELEASE OF INMATES."

Introduced by: Senator Wong, by request.

No. 474 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Wong, by request.

No. 475 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF OFFENDERS UNDER TREATY."

Introduced by: Senator Wong, by request.

No. 476 "A BILL FOR AN ACT RELATING TO THE TAXATION OF AIRLINES."

Introduced by: Senator Wong, by request.

No. 477 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 478 "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION."

Introduced by: Senator Wong, by request.

No. 479 "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION."

Introduced by: Senator Wong, by request.

No. 480 "A BILL FOR AN ACT RELATING TO DUTIES OF THE DIRECTOR OF PERSONNEL SERVICES."

Introduced by: Senator Wong, by request.

No. 481 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Wong, by request.

request.

No. 482 "A BILL FOR AN ACT RELATING TO SICK LEAVE AND TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator Wong, by request.

No. 483 "A BILL FOR AN ACT RELATING TO REEMPLOYMENT AND RECALL LISTS."

Introduced by: Senator Wong, by request.

No. 484 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Wong, by request.

No. 485 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Wong, by request.

No. 486 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND AND AMENDING CHAPTER 87, HAWAII REVISED STATUTES."

Introduced by: Senator Wong, by request.

No. 487 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senator Wong, by request.

No. 488 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senator Wong, by request.

No. 489 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES NOT COVERED BY CHAPTER 89."

Introduced by: Senator Wong, by request.

No. 490 "A BILL FOR AN ACT RELATING TO THE CIVIL SERVICE LAW ON SUSPENSIONS, DISMISSALS, DEMOTIONS, AND EMPLOYEE STATUS PENDING AN INVESTIGATION OF CHARGES."

Introduced by: Senator Wong, by request.

No. 491 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING UNIT DETERMINATION."

Introduced by: Senator Wong, by the Committee was adopted.
request.

ORDER OF THE DAY

No. 492 "A BILL FOR AN ACT
RELATING TO CIVIL SERVICE AND
EXEMPTIONS."

REFERRAL OF SENATE BILLS

Introduced by: Senator Wong, by
request.

Senate Bills Referred to:
No. 385 Committee on Judiciary

No. 493 "A BILL FOR AN ACT
RELATING TO PUBLIC EMPLOYMENT."

No. 386 Committee on Judiciary

Introduced by: Senator Wong, by
request.

No. 387 Committee on Judiciary

No. 494 "A BILL FOR AN ACT
RELATING TO TOURISM PROMOTION."

No. 388 Committee on Judiciary

Introduced by: Senators Wong,
Yamasaki, Chang, Aki, Hagino, Kawasaki,
Solomon, Cayetano, Toguchi, Matsuura,
Hee, Abercrombie, Kuroda, McMurdo and
Cobb.

No. 389 Committee on Consumer
Protection and Commerce

No. 495 "A BILL FOR AN ACT
RELATING TO THE ESTABLISHMENT OF A
STATE-OPERATED LOTTERY SYSTEM."

No. 390 Committee on Economic
Development

Introduced by: Senators Wong,
Yamasaki, Cayetano, Hagino, Kawasaki,
Solomon, Toguchi, Machida, Chang,
Fernandes Salling, Hee, Kuroda,
McMurdo, Aki and Cobb.

No. 391 Committee on Judiciary

No. 392 Committee on Human
Services

No. 393 Committee on Human
Services

No. 394 Committee on Judiciary

No. 395 Committee on Judiciary

No. 396 Committee on Judiciary

On motion by Senator Cobb, seconded by
Senator Soares and carried, the following
bills were referred to print and were placed
on the calendar for further consideration on
Friday, February 8, 1985:

No. 397 Committee on
Transportation, then to the Committee on
Ways and Means

No. 398 Committee on Ways and
Means

Senate Bills

No. 466 "A BILL FOR AN ACT
RELATING TO THE PURCHASE AND
MAINTENANCE OF COMPUTER
INFORMATION SYSTEMS."

No. 399 Committee on
Transportation, then to the Committee on
Judiciary

Introduced by: Senator Wong, by
request.

No. 400 Committee on Consumer
Protection and Commerce, then to the
Committee on Ways and Means

No. 471 "A BILL FOR AN ACT
RELATING TO THE COMPENSATION OF
PUBLIC OFFICERS AND EMPLOYEES AND
MAKING AN APPROPRIATION
THEREFOR."

No. 401 Committee on Judiciary

No. 402 Committee on Judiciary

No. 403 Committee on Judiciary

Introduced by: Senator Wong, by
request.

At 11:44 o'clock a.m., the Senate stood in
recess subject to the call of the Chair.

STANDING COMMITTEE REPORT

The Senate reconvened at 11:56 o'clock
a.m.

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 8) informing the
Senate that S.B. Nos. 385 to 406 have been
printed and have been distributed to the
members of the Senate.

At this time, Senator Abercrombie rose
on a point of personal privilege and
remarked as follows:

On motion by Senator Young, seconded by
Senator George and carried, the report of

"Mr. President, yesterday, I indicated that
some of the press reports coming out as to
what was in the Majority package were not
accurate and that it would be in the interest

of the public if the media would wait until the Majority package actually appears before it is assumed that we know what is in it.

"Nonetheless, Mr. President, I am compelled to rise again because the morning paper came up with another version today which there is no relationship to what happened, as I understand, in the caucus. And I refer specifically, and I am compelled to speak for a moment in this area, of raising the drinking age from 18 to 21.

"Mr. President, the Majority package will not say that the drinking age is going to be raised from 18 to 21 but, rather, that the matter is going to be considered and taken up and debated on its merits.

"And I want it very clear, to members of the press and I hope it will appear in tomorrow's newspaper, particularly in the Advertiser, that it's not the case that the Majority has decided that this infamous usurpation of civil liberties is to be imposed upon those who are 18, 19 and 20 years old until we can have a proper debate so that those who do not agree with me will see the light. Thank you."

Senator Henderson also rose on a point of personal privilege and stated:

"Mr. President, the Honolulu Star-Bulletin, yesterday, on the front page...I was dismayed when I looked at the front page and saw, 'GOP Leader Calls for a Tax Hike,' and I turned to page 11 and on the top of the page it said 'Senate GOP Leader Urges 6% General Excise Tax.'

"Now, Mr. President, that might be the case, but the headline certainly doesn't reflect what my intentions were. My tax package, which has yet to be introduced, is really a three-part plan. It would provide about \$125 million in tax reductions to the citizens of Hawaii. It would give about \$70 million in revenue sharing to the counties. It would provide about \$50 million in tax savings to the business community and it would provide about \$18 million in savings to lessees. So, I think, Mr. President, it was a well rounded, well thought out plan. It was one of reform, not increase; to the actual revenue effect to the plan, it would probably be negative. It would probably be a small decrease in the revenues to the general fund. In order to cover these tax savings it was necessary to put in a modest 2 percent increase in the excise tax.

"That's really the situation, Mr. President. I hope that everybody understands it. Thank you."

Senator Kawasaki then rose on a point of information as follows:

"Mr. President, in this case, to provide some information, in view of the complaints from both the Republican and Democratic parties about both newspapers, for the edification of the members here, I just want to let them know that I have my annual three bills to repeal some mistakes we made back in 1970. I hope you will all read those bills and vote in favor of them."

The Chair then made the following announcement:

"Members of the Senate, according to Rule 41 of the Temporary Rules of the Senate of the Thirteenth Legislature, individual members are restricted as to the introduction of simple appropriation bills. By simple appropriation bills, I mean bills that just appropriate money with no statutory language involved. The restrictions were put in as part of the Senate's efforts to cut down on unnecessary paperwork since simple appropriation bills normally do not pass anyway.

"However, there appears to be broad interest among Senators to be able to introduce these simple appropriation bills for the purpose of discussion, hearing, and public information. As a result, the Chair is prepared to entertain a motion to rescind Rule 41 for the purpose of allowing members to introduce simple appropriation measures."

Senator Young then moved that Rule 41 of the Temporary Rules of the Senate of the Thirteenth Legislature be rescinded to allow for the introduction by individual members of simple appropriation bills, seconded by Senator Soares.

In accordance with Rule 82(1) of the Temporary Rules of the Senate of the Thirteenth Legislature, the motion was deferred until Friday, February 8, 1985, for further consideration.

ADJOURNMENT

At 12:06 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, February 8, 1985.

EIGHTEENTH DAY

Friday, February 8, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Francis Dennehy, Associate Pastor, Cathedral of Our Lady of Peace, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Seventeenth Day.

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

Senator Hagino introduced 35 senior citizens from the community of Whitmore. They were accompanied by their leader and good friend of Senator Hagino, Mr. Hiram Diamond.

Senator Kuroda then introduced a group from Fukuoka, Japan, as follows:

"Mr. President, since the establishment of the Fukuoka-Hawaii sister-state relationship in 1982, more and more visitors from Fukuoka have come to Hawaii. There are groups of various organizations, some social, some service, and then there are groups associated with elected officials.

"This group visiting with us today is a group called the 'koenkai.' The 'koenkai' is a group of supporters. A 'koenkai' may number anywhere from six to 200. We have a group of 34 visiting us. They are associated with assemblyman Yoshiharu Takahashi. Senator Takahashi himself will be coming tomorrow morning, inasmuch as he had to complete some work back in Fukuoka.

"I'd like to first introduce Mr. Fumio Hosaka, the leader, and will the rest all stand up and be recognized.

"Mr. President, I am proud to wear my hapi coat on this Aloha Friday which signifies the excellent sister-state relationship between Fukuoka and Hawaii."

Senator Matsuura introduced, on behalf of the Big Island legislators, Dr. Dick Lundborg, a fellow doctor from Hilo.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 163 to 165) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 163, transmitting a

report, "Hawaii Ocean Science & Technology Park Marketing & Feasibility Studies," from the High Technology Development Corporation, was referred to the Committee on Economic Development.

Gov. Msg. No. 164, transmitting a report, "An Assessment of Fishery Policy Implementation in the State of Hawaii: 1980-84," prepared by University of Hawaii, in response to S.R. No. 43 (1984) and H.R. No. 7 (1984), Requesting an Analysis of Current Fishery Policies and Long-term Impact of Fishing, was referred to the Committee on Economic Development.

Gov. Msg. No. 165, transmitting a report, "Hawaii County Hospital Network Comprehensive Implementation Plan," from the Department of Health, pursuant to Act 285-84, Sec. 17D, was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 29 to 30) were read by the Clerk and were disposed of as follows:

Dept. Com. No. 29 from the Judiciary, transmitting the "Report to the Legislature, Grants, Subsidies, and Purchase of Services, Fiscal Biennium 1985-87," pursuant to Sec. 42-5, HRS, was referred to the Committee on Judiciary.

Dept. Com. No. 30 from the Office of the Administrative Director of the Courts, transmitting "The Judiciary State of Hawaii Legislative Program, Thirteenth Legislature 1985 Session," was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 and 3) were read by the Clerk and were disposed of as follows:

S.C.R. No. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE 1985 STATE TAX REVIEW COMMISSION TO EXAMINE MEASURES TO ENCOURAGE THE FLOW OF VENTURE CAPITAL INTO HAWAII," was offered by Senator Soares.

By unanimous consent, S.C.R. No. 2 was referred to the Committee on Ways and Means.

S.C.R. No. 3, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A FUNCTIONAL AND IMPLEMENTATION PLAN TO ESTABLISH A DEPARTMENT

OF CORRECTIONS," was offered by Senators George, Soares, Henderson, Kuroda, McMurdo, Chang, Solomon, Hagino, Toguchi, A. Kobayashi and Cayetano.

By unanimous consent, action on S.C.R. No. 3 was deferred until Monday, February 11, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 6 to 10) were read by the Clerk and were disposed of as follows:

S.R. No. 6, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF SCHOOL FACILITIES FOR AFTER-SCHOOL CARE PROGRAMS FOR SCHOOL-AGE CHILDREN," was offered by Senator Soares.

By unanimous consent, S.R. No. 6 was referred to the Committee on Education.

S.R. No. 7, entitled: "SENATE RESOLUTION REQUESTING THE 1985 STATE TAX REVIEW COMMISSION TO EXAMINE MEASURES TO ENCOURAGE THE FLOW OF VENTURE CAPITAL INTO HAWAII," was offered by Senator Soares.

By unanimous consent, S.R. No. 7 was referred to the Committee on Ways and Means.

S.R. No. 8, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON EXCHANGES," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 8 was referred to the Committee on Economic Development.

S.R. No. 9, entitled: "SENATE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON THE EXCHANGE OF PUBLIC LAND FOR PRIVATE LAND," was offered by Senator Wong, by request.

By unanimous consent, S.R. No. 9 was referred to the Committee on Economic Development.

S.R. No. 10, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A FUNCTIONAL AND IMPLEMENTATION PLAN TO ESTABLISH A DEPARTMENT OF CORRECTIONS," was offered by Senators George, Soares, Henderson, McMurdo, Chang, Solomon,

Hagino, Toguchi, A. Kobayashi and Cayetano.

By unanimous consent, action on S.R. No. 10 was deferred until Monday, February 11, 1985.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Monday, February 11, 1985:

No. 496 "A BILL FOR AN ACT RELATING TO BINGO."

Introduced by: Senators Kuroda, Fernandes Salling, Chang, Kawasaki, B. Kobayashi, Solomon, Aki, Cayetano, Machida, Yamasaki, Hee, McMurdo and Mizuguchi.

No. 497 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE-OPERATED LOTTERY SYSTEM."

Introduced by: Senators Kuroda, Chang, Solomon, Aki, Cayetano and Yamasaki.

No. 498 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO REQUIRE THE CONSENT OF THE SENATE FOR RETENTION OF JUSTICES AND JUDGES."

Introduced by: Senator Chang.

No. 499 "A BILL FOR AN ACT RELATING TO OFF-TRACK WAGERING."

Introduced by: Senators Chang, Solomon, Hagino, McMurdo, Yamasaki and Cayetano.

No. 500 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Senator Chang.

No. 501 "A BILL FOR AN ACT RELATING TO THE APPOINTMENT OF INTERPRETERS FOR HEARING-IMPAIRED INDIVIDUALS."

Introduced by: Senator Chang.

No. 502 "A BILL FOR AN ACT RELATING TO GREYHOUND RACING."

Introduced by: Senators Chang, by request, McMurdo, Cayetano and Yamasaki.

No. 503 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A

STATE-OPERATED LOTTERY SYSTEM."

Introduced by: Senators Chang, by request, and Yamasaki.

No. 504 "A BILL FOR AN ACT RELATING TO NEWSPAPERS."

Introduced by: Senators Kawasaki, Abercrombie, Fernandes Salling, McMurdo, Toguchi, Hee and Chang.

No. 505 "A BILL FOR AN ACT RELATING TO THE NEWSPAPER ANTITRUST EXEMPTION."

Introduced by: Senators Kawasaki, Abercrombie, Fernandes Salling, McMurdo, Toguchi, Chang and Hee.

No. 506 "A BILL FOR AN ACT RELATING TO NEWSPAPERS."

Introduced by: Senators Kawasaki, Fernandes Salling, Abercrombie, Hee and Chang.

No. 507 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Kawasaki, Matsuura and Fernandes Salling.

No. 508 "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION."

Introduced by: Senators Kawasaki, Yamasaki, Cayetano, Matsuura, Chang and Fernandes Salling.

No. 509 "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS."

Introduced by: Senators Kawasaki, Yamasaki, Cayetano, Matsuura, Chang and Fernandes Salling.

No. 510 "A BILL FOR AN ACT RELATING TO MEDICINE."

Introduced by: Senator Hagino.

No. 511 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO KAPIOLANI WOMEN'S AND CHILDREN'S MEDICAL CENTER."

Introduced by: Senators Machida, B. Kobayashi, Kuroda, Abercrombie, Solomon, Chang, Soares, Aki, George, Mizuguchi, Yamasaki, Cayetano, McMurdo, Matsuura, A. Kobayashi, Hagino, Young, Holt, Fernandes Salling and Toguchi.

No. 512 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT."

Introduced by: Senators Solomon, Henderson, Matsuura, Young, Kuroda, Aki, Toguchi, Soares, A. Kobayashi, Holt, Hagino, Yamasaki, Hee, Chang, Cayetano, Fernandes Salling, B. Kobayashi, Mizuguchi, Machida and McMurdo.

No. 513 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAIN STREET PROGRAM TO REVITALIZE THE CENTRAL BUSINESS DISTRICT OF HILO, HAWAII."

Introduced by: Senators Matsuura, Solomon and Henderson.

No. 514 "A BILL FOR AN ACT RELATING TO HIKING TRAILS."

Introduced by: Senators A. Kobayashi, Chang, Henderson, Soares, Young, Hagino, Kuroda, Aki, Toguchi, George, Yamasaki and McMurdo.

No. 515 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY OF BEACH EROSION."

Introduced by: Senators A. Kobayashi, Chang, Soares, Henderson, Young, Hagino, Kuroda, Aki, Toguchi, George, Yamasaki and McMurdo.

No. 516 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF BEEF AND OTHER AGRICULTURAL COMMODITIES NOT PRESENTLY COVERED UNDER LEGISLATIVE FUNDING."

Introduced by: Senators Solomon, Holt, Cayetano, Toguchi, McMurdo, Machida and Chang.

No. 517 "A BILL FOR AN ACT RELATING TO FARM LOANS."

Introduced by: Senators Solomon, Holt, Cayetano, Toguchi, A. Kobayashi, McMurdo, Machida and Chang.

No. 518 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNTY EXTENSION AGENT UNDER THE COOPERATIVE EXTENSION SERVICE OF MAUI."

Introduced by: Senators Solomon, Holt, Cayetano, Toguchi, A. Kobayashi, McMurdo, Machida and Chang.

No. 519 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A POST-HARVEST COOLING FACILITY ON MOLOKAI."

Introduced by: Senators Solomon, Machida, Holt, Cayetano, Toguchi, A.

Kobayashi, McMurdo and Chang.

No. 520 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A POST-HARVEST COOLING FACILITY ON KAUAI."

Introduced by: Senators Solomon, Holt, Cayetano, Toguchi, A. Kobayashi, McMurdo, Machida and Chang.

No. 521 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII VISITORS BUREAU MARKETING AND PROMOTION CAMPAIGN."

Introduced by: Senators Soares, A. Kobayashi and George.

No. 522 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MAKING HAWAII INTO A REGIONAL FISHERIES CENTER."

Introduced by: Senators Soares, A. Kobayashi and George.

No. 523 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND HAWAII PATIENT ENRICHMENT, INC."

Introduced by: Senators Matsuura, Fernandes Salling and Henderson.

No. 524 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ATHLETIC DEPARTMENT IN THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 525 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ATHLETIC DEPARTMENT IN THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 526 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STRENGTH EQUIPMENT AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 527 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STRENGTH EQUIPMENT FOR THE ATHLETIC DEPARTMENT AT THE UNIVERSITY OF HAWAII, MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 528 "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR THE WEIGHT FACILITIES OF THE ATHLETIC DEPARTMENT OF THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 529 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WEIGHT FACILITIES OF THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 530 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO TRAINING ROOM FACILITIES AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 531 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF HEALTH, PHYSICAL EDUCATION, AND RECREATION AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 532 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR OBTAINING UNIVERSITY STUDENT HELP TO MAINTAIN AND SUPERVISE THE LOCKER AND WEIGHT ROOM FACILITIES AT THE UNIVERSITY OF HAWAII AT MANOA, OAHU."

Introduced by: Senator Abercrombie.

No. 533 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HONOLULU INTEGRATED TRANSIT SYSTEM."

Introduced by: Senator Cayetano, by request.

No. 534 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR ACQUIRING FORT DERUSSY LAND MAUKA OF KALIA ROAD, HONOLULU, OAHU."

Introduced by: Senator Soares.

No. 535 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ACQUISITION OF LAND FOR A PARK AT QUEEN'S BEACH, EAST OAHU."

Introduced by: Senator Soares.

No. 536 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR A

MUNICIPAL GOLF COURSE AT
KEALAKEHE, NORTH KONA."

Introduced by: Senators Henderson,
Solomon and Matsuura.

No. 537 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
CONSTRUCTION OF AN AGRICULTURAL
PRODUCTS COOLING AND COLD
STORAGE FACILITY AT MOLOKAI,
COUNTY OF MAUI."

Introduced by: Senators Machida and
Yamasaki.

No. 538 "A BILL FOR AN ACT
RELATING TO TEMPORARY TOTAL
DISABILITY."

Introduced by: Senators McMurdo,
Chang and Abercrombie.

No. 539 "A BILL FOR AN ACT
RELATING TO ALARM BUSINESSES."

Introduced by: Senators Fernandes
Salling, George, Kuroda, Chang, Toguchi,
Young, Yamasaki, Solomon, Matsuura, A.
Kobayashi, Mizuguchi, Kawasaki and
McMurdo.

No. 540 "A BILL FOR AN ACT
RELATING TO THE STATE WATER CODE."

Introduced by: Senators Fernandes
Salling, Toguchi, Solomon, B. Kobayashi,
Yamasaki, Kawasaki, McMurdo, Young,
Chang and Hee.

No. 541 "A BILL FOR AN ACT
RELATING TO POLICE DEPARTMENTS."

Introduced by: Senators Fernandes
Salling, Kuroda, Chang, Toguchi,
Matsuura, Kawasaki and McMurdo.

No. 542 "A BILL FOR AN ACT
RELATING TO POLICE DEPARTMENTS."

Introduced by: Senators Fernandes
Salling, by request, B. Kobayashi,
Yamasaki, Henderson, Kawasaki,
McMurdo, Soares, Young, Kuroda, Chang
and Hee.

No. 543 "A BILL FOR AN ACT
RELATING TO A COUNTY OPTION ON A
HOTEL ROOM OCCUPANCY TAX."

Introduced by: Senators Fernandes
Salling, Toguchi, B. Kobayashi, Kawasaki,
McMurdo, Chang and Hee.

No. 544 "A BILL FOR AN ACT
RELATING TO FIREARMS, AMMUNITIONS,
AND DANGEROUS WEAPONS."

Introduced by: Senators Fernandes
Salling, Matsuura, George, Toguchi, B.
Kobayashi, Kawasaki and McMurdo.

No. 545 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT."

Introduced by: Senator B. Kobayashi.

No. 546 "A BILL FOR AN ACT
RELATING TO EXEMPTING A
GOVERNMENT SERVICE COMPANY."

Introduced by: Senators B. Kobayashi,
George, Soares, Solomon and Cobb.

No. 547 "A BILL FOR AN ACT
RELATING TO REIMBURSEMENT TO THE
CITY AND COUNTY OF HONOLULU
UNDER SECTION 70-111, HAWAII REVISED
STATUTES."

Introduced by: Senators B. Kobayashi,
George, Soares and Solomon.

No. 548 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
PROMOTING AND ADVERTISING OF THE
ISLAND OF MOLOKAI AS A VISITOR
DESTINATION AREA."

Introduced by: Senators Machida and
Yamasaki.

No. 549 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR MAUI
COMMUNITY COLLEGE MOLOKAI FARM
SCHOOL."

Introduced by: Senators Machida and
Yamasaki.

No. 550 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
COUNTY OF MAUI FOR PLANNING,
DESIGN AND CONSTRUCTION OF A MAUI
COMMUNITY ARTS AND CULTURAL
CENTER."

Introduced by: Senators Machida and
Yamasaki.

No. 551 "A BILL FOR AN ACT
RELATING TO ATTORNEY'S
CONTINGENCY FEES."

Introduced by: Senators Matsuura and
Cobb.

No. 552 "A BILL FOR AN ACT
RELATING TO NON-ECONOMIC LOSSES."

Introduced by: Senators Matsuura and
Cobb.

No. 553 "A BILL FOR AN ACT
RELATING TO EVIDENCE OF BENEFITS
AND PREMIUMS PAID."

Introduced by: Senators Matsuura and
Cobb.

No. 554 "A BILL FOR AN ACT
RELATING TO PERIODIC PAYMENTS OF
FUTURE DAMAGES."

Introduced by: Senators Matsuura and Cobb.

No. 555 "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS."

Introduced by: Senators Matsuura and George.

No. 556 "A BILL FOR AN ACT RELATING TO PILOTAGE."

Introduced by: Senators Kawasaki, Chang, Young, Kuroda, Cayetano, Yamasaki, Soares, Henderson and A. Kobayashi.

No. 557 "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES."

Introduced by: Senator Wong.

No. 558 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Wong and Yamasaki.

No. 559 "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS."

Introduced by: Senator Wong.

No. 560 "A BILL FOR AN ACT RELATING TO TRUST COMPANIES."

Introduced by: Senator Wong.

No. 561 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator Wong.

No. 562 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Senator Wong.

No. 563 "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT."

Introduced by: Senator Wong.

No. 564 "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE."

Introduced by: Senator Wong, by request.

No. 565 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Senators Solomon, Chang, Hagino, Kawasaki, Kuroda, Aki, Toguchi, Fernandes Salling and Henderson.

No. 566 "A BILL FOR AN ACT

RELATING TO AGRICULTURE."

Introduced by: Senators Solomon, Chang, Hagino, Kuroda, Aki, Toguchi and Fernandes Salling.

No. 568 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS."

Introduced by: Senators Henderson, Soares, George, A. Kobayashi, Matsuura, Abercrombie, Hee, Aki, McMurdo and Chang.

No. 569 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Senators Henderson, Soares, George, A. Kobayashi, Matsuura, Abercrombie, Hee, B. Kobayashi, McMurdo and Chang.

No. 570 "A BILL FOR AN ACT RELATING TO METROPOLITAN PLANNING ORGANIZATION."

Introduced by: Senators Cayetano, George, B. Kobayashi, Kawasaki, Solomon, Toguchi, Kuroda, Hagino, Mizuguchi, A. Kobayashi, Soares, Abercrombie, Henderson, Hee, Fernandes Salling, McMurdo, Machida, Holt, Yamasaki and Young.

No. 571 "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE."

Introduced by: Senator B. Kobayashi.

No. 572 "A BILL FOR AN ACT RELATING TO INCREMENTAL AND LONGEVITY INCREASES FOR PUBLIC EMPLOYEES."

Introduced by: Senators Solomon, Toguchi, Hagino, Aki and Chang.

No. 573 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chang, Hee, Abercrombie, Cayetano, Kuroda and Cobb.

No. 574 "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS."

Introduced by: Senator Chang, by request.

No. 575 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Chang, Solomon, Matsuura and Cobb.

No. 576 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Chang,
Hagino, Cayetano, Matsuura, Yamasaki,
Machida, Mizuguchi, Solomon, Kuroda,
Aki and McMurdo.

No. 577 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
TRAINING OF ADULT CORRECTIONS
OFFICERS."

Introduced by: Senators Chang,
Matsuura, Aki, Hagino, Cayetano and
Kuroda.

No. 578 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING AN APPROPRIATION FOR
IMPROVEMENTS TO THE OAHU
COMMUNITY CORRECTIONAL CENTER."

Introduced by: Senator Chang, by
request.

No. 579 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
CORRECTIONAL PROGRAMS."

Introduced by: Senators Chang,
Solomon and Matsuura.

No. 580 "A BILL FOR AN ACT
RELATING TO A DEPARTMENT OF
CORRECTIONS."

Introduced by: Senators Chang,
Matsuura, Aki, Hagino, Cayetano, Kuroda
and Cobb.

No. 581 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING AN APPROPRIATION FOR THE
OAHU MEDIUM SECURITY CORRECTION
FACILITY."

Introduced by: Senator Chang, by
request.

No. 582 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES'
RETIREMENT SYSTEM."

Introduced by: Senators Chang,
Solomon, Matsuura and Cobb.

On motion by Senator Cobb, seconded by
Senator Soares and carried, the following
bill was referred to print and was placed on
the calendar for further consideration on
Monday, February 11, 1985:

Senate Bill

No. 567 "A BILL FOR AN ACT
RELATING TO FOREIGN-TRADE ZONES."

Introduced by: Senator Henderson.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 9) informing the
Senate that S.B. Nos. 407 to 495 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.

The Chair then stated:

"Members of the Senate, before
proceeding with the matter on Rule 41, I
would like to apologize to you. I was
premature yesterday in calling for the vote
to rescind Rule 41 of the Senate's
Temporary Rules for the purpose of allowing
members to introduce simple appropriation
bills. According to Rule 82(l), one day's
notice has to be given before the vote is
taken. Since notice was given yesterday,
when the motion to rescind was made and
seconded, we will now have debate and then
vote."

MATTER DEFERRED FROM THURSDAY, FEBRUARY 7, 1985

Rescission of Rule 41:

The motion to rescind Rule 41 of the
Temporary Rules of the Senate of the
Thirteenth Legislature to allow for the
introduction by individual members of
simple appropriation bills having been
previously moved and seconded, the
President allowed the following discussion:

Senator Cobb rose to speak against the
motion as follows:

"Mr. President, I consider the rule change
to be an unfortunate precedent.

"I think it is a step back from bill
limitation even though this involves the
temporary rules, and when we get around to
adopting permanent rules, rather than delay
the workings of the body today by having a
floor amendment for consideration, I'm
going to ask that we consider a limitation
instead of one general appropriation bill, a
limit of five in a spirit of compromise.

"Second thought ... it is a step back from
bill limitation and in days of budget
shortfalls this will demonstrate, on our part,
a lack of restraint. Unfortunately, there
will be good trees that will die because of
this amendment today, because of the
amount of paper work involved.

"But, because of the closeness of bill
limitation deadline, I don't want to prolong
the issue. I would rather, when we take up

the permanent Rules of the Thirteenth Legislature, that we consider a limitation of, say, five general appropriation bills per senator, and remain with the one general CIP bill for each of us for our districts. Thank you."

Senator Abercrombie then rose to speak in favor of voting for the amendment as follows:

"Mr. President, far from being a step backwards, we are stepping forward from the backward step we took when we went into this limitation.

"I have never seen anything in the entire time I've been in the Legislature that has caused more problems and done for more superficial reasons just to try to accommodate something which is fashionable for editorial writers.

"I notice that whenever the newspapers ... speaking of killing trees ... whenever the newspapers, are able to stack more ads into their columns, they never hesitate to print the issue thick enough to break your foot if you drop it. So, I don't think the trees are going to mind if democracy is well served.

"Far from being an unfortunate precedent, the only unfortunate precedent we set was going into this ill-conceived experiment.

"As for bill limitation, I was under the impression we were in a democracy and I think that anybody who wants to put in a bill for any reason whatsoever ought to be able to do it. Whether I like it or the previous speaker likes it, is tough on us. We can argue about it afterwards.

"We're all perfectly aware that not only appropriation bills, Mr. President, but the sum and substance of many bills in terms of the language, in terms of the thrust, the purpose of the bills are incorporated in other bills, so it's no news to anybody. It's not going to break my heart if a particular bill that I have my name on gets incorporated into something else, so long as the job gets done.

"People not only in the districts, but especially now that we have this single member district, I think it's almost impossible for anybody to rationally put together a so-called appropriation bill for a district and have it make any sense. All of us face situations now because of re-districting where you may have a neighborhood entirely dependent on a facility that rests just outside the district for political purposes, but entirely within the district in terms of the people that it serves and the functions that it serves, especially if it's of a regional nature. All of us have interests of one kind or another in

various facilities and programs that may not reside within our district, but with which we have been associated by virtue of a cause that we support or a group that we think is doing a good job and would like to be of assistance to them.

"So, contrary to the attitude expressed that this bill introduction constitutes a lack of restraint, on the contrary, it is removing restraints from the legislative process. And, I will say that for my part if that offends the editorial writers at either the newspapers as to the expenses of the Legislature, I will cite such editorials in my next campaign as proof of my good work in the Legislature."

Senator Cobb then further stated his position:

"Very briefly, Mr. President. I think the idea of bill limitation is helpful not only from the stand point of our workload, but that of the public, of advocates of various positions, and those just trying to follow the legislative process.

"After we went into a very modified form of bill limitation, eliminating duplicate bills, reducing the number of short form bills, eliminating congratulatory resolutions, and limiting appropriation bills, our bill production dropped from an average of 2,100 bills per session to about 800. That was about a sixty percent reduction and I think was a tremendous step in simplifying the legislative process without trying to impose an overall cap on what I hope we could introduce except for appropriation bills has a ceiling. And I think that made it a little simpler for the public and for many other people to follow what we were doing. It made our job a little easier if we were trying to peruse and separate every single bill.

"As far as district CIP bills, Mr. President, I personally have never had a problem in terms of consolidating everything within one senatorial district, and then waiting until late in the bill introduction process to put it in.

"I do understand some of the comments of the previous speaker in terms of wanting to have general appropriation bills for something say either outside the district or of a particular concern, or something that may be statewide, or a new program, or a continuation of a program. That's why I broached the idea of a compromise of say five bills of general appropriation nature, per senator. That's a separate issue that we can take up when we adopt the permanent Rules of the Thirteenth Legislature.

"But I do believe, Mr. President, that the track record has demonstrated considerable reduction in the past, eliminating a lot of

superfluous bills, eliminating a lot of bills that never even stood a chance of passage, whereby admittedly in the legislative process they would be incorporated into the general budget, in eliminating a tremendous amount of paperwork and cost at an average printing of \$250 per bill that was involved in the legislative process.

"Thank you, Mr. President."

Senator Toguchi rose to speak in favor of the motion as follows:

"Mr. President, rather than argue with the previous speaker, let me just point out some logistical problems with the present rule.

"In one program area in education there's more than \$50 million. There are more than 50 subject areas in that one program area. We just had a budget review. The public did not know what that one program area of over \$50 million covered.

"We need appropriation bills, especially in the education committee—even in higher education, to highlight the areas that we'd like to discuss. These appropriation bills are used to notify the public that we will be having a hearing. For example, priority fund, the Executive cut drastically. I need to have an appropriation bill so that I can list it on the agenda and notify the public that there will be a hearing in that area. I do not intend to send these appropriation bills separately to the Ways and Means Committee and overload the committee. My usual practice is to incorporate appropriation bills into the budget recommendations that I will be sending to the Ways and Means Committee.

"It is not my intent to fool anybody or to use it for political purposes. The primary purpose for the appropriation bills is to highlight all the different problem areas, so that I can solicit testimony from the general public so that I can make decisions on all items that I would have to recommend to the Ways and Means Committee. I think you will see very little appropriation bills, separate appropriation bills, going from the Education Committee to the Ways and Means Committee.

"I think that in my situation, I know that it is really a way of letting the public know what is going on here. They have absolutely no idea what we are reviewing.

"Thank you, Mr. President."

Senator Abercrombie then responded as follows:

"Mr. President, I must rebut some of the previous statements so that it's quite clear to the public and possibly even to the

sheltered world of editorial writers as to what we're talking about.

"I think it is anathema to the democratic process for someone to stand up and talk about the submission of bills that never stand a chance of passage. Who's anybody to tell a citizen or another legislator that a bill should not come in because it doesn't stand a chance of passage. If that was the attitude, why my good friend two seats to the right would never have submitted his bill. My good friend who is the head of the Tourism Committee would not have stood up with his neck six or seven inches longer than it should be so that someone would have a good target to get at. I myself have never submitted a bill which never stood a chance ... not that I can remember. I think, on the contrary, that you yourself, Mr. President, are the author many times over of bills which supposedly never stood a chance of passage, and you have experienced that yourself of not having a bill passed. Does that mean that you should not have introduced it, or that you should not continue to push for it, or you should forget about educating the public, let alone the members of this Legislature as to why you think such a bill should pass? On the contrary, it's very, very important that you not give up with respect to the bills that you believe in ... most particularly, if you believe that money should be appropriated from the public treasury because that's the proper grounds for discussion.

"I would want to indicate, in addition, that perhaps some of the previous remarks do not recognize that there are committees such as the ones that I have had the privilege of chairing over the past few years which have enormous numbers of purchase of service contracts and enormous numbers of grants-in-aid. I'm talking about hundreds, Mr. President, not nine or ten or a dozen or two dozen, hundreds of such areas. And the individuals and groups that are involved need to know, as the previous speaker indicated, what is involved and they have very, very clear perceptions as to what should take place. And sometimes, there are very, very serious arguments taking place within the communities to be served and among the groups and individuals that do their serving in these areas of the public purpose as to how to carry that out. We're talking numbers; we're talking money; we're talking personnel; we're talking programs. Sometimes we're talking about private organizations versus state and city organizations. So it's very, very important that that be highlighted.

"The process suggested by one of the previous speakers in opposition, does not make the process simpler. It makes it more difficult, if you have a single bill with a single number, and have to shred 15 or 20 or 30 different items to 5 or 10 or 15 different

committees, it is virtually impossible for the legislator to follow it, let alone for the general public to follow it because they have to deal with the overall number, and then try and figure out where it went in committee.

"So I don't think our job should be made easier if simply cutting paper is supposed to do that. On the contrary, I welcome the opportunity to go through the task of separating the various items under grants-in-aid or purchasing service or appropriations bill as a way not only of being able to group these various areas within the committee that I may have the privilege of chairing, but allow the public to have its full say and to exercise full opportunity to let us know what they think about it and what is involved.

"So this is a big step forward. Sometimes, you know, we find, and I will grant to the proponent of defeating this measure that to the degree that abuse was perceived we made an experiment to see if we couldn't alter it. It's just that the experiment hasn't worked out. If there's some other way to handle it, perhaps it could be considered, but my own view is that it is far better to deal with the logistics of seeing that that paper goes to the proper committees and that the public be notified than it is to cut off the opportunity for people to have a chance for discussion."

Senator Cayetano then rose to speak against the motion:

"Mr. President, first of all I want to incorporate some of the remarks made by Senator Cobb. I think those remarks are pertinent.

"I also want to state, that in 1979 I was probably the principal mover to eliminate the use of bills for grants-in-aid and to reduce it to the present process that we have today, namely the application process. The reasons for that was precisely those stated by Senator Cobb. I think that we ought to be candid with ourselves. We have to admit here that there are some bills which do not stand a chance of passing and those are the so called 'pork' bills. I think everyone here realizes it and must admit that.

"We know that we introduce these bills sometimes for the purposes stated by Senator Toguchi, for hearings, for flagging out the issues, so to speak. These bills never pass. They never pass because they're included, usually, in the budget.

"I think that the experiment that we undertook several years ago in terms of limiting the number of bills was a good one. It is a good one and should be allowed to continue, precisely for the cost reason set forth by Senator Cobb. If one bill costs

\$250, what we're talking about today is saving thousands of dollars, and saving much time in terms of hearings and all of that.

"I'd like to see this experiment, as it was described by one of the previous speakers, continue because quite frankly I don't think that there is anything or any disadvantage, except maybe a political disadvantage to continue on with the old system or the experiment. We can do for our district under that system as we can do by the introduction of bills which do not have a chance of passing."

Senator Toguchi rose on a point of clarification:

"Mr. President, the limitations that I am talking about are the limitations that cause problems for the chairmen of various committees. I think there is a distinct difference between committees. For example, if you take the Consumer Protection Committee and let's say the Higher Education or the Education Committees.

"The primary work of some committees are in the area of policy. With the Education Committee, the policies are generally addressed by the Board of Education.

"With the Education Committee the primary function here in the Legislature is the \$393 million budget, including federal funds. Basically that's our primary function here in terms of approving and making necessary changes.

"Thank you."

Senator Kawasaki then spoke in favor of the motion:

"Mr. President, I'll keep it short by just reminding the body that there is much validity to the opinion I've held for a while here, a number of two years, as a matter of fact, that contrary to the public opinion held by you and some of the people in this body, that the dissidents always act in concert, indeed, my opinion that they dissidents are indeed independent cusses."

Senator George rose and spoke against the motion:

"Mr. President, as a member of the committee which studied this matter during the interim, I believe a couple of years, chaired by Senator Young as I remember on the resolution by Senator Cobb, we listened to a lot of tedious testimony and went over a lot of tedious figures and arrived at a committee recommendation on the basis of hearing from the public and studying the figures that were given to us. I think the decision was made thoughtfully and I am somewhat distressed, Mr. President, to hear

us debating this matter now for a change without hearing once again from the public who testified so willingly before us at the time the committee undertook its deliberations.

"I am going to vote against the rescission, Mr. President."

At 12:06 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.

The motion was then put by the Chair and carried, and in accordance with Rule 82(1) of the Temporary Rules of the Senate of the Thirteenth Legislature, said Rule 41 was rescinded on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Cayetano, Chang, Cobb, George and Young).

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President then made the following committee assignments of bills that were introduced on Thursday, February 7, 1985:

Senate Bills Referred to:

No. 407	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 408	Committee on Labor and Employment
No. 409	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 410	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 411	Committee on Labor and Employment
No. 412	Committee on Labor and Employment
No. 413	Committee on Economic Development
No. 414	Committee on Ways and Means
No. 415	Committee on Government Operations, then to the Committee on Ways and Means
No. 416	Committee on Government Operations
No. 417	Committee on Housing and Community Development, then to the
	Committee on Ways and Means
No. 418	Committee on Economic Development, then to the Committee on Ways and Means
No. 419	Committee on Ways and Means
No. 420	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 421	Committee on Labor and Employment
No. 422	Committee on Labor and Employment
No. 423	Committee on Labor and Employment
No. 424	Committee on Education
No. 425	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 426	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 427	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 428	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 429	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 430	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 431	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 432	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 433	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 434	Committee on Judiciary
No. 435	Committee on Ways and Means
No. 436	Committee on Economic Development, then to the Committee on Ways and Means
No. 437	Committee on Tourism and Recreation, then to the Committee on Ways

and Means

No. 438 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 439 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 440 Committee on Health, then to the Committee on Ways and Means

No. 441 Committee on Ways and Means

No. 442 Committee on Government Operations, then to the Committee on Ways and Means

No. 443 Committee on Economic Development, then to the Committee on Ways and Means

No. 444 Committee on Judiciary, then to the Committee on Ways and Means

No. 445 Committee on Transportation, then to the Committee on Judiciary

No. 446 Committee on Health, then to the Committee on Judiciary

No. 447 Committee on Transportation

No. 448 Committee on Ways and Means

No. 449 Committee on Consumer Protection and Commerce

No. 450 Committee on Judiciary

No. 451 Committee on Housing and Community Development, then to the Committee on Ways and Means

No. 452 Committee on Transportation, then to the Committee on Judiciary

No. 453 Committee on Judiciary

No. 454 Committee on Consumer Protection and Commerce

No. 455 Committee on Government Operations

No. 456 Committee on Consumer Protection and Commerce

No. 457 Committee on Consumer Protection and Commerce

No. 458 Committee on Consumer Protection and Commerce

No. 459 Committee on Judiciary,

then to the Committee on Ways and Means

No. 460 Committee on Judiciary, then to the Committee on Ways and Means

No. 461 Committee on Judiciary

No. 462 Committee on Judiciary

No. 463 Committee on Judiciary, then to the Committee on Ways and Means

No. 464 Committee on Judiciary, then to the Committee on Ways and Means

No. 465 Committee on Judiciary, then to the Committee on Ways and Means

No. 466 Committee on Ways and Means

No. 467 Committee on Education, then to the Committee on Judiciary

No. 468 Committee on Economic Development

No. 469 Committee on Economic Development

No. 470 Committee on Economic Development, then to the Committee on Ways and Means

No. 471 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 472 Committee on Economic Development, then to the Committee on Ways and Means

No. 473 Committee on Judiciary

No. 474 Committee on Human Services, then to the Committee on Ways and Means

No. 475 Committee on Judiciary

No. 476 Committee on Transportation, then to the Committee on Ways and Means

No. 477 Committee on Ways and Means

No. 478 Committee on Ways and Means

No. 479 Committee on Ways and Means

No. 480 Committee on Labor and Employment

No. 481 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 482 Committee on Labor and

Employment, then to the Committee on
Ways and Means

No. 483 Committee on Labor and
Employment

No. 484 Committee on Labor and
Employment

No. 485 Committee on Labor and
Employment, then to the Committee on
Ways and Means

No. 486 Committee on Labor and
Employment

No. 487 Committee on Labor and
Employment

No. 488 Committee on Labor and
Employment

No. 489 Committee on Labor and
Employment

No. 490 Committee on Labor and

Employment

No. 491 Committee on Labor and
Employment

No. 492 Committee on Labor and
Employment

No. 493 Committee on Labor and
Employment

No. 494 Committee on Tourism and
Recreation, then to the Committee on Ways
and Means

No. 495 Committee on Judiciary,
then to the Committee on Ways and Means

ADJOURNMENT

At 12:13 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., Monday, February 11,
1985.

NINETEENTH DAY

Monday, February 11, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Orin Peterson, Minister, Unitarian Church, after which the Roll was called showing all Senators present with the exception of Senator Aki who was excused.

The Chair announced that he had read and approved the Journal of the Eighteenth Day.

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

Senator Kuroda introduced Senator Yoshihara Takahashi, assemblyman from Fukuoka, Japan, who was accompanied by members of his "koenkai," (supporters) Mr. Masahiko Yamamoto, Mr. Toru Fujimoto and Mr. Fumio Hosaka. The group was escorted by Mr. Abe Raguindin, staff member of Senator Kuroda.

Senator Chang then introduced the 1985 Miss Chinatown Hawaii Queen and her court who were accompanied by Mr. Michael Marr, president of the Honolulu Chinese Jaycees, his assistant, Miss Jan Matsumoto, and Miss Brenda Yee, president of the Honolulu Chinese Jaycee Women, as follows:

"I'd like to introduce to you some beautiful young ladies who represent the Chinese community. This coming weekend is the celebration of Chinese New Year in Honolulu and I'm proud to present to you the 1985 Miss Chinatown Hawaii Queen and her court. These women were chosen in the 1985 7th Annual Miss Chinatown Hawaii Pageant, sponsored by the Honolulu Chinese Jaycees and the Honolulu Chinese Jaycee Women.

"First, Miss Deborah Mee Ling Young, the 1985 Miss Chinatown Hawaii; Miss Wendy Ye Ting Tom, First Princess, and Miss Karen Ann Yuk Kun Kam, Second Princess, are not here with us today, however, I would like to recognize them; and Miss Debra Kwai Ing Chun, Third Princess.

"Mr. Vice President, Queen Debra Mee Ling Young and her court will represent Hawaii and the United States as ambassadors of goodwill for the Chinese Community during their one year reign."

The honorees rose to be recognized and were presented the Senate Certificate by Senator Chang.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 166 and 167) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 166, transmitting the Annual Report for Fiscal Year 1983-1984 of the Public Utilities Commission, was referred to the Committee on Economic Development.

Gov. Msg. No. 167, transmitting a report prepared by the Department of Planning and Economic Development, in cooperation with the Department of Health and the Department of the Attorney General, in response to S.R. No. 166 (1984), Requesting a Study on the Feasibility of Establishing "Nuclear-Free Zones" in the State of Hawaii, was referred to the Committee on Government Operations.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 31 and 32) were read by the Clerk and were disposed of as follows:

Dept. Com. No. 31 from the Office of the Auditor, transmitting a report, "Budget Review and Analysis: County/State Hospital Program and the Health Care Payments Program," Report No. 85-10, was referred to the Committee on Health.

Dept. Com. No. 32 from the Citizens Advisory Committee on Human Services, Office of the Legislative Auditor, transmitting a report of the committee's recommendations, in response to Act 61, SLH 1984, was referred to the Committee on Human Services.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 4 and 5) were read by the Clerk and were disposed of as follows:

S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR AN INVESTIGATION OF HIGH HOSPITAL COSTS," was offered by Senators Kawasaki, Fernandes Salling, Chang, Kuroda, Cayetano, Yamasaki, Soares and Henderson.

By unanimous consent, action on S.C.R. No. 4 was deferred until Tuesday, February 12, 1985.

S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE WEEK BEGINNING MARCH 3, 1985 AS 'WOMEN'S HISTORY WEEK' AND URGING FULL COMMUNITY PARTICIPATION IN THE WEEK'S MANY ACTIVITIES," was offered by Senators Solomon, Mizuguchi, B. Kobayashi, Chang, Hagino, Kawasaki, Kuroda, Aki, Toguchi, Fernandes Salling and Henderson.

By unanimous consent, action on S.C.R. No. 5 was deferred until Tuesday, February 12, 1985.

SENATE RESOLUTION

S.R. No. 11, entitled: "SENATE RESOLUTION CALLING FOR AN INVESTIGATION OF HIGH HOSPITAL COSTS," was offered by Senators Kawasaki, Fernandes Salling, Chang, Kuroda, Cayetano, Yamasaki, Soares and Henderson, and was read by the Clerk.

By unanimous consent, action on S.R. No. 11 was deferred until Tuesday, February 12, 1985.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10) informing the Senate that S.B. Nos. 496 to 582 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.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Tuesday, February 12, 1985:

Senate Bills

No. 583 "A BILL FOR AN ACT RELATING TO ACCRETION AND SHORELINES."

Introduced by: Senator Chang.

No. 584 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDIES OF CANCER IN HAWAIIANS."

Introduced by: Senator Chang.

No. 585 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Chang, by request.

No. 586 "A BILL FOR AN ACT RELATING TO DANGEROUS INSTRUMENTS."

Introduced by: Senator Chang.

No. 587 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chang, by request, McMurdo, Hee, Abercrombie and Kuroda.

No. 588 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Chang, George, Hagino, Matsuura, A. Kobayashi, Mizuguchi, Solomon, Kuroda and Cobb.

No. 589 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES."

Introduced by: Senators Chang, Solomon, Matsuura, Cayetano and Cobb.

No. 590 "A BILL FOR AN ACT RELATING TO ASSAULT."

Introduced by: Senators Chang, Matsuura, Aki, Hagino, Kuroda and Cobb.

No. 591 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Senators Chang, George, Matsuura, Mizuguchi, A. Kobayashi, Machida, Henderson, Holt, Soares, McMurdo, Kuroda, Yamasaki, Hagino and Solomon.

No. 592 "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME."

Introduced by: Senators Chang, George, Hagino, Matsuura, Solomon, Yamasaki, Henderson, A. Kobayashi, Mizuguchi, Cayetano, Kuroda and Cobb.

No. 593 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Chang, Solomon, Matsuura, Cayetano and Kuroda.

No. 594 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Senators Chang, George, Hagino, Yamasaki, Matsuura, Mizuguchi, Solomon, Cayetano and Kuroda.

No. 595 "A BILL FOR AN ACT RELATING TO THE MOLOKAI GENERAL HOSPITAL."

Introduced by: Senators Chang,
Matsuura, Aki, A. Kobayashi and Kuroda.

No. 596 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Chang,
Solomon, Matsuura, Yamasaki and Cobb.

No. 597 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR A
GRANT-IN-AID TO THE MOLOKAI
GENERAL HOSPITAL."

Introduced by: Senators Chang,
Solomon and Matsuura.

No. 598 "A BILL FOR AN ACT
RELATING TO FIREARMS."

Introduced by: Senators Chang,
George, Hagino, Cayetano, Matsuura,
Yamasaki, A. Kobayashi, Mizuguchi,
Solomon and Kuroda.

No. 599 "A BILL FOR AN ACT
RELATING TO THE ALLOTMENT SYSTEM."

Introduced by: Senators Chang, Young,
George, McMurdo, Matsuura, Hagino, Aki,
Cayetano, Kuroda and Cobb.

No. 600 "A BILL FOR AN ACT
RELATING TO THE BUDGET."

Introduced by: Senators Chang, by
request, McMurdo, Matsuura and Aki.

No. 601 "A BILL FOR AN ACT
RELATING TO THE FLEXIBILITY OF
STATE AGENCIES TO CARRY OUT THEIR
MISSIONS."

Introduced by: Senator Chang.

No. 602 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senator Chang.

No. 603 "A BILL FOR AN ACT
RELATING TO A TEMPORARY
ACCOMMODATIONS TAX TO SUPPORT
PARKS AND CLASSROOM NEEDS."

Introduced by: Senator Chang, by
request.

No. 604 "A BILL FOR AN ACT
RELATING TO THE STREAMLINING OF
STATE GOVERNMENT."

Introduced by: Senator Chang.

No. 605 "A BILL FOR AN ACT
RELATING TO THE INDEPENDENCE AND
INTEGRITY OF STATE DEPARTMENTS."

Introduced by: Senator Chang.

No. 606 "A BILL FOR AN ACT
RELATING TO OCEAN EDUCATION."

Introduced by: Senator Chang.

No. 607 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO
EXTEND THE INTERNATIONAL SERVICES
BRANCH PROGRAM."

Introduced by: Senator Chang.

No. 608 "A BILL FOR AN ACT
RELATING TO STATE GOVERNMENT."

Introduced by: Senators Chang, by
request, McMurdo, Aki and Cobb.

No. 609 "A BILL FOR AN ACT
RELATING TO STATE GOVERNMENT."

Introduced by: Senators Chang, by
request, Aki and Cobb.

No. 610 "A BILL FOR AN ACT
RELATING TO NOTARIES PUBLIC."

Introduced by: Senators Chang,
George, Matsuura, Mizuguchi, Young,
Yamasaki, Solomon, Fernandes Salling,
Machida, Henderson, Holt, Soares,
McMurdo, Abercrombie, Cayetano,
Kuroda, Hagino, A. Kobayashi and Hee.

No. 611 "A BILL FOR AN ACT
RELATING TO STATE FUNDS."

Introduced by: Senator Chang, by
request.

No. 612 "A BILL FOR AN ACT
RELATING TO COURTS."

Introduced by: Senators Chang,
Hagino, Cayetano, Matsuura, Yamasaki,
McMurdo, Hee, Abercrombie, Kuroda and
Cobb.

No. 613 "A BILL FOR AN ACT
RELATING TO INFORMATION."

Introduced by: Senators Chang,
George, Matsuura, Solomon, Hee, Hagino,
Aki, Cayetano, Kuroda and Cobb.

No. 614 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Chang,
Solomon, Matsuura and Cayetano.

No. 615 "A BILL FOR AN ACT
RELATING TO FEES FOR PRIVATE
ATTORNEYS GENERAL."

Introduced by: Senator Chang.

No. 616 "A BILL FOR AN ACT
RELATING TO EMPLOYEE STOCK

OWNERSHIP."

Introduced by: Senators Chang,
Hagino, Solomon, B. Kobayashi, Aki,
Henderson, Toguchi, Cayetano, McMurdo,
Machida, Mizuguchi, Soares and Kuroda.

No. 617 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL
PROGRAMS AT THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Soares and
Henderson.

No. 618 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL
LEASEHOLDS."

Introduced by: Senator Young.

No. 619 "A BILL FOR AN ACT TO
AMEND SECTION 386-98, HAWAII
REVISED STATUTES, RELATING TO THE
WORKERS' COMPENSATION LAW."

Introduced by: Senators Mizuguchi,
Yamasaki, Holt, Machida, A. Kobayashi,
Young, Cobb and Fernandes Salling.

No. 620 "A BILL FOR AN ACT
RELATING TO FOREST RESERVATIONS."

Introduced by: Senators A. Kobayashi,
George, Fernandes Salling, Yamasaki,
Cayetano, Kuroda, Holt, Abercrombie,
Solomon, Chang, Mizuguchi, Aki,
Henderson and Soares.

No. 621 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES
RETIREMENT SYSTEM."

Introduced by: Senators A. Kobayashi,
Abercrombie, Aki, Henderson and Soares.

No. 622 "A BILL FOR AN ACT
RELATING TO INCOME TAX CREDIT."

Introduced by: Senators Kuroda,
George, Matsuura, Toguchi, Hee, Chang,
Cayetano, A. Kobayashi, Machida, Soares,
Yamasaki, Henderson, Cobb, Aki,
Fernandes Salling, Mizuguchi, Solomon
and B. Kobayashi.

No. 623 "A BILL FOR AN ACT
RELATING TO COURTS."

Introduced by: Senators Kuroda, Hee,
Chang, Cayetano, A. Kobayashi, Machida,
Soares, Henderson, Fernandes Salling,
Cobb, Aki, Mizuguchi, Solomon and B.
Kobayashi.

No. 624 "A BILL FOR AN ACT
RELATING TO CONVICTED FELONS."

Introduced by: Senators Kuroda,
Matsuura, A. Kobayashi, Soares, Cobb,

Aki, Solomon, B. Kobayashi and Hee.

No. 625 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Kuroda,
George, Matsuura, Chang, Cayetano, A.
Kobayashi, Henderson, Aki, Fernandes
Salling, Solomon and B. Kobayashi.

No. 626 "A BILL FOR AN ACT
RELATING TO LIMITING COMMERCIAL
EXPLOITATION OF CRIME."

Introduced by: Senators Kuroda,
Fernandes Salling, Chang, Cobb, Aki,
Yamasaki, George, Solomon and B.
Kobayashi.

No. 627 "A BILL FOR AN ACT
RELATING TO PENSION AND
RETIREMENT SYSTEMS."

Introduced by: Senators Kuroda,
Kawasaki, Fernandes Salling, Chang,
Henderson, Soares, Abercrombie, Cobb,
Aki, Yamasaki, Mizuguchi, George,
Solomon and B. Kobayashi.

No. 628 "A BILL FOR AN ACT
RELATING TO SENTENCING."

Introduced by: Senators Kuroda,
Matsuura, Chang, Yamasaki, Henderson,
Cobb, Aki, Solomon and B. Kobayashi.

No. 629 "A BILL FOR AN ACT
RELATING TO SENTENCING."

Introduced by: Senators Kuroda,
Matsuura, Chang, Henderson, Cobb, Aki
and B. Kobayashi.

No. 630 "A BILL FOR AN ACT
RELATING TO CORRECTIONS."

Introduced by: Senators Kuroda,
George, Matsuura, Chang, Soares,
Henderson, Cobb, Aki, Solomon and B.
Kobayashi.

No. 631 "A BILL FOR AN ACT
RELATING TO PRIVATE PROSECUTION."

Introduced by: Senators Kuroda,
Matsuura, Cayetano, A. Kobayashi,
Machida, Henderson, Fernandes Salling,
Cobb, Aki, Mizuguchi, Solomon, B.
Kobayashi and Hee.

No. 632 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
YOUNG MEN'S CHRISTIAN ASSOCIATION
OF HONOLULU."

Introduced by: Senator B. Kobayashi.

No. 633 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
KAHUKU HOSPITAL."

Introduced by: Senators Hagino and Toguchi.

No. 634 "A BILL FOR AN ACT RELATING TO LITTER LAW VIOLATION PENALTIES."

Introduced by: Senator Hagino.

No. 635 "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY ACT."

Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 636 "A BILL FOR AN ACT RELATING TO GOVERNMENT FUNCTIONS."

Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 637 "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE NATIONAL GUARD."

Introduced by: Senators Henderson, Matsuura and Solomon.

No. 638 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII ISLAND TEEN SERVICES PROGRAM."

Introduced by: Senators Henderson, Matsuura and Solomon.

No. 639 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR PARTIAL PAYMENT OF NEIGHBORHOOD COMMISSION OPERATING COSTS."

Introduced by: Senators Henderson and George, by request.

No. 640 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Henderson and A. Kobayashi.

No. 641 "A BILL FOR AN ACT RELATING TO COUNTY TORT LIABILITY."

Introduced by: Senators Henderson and A. Kobayashi.

No. 642 "A BILL FOR AN ACT RELATING TO COUNTY ZONING."

Introduced by: Senators A. Kobayashi, Henderson, Soares, Mizuguchi, Fernandes Salling, Toguchi, Matsuura, Machida, McMurdo, Yamasaki and Cayetano.

No. 643 "A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Senator B. Kobayashi.

No. 644 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senators Machida and Yamasaki.

No. 645 "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Machida and Yamasaki.

No. 646 "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINERS."

Introduced by: Senators McMurdo, A. Kobayashi, Solomon, Cobb and Fernandes Salling.

No. 647 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Senators McMurdo, Cobb and Fernandes Salling.

No. 648 "A BILL FOR AN ACT RELATING TO INFORMATION."

Introduced by: Senators McMurdo, A. Kobayashi, Solomon, Cobb, Fernandes Salling and George.

No. 649 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator McMurdo, by request.

No. 650 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senators McMurdo and George.

No. 651 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Hee, Chang, Toguchi, Abercrombie and Cayetano.

No. 652 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTIONS 2 AND 3, AND ARTICLE IV, SECTION 4, OF THE HAWAII CONSTITUTION, TO MAKE VARIABLE THE NUMBER OF SENATORS AND REPRESENTATIVES TO BE ELECTED FROM RESPECTIVE SENATORIAL AND REPRESENTATIVE DISTRICTS."

Introduced by: Senators Fernandes Salling, Hee, Cayetano, George, Chang, Kawasaki, Henderson, McMurdo,

- Solomon, Machida and Toguchi.
- No. 653 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION."
- Introduced by: Senators Fernandes Salling, Kawasaki, George, Kuroda, Cobb, McMurdo, Chang, Toguchi, A. Kobayashi, Young, Matsuura, Henderson, Machida, Solomon, Cayetano and Hee.
- No. 654 "A BILL FOR AN ACT RELATING TO FORFEITURES."
- Introduced by: Senators Fernandes Salling, McMurdo, Machida, Holt and Henderson.
- No. 655 "A BILL FOR AN ACT RELATING TO RESTITUTION."
- Introduced by: Senators Fernandes Salling, McMurdo, Machida, Holt, Soares and Henderson.
- No. 656 "A BILL FOR AN ACT RELATING TO CARE HOME OPERATORS."
- Introduced by: Senators Fernandes Salling, Abercrombie, McMurdo, Machida, Holt, Soares and Henderson.
- No. 657 "A BILL FOR AN ACT RELATING TO BUSINESS AND COMMERCE."
- Introduced by: Senators Fernandes Salling, Kuroda, Machida, Mizuguchi, McMurdo, Henderson, Abercrombie, Hee and Chang.
- No. 658 "A BILL FOR AN ACT RELATING TO EX-PRISONER OF WAR LICENSE PLATES."
- Introduced by: Senator Cobb, by request.
- No. 659 "A BILL FOR AN ACT RELATING TO ATTORNEYS FEES."
- Introduced by: Senators Cobb, Kuroda, McMurdo and Matsuura.
- No. 660 "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING."
- Introduced by: Senators Cobb, Kuroda, Yamasaki, McMurdo and Matsuura.
- No. 661 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."
- Introduced by: Senators Cobb, Kuroda, Yamasaki, McMurdo and Matsuura.
- No. 662 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."
- Introduced by: Senator Cobb, by request.
- No. 663 "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL."
- Introduced by: Senator Cobb, by request.
- No. 664 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE TWELFTH SENATORIAL DISTRICT."
- Introduced by: Senator Cobb.
- No. 665 "A BILL FOR AN ACT RELATING TO ACUPUNCTURE."
- Introduced by: Senator Cobb, by request.
- No. 666 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."
- Introduced by: Senator Cobb, by request.
- No. 667 "A BILL FOR AN ACT RELATING TO TORTS."
- Introduced by: Senator Cobb, by request.
- No. 668 "A BILL FOR AN ACT RELATING TO CORPORATIONS."
- Introduced by: Senator Cobb, by request.
- No. 669 "A BILL FOR AN ACT RELATING TO CORPORATIONS."
- Introduced by: Senator Cobb, by request.
- No. 670 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."
- Introduced by: Senator Cobb, by request.
- No. 671 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAUI COMMUNITY COLLEGE, MOLOKAI FARM SCHOOL."
- Introduced by: Senator Hee.
- No. 672 "A BILL FOR AN ACT RELATING TO GRANTS, SUBSIDIES, AND PURCHASE OF SERVICE."
- Introduced by: Senators B. Kobayashi, Hagino, Matsuura, Machida, A. Kobayashi, Henderson, Soares, Fernandes Salling, Toguchi and Cayetano.

No. 673 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES
RETIREMENT SYSTEM."

Introduced by: Senators Aki, Kuroda,
Hagino, Henderson, Matsuura, Yamasaki,
Hee, A. Kobayashi, Soares, Abercrombie,
Toguchi, Solomon, Chang and McMurdo.

No. 674 "A BILL FOR AN ACT
RELATING TO THE STATE
COORDINATOR."

Introduced by: Senators Aki, Hagino,
A. Kobayashi, Toguchi, Solomon, Chang,
McMurdo and Henderson.

No. 675 "A BILL FOR AN ACT
RELATING TO EXEMPTIONS FROM THE
GENERAL EXCISE TAXES."

Introduced by: Senators Aki, Kuroda,
Hagino, Henderson, Matsuura, Yamasaki,
A. Kobayashi, Soares, Abercrombie,
Toguchi, Solomon, Chang and McMurdo.

No. 676 "A BILL FOR AN ACT
RELATING TO FOREIGN-TRADE ZONES."

Introduced by: Senators Aki, Hagino,
A. Kobayashi, Toguchi, Solomon, Chang,
McMurdo and Henderson.

No. 677 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senator Machida, by
request.

No. 678 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
CASE MANAGEMENT COORDINATION
PROJECT FOR THE ELDERLY ON MAUI."

Introduced by: Senators Machida,
George, A. Kobayashi, Matsuura,
Henderson, Soares, Fernandes Salling,
Holt, Mizuguchi, Aki, Kuroda, Hagino,
Yamasaki, McMurdo, Chang, Solomon,
Young and Hee.

No. 679 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
MAUI INTAKE SERVICE CENTER."

Introduced by: Senators Machida, A.
Kobayashi, Henderson, Solomon, Young,
Fernandes Salling, Yamasaki, Holt, Hee,
Chang, Aki and Mizuguchi.

No. 680 "A BILL FOR AN ACT
RELATING TO EMPLOYEES OF THE MAUI
INTAKE SERVICE CENTER."

Introduced by: Senators Machida,
McMurdo, A. Kobayashi, Henderson,
Solomon, Young, Hee, Yamasaki, Chang,
Mizuguchi, Aki, Kuroda, Holt and Hagino.

No. 681 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Machida,
Solomon, Young, Hee, Henderson, Cobb,
Yamasaki, Chang, Mizuguchi, McMurdo,
Kuroda, Holt, Hagino, Cayetano and
Fernandes Salling.

No. 682 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Machida,
Solomon, Young, Henderson, Cobb,
Yamasaki, Chang, Mizuguchi, McMurdo,
Kuroda, Holt, Hagino, Hee, Cayetano and
Fernandes Salling.

No. 683 "A BILL FOR AN ACT
RELATING TO TEACHER RETIREMENT."

Introduced by: Senators Machida,
Solomon, Young, Hee, Henderson,
Yamasaki, Chang, Kuroda, Mizuguchi,
McMurdo, Holt, Hagino, Cayetano and
Fernandes Salling.

No. 684 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND."

Introduced by: Senators Machida,
Solomon, Young, Chang, Hee, Henderson,
Cobb, Yamasaki, Mizuguchi, McMurdo,
Kuroda, Holt, Hagino, Cayetano and
Fernandes Salling.

No. 685 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Machida,
Solomon, Young, Chang, Mizuguchi,
McMurdo, Kuroda, Holt and Hagino.

No. 686 "A BILL FOR AN ACT
RELATING TO CLASS SIZE."

Introduced by: Senators Machida,
Solomon, Young, Hee, Henderson, Cobb,
Kuroda, Yamasaki, Chang, Mizuguchi,
McMurdo, Holt, Hagino and Fernandes
Salling.

No. 687 "A BILL FOR AN ACT
RELATING TO THE JUDICIARY."

Introduced by: Senators Yamasaki,
Machida, Solomon, Young, Cayetano and
Hee.

No. 688 "A BILL FOR AN ACT
RELATING TO MECHANIC'S AND
MATERIALMAN'S LIENS."

Introduced by: Senators Yamasaki,
Machida, Solomon, Young, Hee and

Cayetano.

No. 689 "A BILL FOR AN ACT
RELATING TO THE COUNCIL ON
REVENUES."

Introduced by: Senators Yamasaki,
Machida, Solomon, Young, Cayetano and
Hee.

No. 690 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Yamasaki, by
request.

No. 691 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES'
RETIREMENT SYSTEM."

Introduced by: Senator Yamasaki, by
request.

No. 692 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL
QUALITY."

Introduced by: Senators Yamasaki,
Machida, Solomon, Young, Hee and
Cayetano.

No. 693 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
YOUTH DEVELOPMENT PROJECT."

Introduced by: Senators Yamasaki,
Machida, Solomon, Young, Hee and
Cayetano.

No. 694 "A BILL FOR AN ACT
RELATING TO SALARIES OF COUNTY
OFFICERS AND EMPLOYEES."

Introduced by: Senator Yamasaki, by
request.

No. 695 "A BILL FOR AN ACT
RELATING TO THE CIVIL SERVICE LAW."

Introduced by: Senator Yamasaki, by
request.

No. 696 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
INSTALLATION OF CEILING FANS AT
PUUNENE SCHOOL, MAUL."

Introduced by: Senators Yamasaki,
Machida, Solomon, Mizuguchi and Kuroda.

No. 697 "A BILL FOR AN ACT
RELATING TO GENERAL EXCISE TAXES."

Introduced by: Senators Yamasaki,
Machida, Solomon, Mizuguchi and Kuroda.

No. 698 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
INTERNAL SECURITY SERVICES FOR

IOLANI PALACE."

Introduced by: Senators Yamasaki,
Machida, Solomon, Mizuguchi and Kuroda.

No. 699 "A BILL FOR AN ACT
RELATING TO PUBLIC CONTRACTS."

Introduced by: Senators Yamasaki,
Machida, Solomon, Mizuguchi and Kuroda.

No. 700 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR AN
ADMINISTRATIVE AND FISCAL SUPPORT
SPECIALIST, INTERCOLLEGIATE
ATHLETIC DEPARTMENT, UNIVERSITY
OF HAWAII."

Introduced by: Senators Yamasaki,
Holt, Machida, Mizuguchi and Kuroda.

No. 701 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Yamasaki,
Machida, Solomon, Mizuguchi and Kuroda.

No. 702 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL
QUALITY."

Introduced by: Senator B. Kobayashi.

No. 703 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
STATEWIDE AGRICULTURAL ACTIVITIES."

Introduced by: Senators Solomon,
Hagino, Matsuura, Kuroda, Toguchi,
Cayetano, A. Kobayashi, Young,
McMurdo, Soares, Henderson, Chang and
Hee.

No. 704 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
PLANNING AND DESIGNING OF
POST-HARVEST TREATMENT PLANTS
AND A FEASIBILITY STUDY FOR SITE
LOCATIONS."

Introduced by: Senators Solomon,
Hagino, Matsuura, Kuroda, Toguchi,
Cayetano, Chang, Henderson, A.
Kobayashi, Young, McMurdo, Soares and
Hee.

No. 705 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
AGRICULTURAL RESEARCH."

Introduced by: Senators Solomon,
Hagino, Matsuura, Kuroda, Toguchi,
Cayetano, A. Kobayashi, Young,
McMurdo, Soares, Henderson, Chang and
Hee.

No. 706 "A BILL FOR AN ACT
RELATING TO ARREST."

Introduced by: Senator Chang.

No. 707 "A BILL FOR AN ACT
RELATING TO VICTIM-WITNESS
ASSISTANCE PROGRAM."

Introduced by: Senator Chang.

No. 708 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
ESTABLISHMENT OF A STATEWIDE
CRIME LABORATORY."

Introduced by: Senator Chang.

No. 709 "A BILL FOR AN ACT
RELATING TO HIGHWAY SAFETY."

Introduced by: Senator Chang, by
request.

No. 710 "A BILL FOR AN ACT
RELATING TO FORFEITURES."

Introduced by: Senator Chang.

No. 711 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
AID TO VICTIMS COORDINATOR
PROGRAMS."

Introduced by: Senator Chang.

No. 712 "A BILL FOR AN ACT
RELATING TO HORSE RACING."

Introduced by: Senator Chang.

No. 713 "A BILL FOR AN ACT
RELATING TO ELECTIONS."

Introduced by: Senator Wong, by
request.

No. 714 "A BILL FOR AN ACT
RELATING TO THE AUTHORIZATION OF
SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Wong.

No. 715 "A BILL FOR AN ACT
RELATING TO AGRICULTURE."
Introduced by: Senators Matsuura and
Solomon.

No. 716 "A BILL FOR AN ACT
RELATING TO FINES AND FORFEITURES."

Introduced by: Senators Matsuura and
Kawasaki.

No. 717 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES'
RETIREMENT SYSTEM."

Introduced by: Senators Matsuura,
Fernandes Salling and Soares.

No. 718 "A BILL FOR AN ACT
RELATING TO THE LEASING OF OCEAN
AND MARINE RESOURCES."

Introduced by: Senators Matsuura and
Yamasaki.

No. 719 "A BILL FOR AN ACT
RELATING TO THE MEDICAL
TREATMENT DECISION ACT."

Introduced by: Senators Matsuura,
Cayetano and B. Kobayashi.

No. 720 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
RENEWABLE RESOURCES RESEARCH
FACILITY."

Introduced by: Senator Matsuura.

No. 721 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING AN APPROPRIATION FOR A
DESALINIZATION PILOT PLANT."

Introduced by: Senators Matsuura and
Aki.

No. 722 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING AN APPROPRIATION FOR A
GASIFIER PILOT PLANT."

Introduced by: Senators Matsuura and
Aki.

No. 723 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING APPROPRIATIONS FOR THE
PUNA GEOTHERMAL RESEARCH
FACILITY."

Introduced by: Senators Matsuura and
Aki.

ORDER OF THE DAY

REFERRAL OF SENATE RESOLUTIONS

By unanimous consent, consideration of
Senate Concurrent Resolution No. 3 and
Senate Resolution 10 was deferred until
Tuesday, February 12, 1985.

REFERRAL OF SENATE BILLS

By unanimous consent, consideration of
Senate Bill Nos. 496 to 582 was deferred
until Tuesday, February 12, 1985.

MISCELLANEOUS COMMUNICATION

A communication from the Department of
Public Works, City and County of Honolulu
(Misc. Com. No. 2), informing the Senate
that the City and County of Honolulu is
unable to submit a simulation report on the
Kalakaua Avenue sidewalk widening project
at this time, was read by the Clerk and

was placed on file.

The Chair then made the following announcement:

"Members of the Senate, you are reminded that the cutoff date for introduction of bills is tomorrow. Consequently, please submit all bills to be drafted to your research staff by 4:30 today to be ready for introduction tomorrow morning."

At 11:51 o'clock a.m., the Senate stood in

recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

ADJOURNMENT

At 11:53 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 12, 1985.

TWENTIETH DAY

Tuesday, February 12, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Olin B. Pendleton, Kokokahi United Church of Christ, after which the Roll was called showing all Senators present with the exception of Senator Wong who was excused.

The Chair announced that he had read and approved the Journal of the Nineteenth Day.

Senator A. Kobayashi then made the following introduction to the members of the Senate:

"It is my pleasure this morning to introduce to you Captain Yutaka Tanabe, Commander of T. S. Nippon Maru and Captain Hiroshi Arakawa, Commander of the T. S. Kaiwo Maru.

"These four-masted ships are used to train cadets in Japan's Institute for Sea Training of the Transport Ministry. The Nippon Maru was launched a year ago to replace its fifty year old namesake. The modern-day sailing vessel contains the latest in electronics and navigational equipment and is powered by twin diesel engines.

"The crew is presently on a military training exercise, but they are scheduled to return in June to participate in the 1985 Japanese 100th Anniversary celebration and I am honored to present them with certificates in appreciation of their participation in this event."

Captain Tanabe and Captain Arakawa were presented with leis by Senators Young and George. Senator A. Kobayashi presented them with certificates.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 168, transmitting a report, The Research Corporation of the University of Hawaii Annual Report 1984, pursuant to Sec. 307-6, HRS, was read by the Clerk and was referred to the Committee on Higher Education.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 33 from the Legislative Auditor of the State of Hawaii, transmitting a report, Financial Audit of the

Department of Land and Natural Resources, was read by the Clerk and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 6 to 8) were read by the Clerk and were disposed of as follows:

S.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT CORRECTIONS OFFICER SERIES," was offered by Senators Chang, Young, Hee, Abercrombie, Matsuura, Yamasaki and Cobb.

By unanimous consent, action on S.C.R. No. 6 was deferred until Wednesday, February 13, 1985.

S.C.R. No. 7, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE LAW ENFORCEMENT PLANNING AGENCY TO REPORT ON THE JUVENILE JUSTICE MASTER PLAN AND TO REVIEW THE FAMILY COURT SYSTEM AS IT RELATES TO SERIOUS JUVENILE OFFENDERS," was offered by Senators Chang, George, Hagino, Cayetano, Matsuura, Yamasaki, Soares, Fernandes Salling, Henderson, A. Kobayashi, McMurdo, Young, Hee, Abercrombie, Aki and Cobb.

By unanimous consent, action on S.C.R. No. 7 was deferred until Wednesday, February 13, 1985.

S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE IMPACT OF HOMEReporting THE BATTLESHIP MISSOURI AND ITS SUPPORT GROUP IN HONOLULU," was offered by Senators A. Kobayashi, Machida, Henderson, Soares, Mizuguchi, Fernandes Salling, Kawasaki and McMurdo.

By unanimous consent, action on S.C.R. No. 8 was deferred until Wednesday, February 13, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 12 to 14) were read by the Clerk and were disposed of as follows:

S.R. No. 12, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT

CORRECTIONS OFFICER SERIES," was offered by Senators Chang, Young, Hee, Abercrombie, Matsuura and Kuroda.

By unanimous consent, action on S.R. No. 12 was deferred until Wednesday, February 13, 1985.

S.R. No. 13, entitled: "SENATE RESOLUTION REQUESTING THE STATE LAW ENFORCEMENT PLANNING AGENCY TO REPORT ON THE JUVENILE JUSTICE MASTER PLAN AND TO REVIEW THE FAMILY COURT SYSTEM AS IT RELATES TO SERIOUS JUVENILE OFFENDERS," was offered by Senators Chang, George, Hagino, Cayetano, Matsuura, Yamasaki, Soares, Fernandes Salling, Henderson, A. Kobayashi, McMurdo, Young, Hee, Abercrombie, Cobb and Aki.

By unanimous consent, action on S.R. No. 13 was deferred until Wednesday, February 13, 1985.

S.R. No. 14, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF HOMEPORTING THE BATTLESHIP MISSOURI AND ITS SUPPORT GROUP IN HONOLULU," was offered by Senators A. Kobayashi, Machida, Henderson, Soares, Mizuguchi, Fernandes Salling, Kawasaki and McMurdo.

By unanimous consent, action on S.R. No. 14 was deferred until Wednesday, February 13, 1985.

INTRODUCTION OF SENATE BILLS

On motion by Senator Cobb, seconded by Senator Soares and carried, the following bills passed First Reading by title, were referred to print and were placed on the calendar for further consideration on Wednesday, February 13, 1985:

Senate Bills

No. 724 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF AN OFFICE OF UNITED SELF-HELP IN MENTAL HEALTH WITHIN THE OFFICE OF COMMUNITY SUPPORT OF THE DEPARTMENT OF HEALTH."

Introduced by: Senator B. Kobayashi.

No. 725 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 4, OF THE CONSTITUTION OF THE STATE OF HAWAII TO LIMIT THE TERM OF OFFICE FOR MEMBERS OF THE LEGISLATURE."

Introduced by: Senator B. Kobayashi.

No. 726 "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY."

Introduced by: Senator B. Kobayashi.

No. 727 "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE FOR A VICE PRINCIPAL POSITION FOR WAIMEA CANYON SCHOOL."

Introduced by: Senators Fernandes Salling, Toguchi and Machida.

No. 728 "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE FOR A VICE PRINCIPAL POSITION FOR WAIMANALO ELEMENTARY-INTERMEDIATE SCHOOL."

Introduced by: Senators Hee and George.

No. 729 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Mizuguchi, Henderson, Kuroda, Solomon, McMurdo, Yamasaki and B. Kobayashi.

No. 730 "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS."

Introduced by: Senators Mizuguchi, Machida, Chang, A. Kobayashi and Holt.

No. 731 "A BILL FOR AN ACT RELATING TO IMPROVEMENTS IN INTERMEDIATE SCHOOLS."

Introduced by: Senators Mizuguchi, A. Kobayashi, Holt, Machida, Chang and Fernandes Salling.

No. 732 "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN."

Introduced by: Senators Mizuguchi, A. Kobayashi, Holt, Machida, Chang and Fernandes Salling.

No. 733 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Mizuguchi, Yamasaki and Machida.

No. 734 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Senator Chang.

No. 735 "A BILL FOR AN ACT RELATING TO CHECKS."

Introduced by: Senator Chang.

No. 736 "A BILL FOR AN ACT RELATING TO THE FAMILY COURTS."

Introduced by: Senator Chang.

No. 737 "A BILL FOR AN ACT
RELATING TO STERILIZATION."

Introduced by: Senator Chang.

No. 738 "A BILL FOR AN ACT
RELATING TO JOINT CUSTODY."

Introduced by: Senator Chang.

No. 739 "A BILL FOR AN ACT
PROPOSING AN AMENDMENT TO
ARTICLE VI, SECTION 3, OF THE HAWAII
CONSTITUTION, TO REQUIRE THE
CONSENT OF THE SENATE FOR
RETENTION OF JUSTICES AND JUDGES."

Introduced by: Senator Chang.

No. 740 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senator Chang.

No. 741 "A BILL FOR AN ACT
RELATING TO THE FAMILY COURTS."

Introduced by: Senator Chang.

No. 742 "A BILL FOR AN ACT
RELATING TO BAIL."

Introduced by: Senator Chang.

No. 743 "A BILL FOR AN ACT
RELATING TO THE FAMILY COURTS."

Introduced by: Senator Chang.

No. 744 "A BILL FOR AN ACT
RELATING TO THE FAMILY COURTS."

Introduced by: Senator chang.

No. 745 "A BILL FOR AN ACT
RELATING TO PUBLIC WORKS AND
CONTRACTS."

Introduced by: Senator B. Kobayashi.

No. 746 "A BILL FOR AN ACT
RELATING TO INDEMNIFICATION OF
PERSONS QUALIFIED TO TAKE BLOOD
SPECIMENS."

Introduced by: Senator Chang.

No. 747 "A BILL FOR AN ACT
RELATING TO RIGHTS OF VICTIMS AND
WITNESSES IN CRIMINAL PROCEEDINGS."

Introduced by: Senator Chang.

No. 748 "A BILL FOR AN ACT
RELATING TO COSTS OF COMMITMENT
IN CORRECTIONAL FACILITIES."

Introduced by: Senator Chang.

No. 749 "A BILL FOR AN ACT
RELATING TO COMPENSATION OF
JUVENILES FOR CRIMES."

Introduced by: Senator Chang.

No. 750 "A BILL FOR AN ACT
RELATING TO STYLE OF PROCESS."

Introduced by: Senator Chang.

No. 751 "A BILL FOR AN ACT
RELATING TO DRIVING WHILE LICENSE
IS SUSPENDED OR REVOKED."

Introduced by: Senator Chang.

No. 752 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
PESTICIDE HAZARD ASSESSMENT
PROJECT."

Introduced by: Senator B. Kobayashi.

No. 753 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY
REGIMES."

Introduced by: Senators Fernandes
Salling, Kuroda, Machida, Mizuguchi,
Abercrombie, Cayetano, Henderson,
McMurdo, Solomon, Hee, Chang and
Toguchi.

No. 754 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Fernandes
Salling, Kuroda, Solomon, Abercrombie,
Hee, Chang, Henderson and Toguchi.

No. 755 "A BILL FOR AN ACT
RELATING TO CENTRAL SERVICE
EXPENSES."

Introduced by: Senators Fernandes
Salling, Hee, Soares, Henderson and
Toguchi.

No. 756 "A BILL FOR AN ACT
RELATING TO NO-FAULT INSURANCE."

Introduced by: Senators Fernandes
Salling, Hee, Chang, Kawasaki, McMurdo
and Toguchi.

No. 757 "A BILL FOR AN ACT
RELATING TO PUBLIC AGENCY
MEETINGS."

Introduced by: Senators Fernandes
Salling, Hee, Cayetano, Chang,
Henderson, McMurdo, Solomon and
Toguchi.

No. 758 "A BILL FOR AN ACT
RELATING TO THE OMBUDSMAN."

Introduced by: Senators Kawasaki, Fernandes Salling, Chang, Abercrombie and Hee.

No. 759 "A BILL FOR AN ACT RELATING TO COMMUNICATION."

Introduced by: Senators Kawasaki, Chang, Fernandes Salling, Abercrombie and Hee.

No. 760 "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING."

Introduced by: Senators Kawasaki, Fernandes Salling and Abercrombie.

No. 761 "A BILL FOR AN ACT RELATING TO ESTABLISHING A CAFETERIA BENEFIT PLAN TO PROVIDE ADDITIONAL BENEFITS AND TAX ADVANTAGES FOR GOVERNMENT EMPLOYEES."

Introduced by: Senators Kawasaki, Fernandes Salling, Abercrombie and Hee.

No. 762 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES."

Introduced by: Senator B. Kobayashi.

No. 763 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FOURTEENTH SENATORIAL DISTRICT."

Introduced by: Senator A. Kobayashi.

No. 764 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Machida, by request.

No. 765 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Machida, Yamasaki, Hee, Toguchi, Soares, Henderson, A. Kobayashi, Holt and Mizuguchi.

No. 766 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR HONOAPIILANI HIGHWAY IMPROVEMENTS."

Introduced by: Senators Machida and Yamasaki.

No. 767 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR

RESURFACING THREE MILES OF KAUMALAPAU HIGHWAY."

Introduced by: Senators Machida and Yamasaki.

No. 768 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAUI COMMUNITY COLLEGE."

Introduced by: Senators Machida and Yamasaki.

No. 769 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR DRUG AND RELATED PURCHASES."

Introduced by: Senators Machida and Yamasaki.

No. 770 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAHULUI BEACH ROAD DRAINAGE IMPROVEMENTS."

Introduced by: Senators Machida and Yamasaki.

No. 771 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MOLOKAI INTERMEDIATE AND HIGH SCHOOL."

Introduced by: Senators Machida and Yamasaki.

No. 772 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MAUI HIGH SCHOOL."

Introduced by: Senators Machida and Yamasaki.

No. 773 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL ATHLETIC PROGRAMS."

Introduced by: Senators Machida and Yamasaki.

No. 774 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Machida and Yamasaki.

No. 775 "A BILL FOR AN ACT RELATING TO LITTER CONTROL."

Introduced by: Senator B. Kobayashi.

No. 776 "A BILL FOR AN ACT RELATING TO JUVENILES."

Introduced by: Senator Soares.

No. 777 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM."

- Introduced by: Senator Soares.
- No. 778 "A BILL FOR AN ACT RELATING TO CHILD CARE."
- Introduced by: Senator Soares.
- No. 779 "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL COMPANIES TAX CREDIT PROGRAM."
- Introduced by: Senator Soares.
- No. 780 "A BILL FOR AN ACT RELATING TO TAXATION."
- Introduced by: Senator Soares.
- No. 781 "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURE BY JUDGES."
- Introduced by: Senator Chang.
- No. 782 "A BILL FOR AN ACT RELATING TO THE PROMOTION OF RESEARCH AS AN INDUSTRY IN HAWAII."
- Introduced by: Senator Chang, by request.
- No. 783 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."
- Introduced by: Senator Chang.
- No. 784 "A BILL FOR AN ACT RELATING TO THE BUDGET."
- Introduced by: Senator Chang, by request.
- No. 785 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."
- Introduced by: Senator Chang.
- No. 786 "A BILL FOR AN ACT RELATING TO SCHOOL FOOD SERVICE."
- Introduced by: Senator Chang, by request.
- No. 787 "A BILL FOR AN ACT RELATING TO THE TIMELY IMPLEMENTATION OF STATE PROGRAMS."
- Introduced by: Senator Chang, by request.
- No. 788 "A BILL FOR AN ACT RELATING TO INCENTIVES TO ATTRACT FULL PROFESSORS TO THE UNIVERSITY OF HAWAII."
- Introduced by: Senator Chang, by request.
- No. 789 "A BILL FOR AN ACT RELATING TO INSURANCE."
- Introduced by: Senator Chang.
- No. 790 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES VIII AND XI OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO LAND USE."
- Introduced by: Senator Young.
- No. 791 "A BILL FOR AN ACT RELATING TO HOUSING."
- Introduced by: Senator Young.
- No. 792 "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS."
- Introduced by: Senator Young.
- No. 793 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."
- Introduced by: Senator Young.
- No. 794 "A BILL FOR AN ACT RELATING TO PROPERTY MANAGERS."
- Introduced by: Senator Young.
- No. 795 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIPAHU CULTURAL GARDEN PARK."
- Introduced by: Senator Young.
- No. 796 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIPAHU CULTURAL GARDEN PARK."
- Introduced by: Senator Young.
- No. 797 "A BILL FOR AN ACT RELATING TO ORGANIZATIONS PROVIDING CHILD CARE."
- Introduced by: Senators Young, George, A. Kobayashi, McMurdo, Fernandes Salling and Solomon.
- No. 798 "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."
- Introduced by: Senator Young.
- No. 799 "A BILL FOR AN ACT RELATING TO VENTURE CAPITAL."
- Introduced by: Senator Young.
- No. 800 "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN."
- Introduced by: Senator Young.

No. 801 "A BILL FOR AN ACT
RELATING TO PROPERTY."

Introduced by: Senator Young.

No. 802 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL
LEASEHOLDS."

Introduced by: Senator Young.

No. 803 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
EMPLOYMENT TRAINING OFFICE OF THE
UNIVERSITY OF HAWAII."

Introduced by: Senator B. Kobayashi.

No. 804 "A BILL FOR AN ACT
RELATING TO MAKING AN
APPROPRIATION TO PROVIDE FOR A
CLERK TYPIST POSITION FOR
FARRINGTON COMMUNITY SCHOOL FOR
ADULTS."

Introduced by: Senators Holt and
Toguchi.

No. 805 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
IMPROVEMENTS TO THE NATATORIUM
MEMORIAL PARK."

Introduced by: Senators B. Kobayashi
and Cobb.

No. 806 "A BILL FOR AN ACT
RELATING TO THE LAND REFORM ACT."

Introduced by: Senator Machida.

No. 807 "A BILL FOR AN ACT
RELATING TO EMINENT DOMAIN."

Introduced by: Senator Machida.

No. 808 "A BILL FOR AN ACT
RELATING TO WAGES AND HOURS OF
EMPLOYEES ON PUBLIC WORKS."

Introduced by: Senator Machida.

No. 809 "A BILL FOR AN ACT
RELATING TO WORKER'S
COMPENSATION."

Introduced by: Senator Machida.

No. 810 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators A. Kobayashi,
Henderson, McMurdo, Machida, Toguchi,
Fernandes Salling, Mizuguchi and George.

No. 811 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators A. Kobayashi,
Henderson, McMurdo, Machida, Toguchi,
Fernandes Salling, Mizuguchi and George.

No. 812 "A BILL FOR AN ACT
RELATING TO LESS THAN UNANIMOUS
VERDICTS."

Introduced by: Senators Henderson,
Soares and A. Kobayashi.

No. 813 "A BILL FOR AN ACT
RELATING TO JURY VERDICTS."

Introduced by: Senators Henderson,
Soares and George.

No. 814 "A BILL FOR AN ACT
RELATING TO PROOF OF VENUE."

Introduced by: Senators Henderson and
George.

No. 815 "A BILL FOR AN ACT
PROPOSING AN AMENDMENT TO
ARTICLE VI, SECTION 6, OF THE
CONSTITUTION OF THE STATE OF
HAWAII RELATING TO CRIMINAL TRIAL
ASSIGNMENTS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 816 "A BILL FOR AN ACT
RELATING TO POSSESSION OF
FIREARMS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 817 "A BILL FOR AN ACT
RELATING TO FAMILY COURT."

Introduced by: Senators Henderson,
Soares and George.

No. 818 "A BILL FOR AN ACT
RELATING TO SPECTATORS AT
ORGANIZED ANIMAL FIGHTS."

Introduced by: Senators Henderson,
Soares and George.

No. 819 "A BILL FOR AN ACT
RELATING TO FURLOUGHS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 820 "A BILL FOR AN ACT
RELATING TO NUISANCE ABATEMENT."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 821 "A BILL FOR AN ACT
RELATING TO OFFENSES AGAINST
PROPERTY RIGHTS."

Introduced by: Senators Henderson,
Soares and A. Kobayashi.

No. 822 "A BILL FOR AN ACT
RELATING TO MANDATORY SENTENCES

FOR CRIMES COMMITTED WITH A FIREARM."

Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 823 "A BILL FOR AN ACT RELATING TO VALUATION OF PROPERTY."

Introduced by: Senators Henderson, Soares and A. Kobayashi.

No. 824 "A BILL FOR AN ACT RELATING TO APPEALS FROM THE FAMILY COURT."

Introduced by: Senators Henderson and Soares.

No. 825 "A BILL FOR AN ACT RELATING TO RECORD OF CONVICTION OF DEFENDANTS IN ACTIONS BROUGHT BY PENAL SUMMONS COMPLAINT."

Introduced by: Senators Henderson, Soares and George.

No. 826 "A BILL FOR AN ACT RELATING TO PEDICABS."

Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 827 "A BILL FOR AN ACT RELATING TO YOUNG ADULT DEFENDANTS."

Introduced by: Senators Henderson, Soares and George.

No. 828 "A BILL FOR AN ACT RELATING TO RACING ON HIGHWAYS."

Introduced by: Senators Henderson and George.

No. 829 "A BILL FOR AN ACT RELATING TO BRIBERY."

Introduced by: Senators Henderson, Soares and George.

No. 830 "A BILL FOR AN ACT RELATING TO ORGANIZED CRIME."

Introduced by: Senators Henderson, Soares and George.

No. 831 "A BILL FOR AN ACT RELATING TO DISQUALIFICATION OF JUDGES."

Introduced by: Senator Soares.

No. 832 "A BILL FOR AN ACT RELATING TO IMPRISONMENT."

Introduced by: Senators Henderson, Soares and George.

No. 833 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO ALLOW FOR JUDICIAL RETENTION ELECTIONS."

Introduced by: Senators Henderson and Soares.

No. 834 "A BILL FOR AN ACT RELATING TO CONDITIONS OF SUSPENSION OF SENTENCE OR PROBATION."

Introduced by: Senators Henderson and Soares.

No. 835 "A BILL FOR AN ACT RELATING TO ASSAULTS OF EDUCATIONAL WORKERS."

Introduced by: Senators Henderson, Soares, A. Kobayashi and George.

No. 836 "A BILL FOR AN ACT RELATING TO CHILDREN'S HEARSAY STATEMENTS AND VIDEOTAPED DEPOSITIONS."

Introduced by: Senators Henderson, Soares and George.

No. 837 "A BILL FOR AN ACT RELATING TO BAIL."

Introduced by: Senators Henderson, Soares and George.

No. 838 "A BILL FOR AN ACT RELATING TO APPEALS BY THE STATE IN CRIMINAL CASES."

Introduced by: Senators Henderson, Soares and George.

No. 839 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senators Henderson, Soares and George.

No. 840 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Senators Henderson and Soares.

No. 841 "A BILL FOR AN ACT RELATING TO THE ELECTION OF THE ATTORNEY GENERAL."

Introduced by: Senators Henderson, Soares and George.

No. 842 "A BILL FOR AN ACT RELATING TO PHYSICAL OR MENTAL DISEASE, DISORDER, OR DEFECT

EXCLUDING PENAL RESPONSIBILITY."

Introduced by: Senators Henderson,
Soares and George.

No. 843 "A BILL FOR AN ACT
RELATING TO REFUSAL TO SUBMIT TO A
BREATH OR BLOOD TEST."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 844 "A BILL FOR AN ACT
RELATING TO SENTENCING AND
PAROLE."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 845 "A BILL FOR AN ACT
RELATING TO RESTITUTION."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 846 "A BILL FOR AN ACT
RELATING TO SENTENCING OF REPEAT
OFFENDERS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 847 "A BILL FOR AN ACT
RELATING TO COMPENSATION FOR
CRIMINAL INJURIES."

Introduced by: Senators Henderson and
Soares.

No. 848 "A BILL FOR AN ACT
RELATING TO CAPITAL CRIMES."

Introduced by: Senators Henderson,
Soares and A. Kobayashi.

No. 849 "A BILL FOR AN ACT
RELATING TO MANDATORY DRIVER'S
LICENSE REVOCATION."

Introduced by: Senators Henderson,
Soares and George.

No. 850 "A BILL FOR AN ACT
RELATING TO WITNESS IMMUNITY
PROCEDURES."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 851 "A BILL FOR AN ACT
RELATING TO CAREER CRIMINALS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 852 "A BILL FOR AN ACT
RELATING TO SEXUAL OFFENSES
AGAINST IMPRISONED PERSONS BY
CORRECTIONAL WORKERS OR PEACE
OFFICERS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 853 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
ESTABLISHMENT AND OPERATION OF A
JUVENILE CAREER CRIMINAL UNIT FOR
THE HONOLULU PROSECUTING
ATTORNEY."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 854 "A BILL FOR AN ACT
RELATING TO SAFETY INSPECTIONS OF
MOTOR CARRIER VEHICLES."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 855 "A BILL FOR AN ACT
RELATING TO RETRACTION."

Introduced by: Senators Henderson and
Soares.

No. 856 "A BILL FOR AN ACT
RELATING TO PRIVATE SEWERAGE AND
WASTEWATER TREATMENT SYSTEMS."

Introduced by: Senators Henderson, A.
Kobayashi, George and Soares.

No. 857 "A BILL FOR AN ACT
RELATING TO POLITICAL ACTIVITY OF
STATE AND COUNTY EMPLOYEES."

Introduced by: Senators Henderson and
George.

No. 858 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senators Henderson and
George.

No. 859 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Machida, by
request.

No. 860 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Machida.

No. 861 "A BILL FOR AN ACT
RELATING TO EMPLOYER-EMPLOYEE
RELATIONSHIPS."

Introduced by: Senator Machida, by
request.

No. 862 "A BILL FOR AN ACT
RELATING TO PREVENTION AND
TREATMENT INTERVENTIONS FOR
SEXUAL ASSAULT."

- Introduced by: Senator B. Kobayashi.
- No. 863 "A BILL FOR AN ACT
RELATING TO FIREARMS."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 864 "A BILL FOR AN ACT
RELATING TO FIREARMS."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 865 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
WAIANAE COAST CULTURE AND ARTS
SOCIETY."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 866 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
WAIANAE COAST COMPREHENSIVE
HEALTH CENTER."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 867 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
HONOLULU COMMUNITY ACTION
PROGRAM, INC."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 868 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
MARINE SHRIMP RESEARCH."
- Introduced by: Senators Aki and
Fernandes Salling.
- No. 869 "A BILL FOR AN ACT
RELATING TO COMPARABLE WORTH."
- Introduced by: Senator Machida.
- No. 870 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
MOKAPU SCHOOL, OAHU."
- Introduced by: Senator George.
- No. 871 "A BILL FOR AN ACT
RELATING TO HIGHWAY SAFETY."
- Introduced by: Senators George,
McMurdo, Soares, Henderson, Machida,
Solomon, Young, Fernandes Salling, Hee
and Matsuura.
- No. 872 "A BILL FOR AN ACT
RELATING TO PROPERTY."
- Introduced by: Senators George and
Soares.
- No. 873 "A BILL FOR AN ACT
- RELATING TO GENERAL PROVISIONS ON
PUBLIC SERVICE."
- Introduced by: Senators George,
McMurdo, Soares, Henderson and Solomon.
- No. 874 "A BILL FOR AN ACT
RELATING TO HAND-HELD OUTDOOR
ADVERTISING DEVICES."
- Introduced by: Senators George,
Henderson and Soares.
- No. 875 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
PLANNING, DESIGN, AND
CONSTRUCTION OF VARIOUS PROJECTS
AT THE WOMEN'S PRISON IN KAILUA."
- Introduced by: Senators George,
McMurdo, Fernandes Salling, A.
Kobayashi, Young and Solomon.
- No. 876 "A BILL FOR AN ACT
RELATING TO ENERGY."
- Introduced by: Senators Yamasaki and
Machida.
- No. 877 "A BILL FOR AN ACT
RELATING TO ENERGY."
- Introduced by: Senators Yamasaki and
Machida.
- No. 878 "A BILL FOR AN ACT
RELATING TO MOTOR VEHICLES."
- Introduced by: Senators Yamasaki and
Machida.
- No. 879 "A BILL FOR AN ACT
RELATING TO TOXIC SUBSTANCES."
- Introduced by: Senator Yamasaki.
- No. 880 "A BILL FOR AN ACT
RELATING TO THE CRIME OF TRESPASS."
- Introduced by: Senator Yamasaki.
- No. 881 "A BILL FOR AN ACT
RELATING TO WITNESS FEES IN CIVIL
AND CRIMINAL CASES."
- Introduced by: Senator Yamasaki.
- No. 882 "A BILL FOR AN ACT
RELATING TO UNEMPLOYMENT
COMPENSATION."
- Introduced by: Senator Yamasaki.
- No. 883 "A BILL FOR AN ACT
RELATING TO GENERAL EXCISE TAX OF
SERVICES."
- Introduced by: Senator Yamasaki.
- No. 886 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL

LEASEHOLDS."

Introduced by: Senator Machida.

No. 887 "A BILL FOR AN ACT
RELATING TO REAL PROPERTY LEASES."

Introduced by: Senator Machida.

No. 888 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL
LEASEHOLDS."

Introduced by: Senator Machida.

No. 889 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL
LEASEHOLDS."

Introduced by: Senator Machida.

No. 890 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR AN
AGRICULTURAL
RESEARCH/DEMONSTRATION
EXPERIMENT STATION ON MOLOKAI."

Introduced by: Senators Machida and
Holt.

No. 891 "A BILL FOR AN ACT
RELATING TO DISPENSERS' LICENSES."

Introduced by: Senator B. Kobayashi.

No. 892 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
STUDIES OF CANCER IN HAWAIIANS."

Introduced by: Senator B. Kobayashi.

No. 893 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES'
RETIREMENT SYSTEM."

Introduced by: Senator Machida.

No. 894 "A BILL FOR AN ACT
RELATING TO NO-FAULT INSURANCE."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 895 "A BILL FOR AN ACT
RELATING TO PROMOTING PRISON
CONTRABAND IN THE FIRST DEGREE."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 896 "A BILL FOR AN ACT
RELATING TO ENDANGERING THE
WELFARE OF A MINOR."

Introduced by: Senators Henderson,
Soares and George.

No. 897 "A BILL FOR AN ACT
RELATING TO DRIVING UNDER THE
INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senators Henderson,
Soares and George.

No. 898 "A BILL FOR AN ACT
RELATING TO PROMOTING A
DANGEROUS DRUG IN THE SECOND
DEGREE."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 899 "A BILL FOR AN ACT
RELATING TO CARRYING DEADLY
WEAPONS."

Introduced by: Senators Henderson,
Soares and George.

No. 900 "A BILL FOR AN ACT
RELATING TO IMMUNITY FROM
LIABILITY OF PERSONS QUALIFIED TO
TAKE BLOOD SPECIMENS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi and George.

No. 901 "A BILL FOR AN ACT
RELATING TO CAPITAL IMPROVEMENT
PROJECTS."

Introduced by: Senators Henderson,
Soares, Matsuura and Solomon.

No. 902 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR A
COUNTY RIFLE RANGE FOR THE
COUNTY OF HAWAII."

Introduced by: Senators Henderson,
Matsuura and Solomon.

No. 903 "A BILL FOR AN ACT
RELATING TO THE FUEL TAX."

Introduced by: Senators Henderson,
Soares, A. Kobayashi, George, Matsuura
and McMurdo.

No. 904 "A BILL FOR AN ACT
RELATING TO THE COURTS."

Introduced by: Senators Henderson,
Soares, A. Kobayashi, George, Solomon
and B. Kobayashi.

No. 905 "A BILL FOR AN ACT
RELATING TO THE REPEAL OF THE
NO-FAULT INSURANCE LAW."

Introduced by: Senators Hee,
Cayetano, Chang, Toguchi and
Abercrombie.

No. 906 "A BILL FOR AN ACT
RELATING TO PESTICIDES."

Introduced by: Senators Hee, A.
Kobayashi, Toguchi, Cayetano, Young,
Chang and Abercrombie.

No. 907 "A BILL FOR AN ACT

MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR PARKING AREA IMPROVEMENTS AT KUHIO ELEMENTARY SCHOOL, OAHU."

Introduced by: Senator McMurdo.

No. 908 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators McMurdo, Kawasaki, Toguchi, Fernandes Salling, A. Kobayashi, Solomon, Aki and Holt.

No. 909 "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS."

Introduced by: Senator B. Kobayashi.

No. 910 "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE FOR A VICE PRINCIPAL POSITION FOR WINDWARD COMMUNITY SCHOOL FOR ADULTS."

Introduced by: Senators Hee and Toguchi.

No. 911 "A BILL FOR AN ACT RELATING TO CLASS SIZE."

Introduced by: Senators Toguchi, by request, Hee, Fernandes Salling, Soares, A. Kobayashi, Henderson, Solomon, Young, Yamasaki and B. Kobayashi.

No. 912 "A BILL FOR AN ACT RELATING TO SHERIFF'S AND POLICE OFFICER'S FEES."

Introduced by: Senators Mizuguchi, Yamasaki and Machida.

No. 913 "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES."

Introduced by: Senators Mizuguchi and Yamasaki.

No. 914 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR SCHOOLS IN THE CENTRAL OAHU SCHOOL DISTRICT."

Introduced by: Senator Mizuguchi.

No. 915 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NAWILIWILI SMALL BOAT HARBOR."

Introduced by: Senator Fernandes Salling.

No. 916 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAMUEL MAHELONA HOSPITAL."

Introduced by: Senator Fernandes

Salling.

No. 917 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO KAUAI HIGH SCHOOL DISTRICT OF KAUAI."

Introduced by: Senator Fernandes Salling.

No. 918 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO KAUAI VETERANS MEMORIAL HOSPITAL."

Introduced by: Senator Fernandes Salling.

No. 919 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BUILDING AT WAIMEA HIGH SCHOOL DISTRICT OF KAUAI."

Introduced by: Senator Fernandes Salling.

No. 920 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIRS TO THE HAWAII NATIONAL GUARD ARMORY AT KAPAA, KAUAI."

Introduced by: Senator Fernandes Salling.

No. 921 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVIII, SECTION 6, OF THE HAWAII CONSTITUTION, TO DELETE THE REQUIREMENT THAT REAL PROPERTY TAX POLICIES, METHODS OF ASSESSMENT, EXEMPTIONS, AND DEDICATIONS BE UNIFORM AND ESTABLISHED BY AGREEMENT OF A MAJORITY OF THE POLITICAL SUBDIVISIONS."

Introduced by: Senators Fernandes Salling, Hee, George, Chang, Kawasaki, Henderson, McMurdo, Toguchi, Solomon, Matsuura, Mizuguchi, A. Kobayashi, Holt, Abercrombie and Aki.

No. 922 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Senators Fernandes Salling, McMurdo, Machida, Henderson, Toguchi, Chang, Solomon, Matsuura, A. Kobayashi, George, Soares, Kawasaki, Aki and Abercrombie.

No. 923 "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN THE SALE OF MOTOR FUEL."

Introduced by: Senators Fernandes Salling, Wong, Kuroda, Machida, Mizuguchi, Solomon, Abercrombie, Cayetano, Hee, Chang, Henderson, Toguchi, McMurdo, Soares and Aki.

No. 924 "A BILL FOR AN ACT RELATING TO DISCRIMINATORY

EMPLOYMENT PRACTICES."

Introduced by: Senators Fernandes Salling, Kuroda, Machida, Abercrombie, Chang, Matsuura, Soares, A. Kobayashi, McMurdo, Aki, Hagino, George, Solomon, Cayetano, Hee and Toguchi.

No. 925 "A BILL FOR AN ACT RELATING TO MANUFACTURERS OF PETROLEUM PRODUCTS."

Introduced by: Senators Fernandes Salling, Wong, Hee, Chang, Kawasaki, McMurdo, Cayetano, Solomon, Machida, Toguchi, Mizuguchi, Soares, Abercrombie and Aki.

No. 926 "A BILL FOR AN ACT RELATING TO THE RETAIL SALE OF GASOLINE."

Introduced by: Senators Fernandes Salling, Wong, Kuroda, Machida, Abercrombie, Chang, Kawasaki, Holt, Solomon, Cayetano and Hee.

No. 927 "A BILL FOR AN ACT RELATING TO AQUACULTURE."

Introduced by: Senators Fernandes Salling, Abercrombie, McMurdo, Machida, Holt, Soares, Henderson, Toguchi, Chang, Matsuura, George, Kawasaki and Aki.

No. 928 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Machida, by request.

No. 929 "A BILL FOR AN ACT RELATING TO THE ECONOMIC DEVELOPMENT OF MOLOKAI."

Introduced by: Senator Machida.

No. 930 "A BILL FOR AN ACT RELATING TO COUNTY POWERS TO ISSUE HOUSING BONDS."

Introduced by: Senator Young, by request.

No. 931 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Senator Young.

No. 932 "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE."

Introduced by: Senator Young.

No. 933 "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS."

Introduced by: Senator Wong, by request.

No. 934 "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION."

Introduced by: Senator Wong, by request.

No. 935 "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS."

Introduced by: Senator Wong, by request.

No. 936 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX."

Introduced by: Senator Wong, by request.

No. 937 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Wong, by request.

No. 938 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT."

Introduced by: Senator Wong.

No. 939 "A BILL FOR AN ACT RELATING TO FOREIGN TRADE ZONE LANDS."

Introduced by: Senator Wong.

No. 940 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Wong.

No. 1089 "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC."

Introduced by: Senator Wong, by request.

No. 1090 "A BILL FOR AN ACT RELATING TO IN-SERVICE TRAINING."

Introduced by: Senator Wong, by request.

No. 1091 "A BILL FOR AN ACT RELATING TO LEAVES OF ABSENCE."

Introduced by: Senator Wong, by request.

No. 1092 "A BILL FOR AN ACT RELATING TO THE HILO HOSPITAL."

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| Introduced by: Senator Wong, by request. | Introduced by: Senators Chang and Cayetano. |
| No. 1093 "A BILL FOR AN ACT RELATING TO EXCLUDED SERVICES." | No. 1105 "A BILL FOR AN ACT RELATING TO HARBOR SAFETY." |
| Introduced by: Senator Chang, by request. | Introduced by: Senators Kuroda, Yamasaki, Matsuura, Machida, Chang, Henderson, Fernandes Salling, George, Hee, Mizuguchi, Aki, Abercrombie, B. Kobayashi and Young. |
| No. 1094 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES." | No. 1106 "A BILL FOR AN ACT RELATING TO PENAL RESPONSIBILITY AND FITNESS." |
| Introduced by: Senator Wong, by request. | Introduced by: Senators Kuroda, Yamasaki, Matsuura, Chang, Henderson, Hee, Mizuguchi, Abercrombie, Young, Cobb, Aki, B. Kobayashi and Machida. |
| No. 1095 "A BILL FOR AN ACT RELATING TO ELECTIONS." | No. 1107 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA WEEK FESTIVAL." |
| Introduced by: Senator Chang. | Introduced by: Senators Kuroda, Solomon, Young, Aki, Cayetano, B. Kobayashi and Machida. |
| No. 1096 "A BILL FOR AN ACT RELATING TO FAMILY COURTS." | No. 1108 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR." |
| Introduced by: Senator Chang. | Introduced by: Senators Kuroda, Cayetano and B. Kobayashi. |
| No. 1097 "A BILL FOR AN ACT RELATING TO JUVENILES." | No. 1109 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING, DESIGN, AND CONSTRUCTION OF A MULTI-USE DANCE AND CULTURAL CENTER." |
| Introduced by: Senators Chang and Cayetano. | Introduced by: Senators Kuroda, Solomon, Young, Aki, Cayetano, B. Kobayashi and Machida. |
| No. 1098 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES." | No. 1110 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOTOR VEHICLE MECHANIC CERTIFICATION TRAINING." |
| Introduced by: Senators Chang and Cayetano. | Introduced by: Senators Kuroda, Solomon, Aki, Cayetano, B. Kobayashi and Machida. |
| No. 1099 "A BILL FOR AN ACT RELATING TO INSURANCE." | No. 1111 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING, DESIGN, AND CONSTRUCTION OF A CONVENTION CENTER." |
| Introduced by: Senator Chang. | Introduced by: Senators Kuroda, Solomon, Aki, Cayetano, B. Kobayashi and Machida. |
| No. 1100 "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM." | No. 1112 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE." |
| Introduced by: Senator Chang. | Introduced by: Senators Kuroda, Solomon, Cobb, Aki, Cayetano and Machida. |
| No. 1101 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM." | |
| Introduced by: Senator Chang. | |
| No. 1102 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." | |
| Introduced by: Senator Chang. | |
| No. 1103 "A BILL FOR AN ACT RELATING TO FUEL." | |
| Introduced by: Senators Chang and Cayetano. | |
| No. 1104 "A BILL FOR AN ACT RELATING TO BEFORE- AND AFTER-SCHOOL PROGRAMS." | |

No. 1113 "A BILL FOR AN ACT
RELATING TO HEALTH INSURANCE."

Introduced by: Senators Kuroda,
Solomon, Cobb, Aki, Cayetano and
Machida.

No. 1114 "A BILL FOR AN ACT
RELATING TO DENTISTS."

Introduced by: Senator Wong.

No. 1115 "A BILL FOR AN ACT
RELATING TO AQUACULTURE
RESEARCH AND EXTENSION SERVICES."

Introduced by: Senators Fernandes
Salling, Henderson, Soares, George,
Matsuura, Yamasaki, Toguchi, A.
Kobayashi, Aki and Abercrombie.

No. 1116 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO KAUAI
COMMUNITY COLLEGE."

Introduced by: Senator Fernandes
Salling.

No. 1117 "A BILL FOR AN ACT
RELATING TO ECONOMIC
DEVELOPMENT."

Introduced by: Senators Fernandes
Salling, Henderson, Soares, George,
Matsuura, Toguchi, A. Kobayashi, Aki,
Abercrombie and Cobb.

No. 1118 "A BILL FOR AN ACT
RELATING TO INTOXICATING LIQUORS."

Introduced by: Senators Fernandes
Salling, Henderson, Soares, George,
Matsuura, Yamasaki, Toguchi, A.
Kobayashi, Abercrombie, Cobb and Aki.

No. 1119 "A BILL FOR AN ACT
RELATING TO ADMINISTRATIVE
PROCEDURE."

Introduced by: Senators Fernandes
Salling, Soares, McMurdo, Kawasaki,
Abercrombie and Aki.

No. 1120 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators Fernandes
Salling, McMurdo, Abercrombie, Aki and
Yamasaki.

No. 1121 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY
REGIMES."

Introduced by: Senators Cobb,
Matsuura, Machida, McMurdo, Aki, A.
Kobayashi and George.

No. 1122 "A BILL FOR AN ACT
RELATING TO DENTAL SERVICES."

Introduced by: Senator B. Kobayashi.

No. 1123 "A BILL FOR AN ACT
RELATING TO REAL ESTATE."

Introduced by: Senators Cobb,
Matsuura, Machida, McMurdo, Aki, A.
Kobayashi and George.

No. 1124 "A BILL FOR AN ACT
RELATING TO CORPORATIONS."

Introduced by: Senators Cobb,
Solomon, Chang and Machida.

No. 1125 "A BILL FOR AN ACT
RELATING TO PROPERTY."

Introduced by: Senators Cobb,
Solomon, Chang and Machida.

No. 1126 "A BILL FOR AN ACT
RELATING TO DENTAL HYGIENISTS."

Introduced by: Senators Cobb, Solomon
and Machida.

No. 1127 "A BILL FOR AN ACT
RELATING TO DENTAL HYGIENISTS."

Introduced by: Senators Cobb,
Solomon, Chang and Machida.

No. 1128 "A BILL FOR AN ACT
RELATING TO REAL PROPERTY LEASES."

Introduced by: Senator Cobb, by
request.

No. 1129 "A BILL FOR AN ACT
RELATING TO LEASEHOLDS."

Introduced by: Senators Cobb, Solomon
and Chang.

No. 1130 "A BILL FOR AN ACT
RELATING TO NO-FAULT INSURANCE."

Introduced by: Senator Cobb, by
request.

No. 1131 "A BILL FOR AN ACT
RELATING TO SOCIAL WORK."

Introduced by: Senator Cobb, by
request.

No. 1132 "A BILL FOR AN ACT
RELATING TO LIQUOR LICENSES."

Introduced by: Senator Cobb, by
request.

No. 1133 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Cobb, by
request.

No. 1134 "A BILL FOR AN ACT
RELATING TO CLINICAL SOCIAL

WORKERS."

Introduced by: Senator Cobb, by request.

No. 1135 "A BILL FOR AN ACT RELATING TO TIME SHARING."

Introduced by: Senator Cobb, by request.

No. 1136 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN."

Introduced by: Senator Cobb.

No. 1137 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Senator Cobb, by request.

No. 1138 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)."

Introduced by: Senator Cobb, by request.

No. 1139 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Senator Cobb, by request.

No. 1140 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Senator Cobb, by request.

No. 1141 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Senator Cobb, by request.

No. 1142 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Senator Cobb, by request.

No. 1143 "A BILL FOR AN ACT RELATING TO REAL ESTATE."

Introduced by: Senator Cobb.

No. 1144 "A BILL FOR AN ACT RELATING TO OPTOMETRY."

Introduced by: Senators B. Kobayashi, Aki, Hagino and Machida.

No. 1145 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE HAWAII CONSTITUTION, TO CHANGE THE NUMBER OF JURORS IN CIVIL CASES."

Introduced by: Senators B. Kobayashi, Aki, A. Kobayashi and George.

No. 1146 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR A COMMUNITY SWIMMING POOL IN LAHAINALUNA, MAUI."

Introduced by: Senators Machida and Yamasaki.

No. 1147 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAHAINALUNA HIGH SCHOOL, MAUI"

Introduced by: Senators Machida and Yamasaki.

No. 1148 "A BILL FOR AN ACT RELATING TO INTEREST RATES."

Introduced by: Senator Chang.

No. 1149 "A BILL FOR AN ACT RELATING TO SWAP MEETS."

Introduced by: Senator Chang, by request.

No. 1150 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Cobb and Chang.

No. 1151 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO CHANGE THE QUALIFICATIONS OF MEMBERS OF THE LEGISLATURE."

Introduced by: Senator Chang, by request.

No. 1152 "A BILL FOR AN ACT RELATING TO TAX ON MERCHANTS ASSOCIATION."

Introduced by: Senator Chang.

No. 1153 "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA."

Introduced by: Senator Chang, by request.

No. 1154 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senator Chang.

No. 1155 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Senator Chang.

No. 1156 "A BILL FOR AN ACT RELATING TO REFUNDS AND

EXCHANGES."

Introduced by: Senator Chang.

No. 1157 "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY."

Introduced by: Senator Chang.

No. 1158 "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS."

Introduced by: Senator Chang.

No. 1159 "A BILL FOR AN ACT RELATING TO PARTNERSHIPS."

Introduced by: Senator Chang.

No. 1160 "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE VICE PRINCIPAL POSITIONS FOR ADULT EDUCATION."

Introduced by: Senators Toguchi, Hee, Young, Yamasaki, Soares, Matsuura, Cayetano, Solomon, Machida and Henderson.

No. 1161 "A BILL FOR AN ACT RELATING TO TAX CREDITS FOR DONATIONS OF VOCATIONAL EDUCATION EQUIPMENT."

Introduced by: Senators Toguchi, Hee, Young, Yamasaki, Soares, Matsuura, Solomon, Machida, Henderson and Cayetano.

No. 1162 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPECIAL EDUCATION IN THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Toguchi, Abercrombie, Machida, Holt, Solomon, Hee and Fernandes Salling.

No. 1163 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION'S EARLY PROVISIONS FOR SCHOOL SUCCESS PROGRAM."

Introduced by: Senators Toguchi, Hee, Fernandes Salling and Machida.

No. 1164 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF HAWAII'S PUBLIC SCHOOLS."

Introduced by: Senators Toguchi, Hee, Fernandes Salling and Machida.

No. 1165 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEPARTMENT OF EDUCATION'S SCHOOL

PRIORITY FUND."

Introduced by: Senators Toguchi, Hee, Machida, Holt, Solomon, Fernandes Salling and Cayetano.

No. 1166 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Toguchi, Hee, Fernandes Salling and Machida.

No. 1167 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Toguchi and Abercrombie.

No. 1168 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS."

Introduced by: Senators Cayetano, Kuroda, Solomon, Chang, Matsuura, Cobb, Mizuguchi, B. Kobayashi, Wong, Holt, Hee, Yamasaki, Toguchi, Kawasaki, Aki, Hagino, Machida and Fernandes Salling.

No. 1169 "A BILL FOR AN ACT RELATING TO JOB-SHARING."

Introduced by: Senators Machida, Matsuura, Young, Mizuguchi, Hee, Yamasaki, Aki, Hagino, Fernandes Salling, Holt, Solomon, Toguchi and Cayetano.

No. 1170 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senators Machida, Matsuura, Young, Solomon, Mizuguchi, Hee, Holt, Yamasaki, Hagino, Aki, Fernandes Salling, Wong and Abercrombie.

No. 1171 "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Machida, Matsuura, Young, Mizuguchi, Hee, McMurdo, Yamasaki, Hagino, Aki, Fernandes Salling, Wong, Holt, Solomon, Toguchi and Cayetano.

No. 1172 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMPREHENSIVE STATE EMPLOYMENT PLAN."

Introduced by: Senators Machida, Matsuura, Young, Hagino, Holt, Solomon, Aki, McMurdo, Wong, Mizuguchi and Yamasaki.

No. 1173 "A BILL FOR AN ACT RELATING TO SICK LEAVE BENEFITS."

Introduced by: Senators Machida, Matsuura, Young, Mizuguchi, Hee, Yamasaki, Hagino, Aki, Fernandes Salling, Wong, Holt, Solomon and Toguchi.

No. 1174 "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS."

Introduced by: Senator Toguchi.

No. 1175 "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES."

Introduced by: Senators Cobb, Kuroda, Chang, Matsuura, Young, Hee, Yamasaki, McMurdo, Hagino, Aki, Machida, Fernandes Salling, Abercrombie, Wong, Solomon, Toguchi and Cayetano.

No. 1176 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Cobb, Kuroda, Chang, Matsuura, Young, Mizuguchi, Hee, Yamasaki, McMurdo, Hagino, Aki, Machida, Fernandes Salling, Wong, Solomon, Toguchi and Cayetano.

No. 1177 "A BILL FOR AN ACT RELATING TO SERVING AND DISPENSING OF LIQUOR."

Introduced by: Senators Cobb, Chang, Yamasaki, Aki, Hagino, Machida, Wong, Abercrombie, Solomon, Toguchi and Cayetano.

No. 1178 "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN."

Introduced by: Senators Cobb, Kuroda, Chang, Matsuura, Young, Yamasaki, McMurdo, Hagino, Aki, Machida, Fernandes Salling, Wong, Abercrombie, Solomon, Toguchi and Cayetano.

No. 1179 "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS."

Introduced by: Senators Kawasaki, Chang, Young, Mizuguchi, B. Kobayashi, Yamasaki, Wong, Hagino, Aki, Machida, Holt, Solomon, Toguchi and Cayetano.

No. 1180 "A BILL FOR AN ACT RELATING TO INTEREST."

Introduced by: Senators Cobb, Kuroda, Chang, Matsuura, Wong, Abercrombie, Solomon, Toguchi and Cayetano.

No. 1181 "A BILL FOR AN ACT RELATING TO CENTRAL SERVICE EXPENSES."

Introduced by: Senators Kawasaki, Solomon, Chang, Young, B. Kobayashi,

Hee, Wong, Abercrombie, Toguchi, Yamasaki, Hagino, Aki, Machida, Fernandes Salling and Holt.

No. 1182 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Senators Matsuura, Aki, Mizuguchi, Yamasaki, McMurdo, Hagino, Machida, Fernandes Salling, Wong, Holt and Solomon.

No. 1183 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Senators Matsuura, Aki, Yamasaki, McMurdo, Hagino, Machida, Fernandes Salling, Wong, Holt and Solomon.

No. 1184 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH AND DEVELOPMENT OF FOOD PROCESSING USING GEOTHERMAL DIRECT HEAT."

Introduced by: Senators Matsuura, McMurdo, Yamasaki, Aki, Solomon, Holt, Machida, Fernandes Salling and Wong.

No. 1185 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators B. Kobayashi, Kuroda, Matsuura, Cobb, Yamasaki, McMurdo, Aki, Hagino, Machida, Mizuguchi, Wong, Holt, Toguchi and Solomon.

No. 1186 "A BILL FOR AN ACT RELATING TO HOSPITALS."

Introduced by: Senators B. Kobayashi, Abercrombie, Chang, Kuroda, Matsuura, Fernandes Salling, Mizuguchi, Toguchi, Solomon, Machida, Young, Yamasaki, McMurdo, Hagino, Wong, Holt and Cayetano.

No. 1187 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PREVENTION OF CHILD ABUSE AND NEGLECT AND PROMOTION OF POSITIVE CHILD DEVELOPMENT."

Introduced by: Senators B. Kobayashi, Yamasaki, Kuroda, Solomon, Toguchi and Cayetano.

No. 1188 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH."

Introduced by: Senators B. Kobayashi, Matsuura, Hee, McMurdo, Yamasaki, Hagino, Machida, Fernandes Salling, Wong, Holt, Solomon and Toguchi.

No. 1189 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR

HEPATITIS B SCREENING AND TREATMENT."

Introduced by: Senators B. Kobayashi, Cayetano, Kuroda, Matsuura, Hee, McMurdo, Solomon, Holt, Yamasaki, Hagino, Machida, Mizuguchi, Fernandes Salling and Wong.

No. 1190 "A BILL FOR AN ACT RELATING TO TOURISM."

Introduced by: Senators Kuroda, Kawasaki, Chang, Yamasaki, Hagino, Aki, Machida, Holt and Solomon.

No. 1191 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Senators Kuroda, Chang, B. Kobayashi, Matsuura, Young, Hee, McMurdo, Yamasaki, Hagino, Aki, Machida, Fernandes Salling, Wong, Holt and Solomon.

No. 1192 "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER AUTHORITY."

Introduced by: Senators Kuroda, Hagino, Chang, Aki, Young, Mizuguchi, Matsuura, Wong, Abercrombie, Holt, Cayetano, Solomon, Yamasaki, Machida, Fernandes Salling, B. Kobayashi, Cobb and Toguchi.

No. 1193 "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES."

Introduced by: Senators Aki, Chang, Kuroda, Matsuura, Cobb, Young, Mizuguchi, Abercrombie, Hee, Yamasaki, McMurdo, Wong, Kawasaki, Hagino, Machida, Fernandes Salling, Holt, Solomon, Toguchi and Cayetano.

No. 1194 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."

Introduced by: Senators Fernandes Salling, McMurdo, Kawasaki, Aki and Abercrombie.

No. 1195 "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC."

Introduced by: Senators Fernandes Salling, Yamasaki, Machida, Chang, Hagino, Aki, Soares, Henderson, A. Kobayashi, Toguchi, Solomon and Matsuura.

No. 1196 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Senators Fernandes Salling, Young, Abercrombie, Aki, Chang, Hagino, Soares, Henderson, A. Kobayashi,

Toguchi, Matsuura and Solomon.

No. 1197 "A BILL FOR AN ACT RELATING TO APPROPRIATE BARGAINING UNITS."

Introduced by: Senator Henderson, by request.

No. 1198 "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT."

Introduced by: Senator Cobb, by request.

No. 1199 "A BILL FOR AN ACT RELATING TO PSYCHOLOGICAL SERVICES."

Introduced by: Senator Cobb, by request.

No. 1200 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Henderson, Soares, A. Kobayashi, George, Solomon, B. Kobayashi, Abercrombie and Chang.

No. 1201 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senators Henderson, A. Kobayashi, Abercrombie, Chang and Cayetano.

No. 1202 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senator Yamasaki.

No. 1203 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF BALLET MATS FOR BALDWIN HIGH SCHOOL AUDITORIUM, MAUI SCHOOL DISTRICT."

Introduced by: Senators Yamasaki and Machida.

No. 1204 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN ADULT DAY CARE CENTER FACILITY ON MAUI."

Introduced by: Senators Yamasaki and Machida.

No. 1205 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senators Mizuguchi, A. Kobayashi and Machida.

No. 1206 "A BILL FOR AN ACT RELATING TO PARENT AND CHILD."

Introduced by: Senator Mizuguchi.

No. 1207 "A BILL FOR AN ACT
RELATING TO INSURANCE COMPANY
INSOLVENCY."

Introduced by: Senator Mizuguchi.

No. 1208 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Mizuguchi and
Machida.

No. 1209 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 1210 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senator Mizuguchi.

No. 1211 "A BILL FOR AN ACT
RELATING TO BEES."

Introduced by: Senators Solomon,
Hagino, Machida, Aki, Holt, Matsuura,
Chang, McMurdo and Mizuguchi.

No. 1212 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL PARKS."

Introduced by: Senator Solomon.

No. 1213 "A BILL FOR AN ACT
RELATING TO SUBSTANCE ABUSE."

Introduced by: Senator B. Kobayashi.

No. 1214 "A BILL FOR AN ACT
RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Aki,
Cayetano, Hagino, Henderson, Mizuguchi
and Soares.

No. 1215 "A BILL FOR AN ACT
RELATING TO CHILD ABUSE."

Introduced by: Senator B. Kobayashi.

No. 1216 "A BILL FOR AN ACT
RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Aki,
Fernandes Salling, George, A. Kobayashi,
Cayetano, Hagino, Henderson, Mizuguchi
and Soares.

No. 1217 "A BILL FOR AN ACT
RELATING TO OFFICE OF HAWAIIAN
AFFAIRS."

Introduced by: Senators Aki,
Fernandes Salling, George, A. Kobayashi,
Soares, Henderson and Mizuguchi.

No. 1218 "A BILL FOR AN ACT
RELATING TO HISTORIC PRESERVATION."

Introduced by: Senators Aki, George,
Cayetano, Hagino, Henderson, Mizuguchi
and Soares.

No. 1219 "A BILL FOR AN ACT
RELATING TO HISTORIC PROPERTY."

Introduced by: Senators Aki,
Fernandes Salling, A. Kobayashi,
Cayetano, Hagino, Soares, Henderson and
Mizuguchi.

No. 1220 "A BILL FOR AN ACT
RELATING TO THE HISTORIC
PRESERVATION PROGRAM."

Introduced by: Senators Aki,
Fernandes Salling, A. Kobayashi,
Cayetano, Hagino and Soares.

No. 1221 "A BILL FOR AN ACT
RELATING TO THE OFFICE OF HAWAIIAN
AFFAIRS."

Introduced by: Senator Aki, by request.

No. 1222 "A BILL FOR AN ACT
RELATING TO HISTORIC PROPERTY."

Introduced by: Senators Aki,
Fernandes Salling, George, A. Kobayashi,
Cayetano, Hagino, Soares, Henderson and
Mizuguchi.

No. 1223 "A BILL FOR AN ACT
RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED."

Introduced by: Senators Aki, Matsuura,
Cayetano, Hagino, Soares and Henderson.

No. 1224 "A BILL FOR AN ACT
RELATING TO FISHING."

Introduced by: Senators Aki,
Fernandes Salling, Henderson and Soares.

No. 1225 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Aki, Matsuura,
Henderson, Soares and A. Kobayashi.

No. 1226 "A BILL FOR AN ACT
RELATING TO AN INVESTMENT
PROMOTION AND ATTRACTION
PROGRAM."

Introduced by: Senators Aki, Matsuura,
Cayetano, Hagino, Henderson, Soares and
A. Kobayashi.

No. 1227 "A BILL FOR AN ACT
RELATING TO INVESTIGATORS OF THE
DEPARTMENT OF SOCIAL SERVICES AND
HOUSING."

Introduced by: Senators Aki,
Fernandes Salling, Matsuura, Cayetano,
Henderson and Soares.

No. 1228 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Senators Aki, Matsuura, Hagino, Henderson, Soares and A. Kobayashi.

No. 1229 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senators Aki, Matsuura, A. Kobayashi, Toguchi, George, Cayetano, Hagino, Mizuguchi, Soares and Henderson.

No. 1230 "A BILL FOR AN ACT RELATING TO CAPITAL LOANS."

Introduced by: Senators Aki, Fernandes Salling, Matsuura, Hagino, Henderson and Soares.

No. 1231 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Aki, Matsuura and Toguchi.

No. 1232 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Aki, Hagino, Henderson, Soares and A. Kobayashi.

No. 1233 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senators Aki, Fernandes Salling, Matsuura, A. Kobayashi, Hagino, Henderson and Soares.

No. 1234 "A BILL FOR AN ACT RELATING TO LAND COMMISSION AWARDS."

Introduced by: Senators Aki, Young, Mizuguchi, Henderson and A. Kobayashi.

No. 1235 "A BILL FOR AN ACT RELATING TO THE DEVELOPMENT OF A TELEPORT MASTER PLAN."

Introduced by: Senators Aki, Mizuguchi, Soares, Henderson and A. Kobayashi.

No. 1236 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES."

Introduced by: Senators Aki, Chang and A. Kobayashi.

No. 1237 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRESH SEAFOOD PROMOTION."

Introduced by: Senators Aki, Henderson, Soares, Chang and A.

Kobayashi.

No. 1238 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senator A. Kobayashi.

No. 1239 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Senators Matsuura and Soares.

No. 1240 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senators Matsuura and B. Kobayashi.

No. 1241 "A BILL FOR AN ACT RELATING TO DENTAL CARE."

Introduced by: Senators Matsuura and Kuroda.

No. 1242 "A BILL FOR AN ACT RELATING TO PATERNITY ACTIONS."

Introduced by: Senator Matsuura.

No. 1243 "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS."

Introduced by: Senators Matsuura and Mizuguchi.

No. 1244 "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR."

Introduced by: Senators Matsuura and Henderson.

No. 1245 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Matsuura and Machida.

No. 1246 "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Matsuura and Machida.

No. 1247 "A BILL FOR AN ACT RELATING TO RETIREMENT FOR PUBLIC OFFICERS AND EMPLOYEES."

Introduced by: Senators Matsuura, Mizuguchi and Machida.

No. 1248 "A BILL FOR AN ACT RELATING TO INFORMED CONSENT."

Introduced by: Senators Matsuura and A. Kobayashi.

No. 1249 "A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII."

Introduced by: Senators Matsuura and Mizuguchi.

No. 1250 "A BILL FOR AN ACT RELATING TO THE HAWAII ISLAND TRANSPORTATION AUTHORITY."

Introduced by: Senators Matsuura and Solomon.

No. 1251 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVIII, SECTION 6, OF THE HAWAII CONSTITUTION."

Introduced by: Senators Matsuura and Solomon.

No. 1252 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH AND DEVELOPMENT OF FOOD PROCESSING USING GEOTHERMAL DIRECT HEAT."

Introduced by: Senator Matsuura.

No. 1253 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."

Introduced by: Senator Matsuura.

No. 1254 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE YOUTH DEVELOPMENT AND RESEARCH CENTER."

Introduced by: Senators Matsuura, Henderson and Solomon.

No. 1255 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT."

Introduced by: Senators Matsuura, Henderson and Solomon.

No. 1256 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT."

Introduced by: Senators Solomon, Matsuura and Henderson.

No. 1257 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WEST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS."

Introduced by: Senators Henderson, Matsuura and Solomon.

No. 1258 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST HAWAII OCEAN RECREATION

FACILITIES AND PROGRAM."

Introduced by: Senators Matsuura, Henderson and Solomon.

No. 1259 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A SMALL BOAT HARBOR, EAST HAWAII, ISLAND OF HAWAII."

Introduced by: Senators Matsuura, Henderson and Solomon.

No. 1260 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STUDY, DREDGING, AND PLANS AND CONSTRUCTION OF A JETTY AT THE WAILOA RIVER, HILO, HAWAII."

Introduced by: Senator Matsuura.

No. 1261 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HAWAII OCEAN SCIENCE AND TECHNOLOGY PARK."

Introduced by: Senators Matsuura, Henderson and Solomon.

No. 1262 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HONOLULU COMMUNITY THEATRE."

Introduced by: Senators Toguchi, Hee, Solomon, Young, Soares, Machida, Matsuura, Cayetano and Henderson.

No. 1263 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A PHILOSOPHY IN THE SCHOOL PILOT PROGRAM."

Introduced by: Senators Toguchi, Hee, Young, Yamasaki, Soares, Matsuura, Cayetano, Solomon, Machida and Henderson.

No. 1264 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY."

Introduced by: Senators Toguchi and Cayetano.

No. 1265 "A BILL FOR AN ACT RELATING TO MAKING AN APPROPRIATION TO PROVIDE CLERK TYPIST POSITIONS FOR ADULT EDUCATION."

Introduced by: Senators Toguchi, Young, Hee, Yamasaki, Soares, Matsuura, Cayetano, Solomon, Machida and Henderson.

No. 1266 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TRANSPORTATION COSTS OF PUBLIC

SCHOOL ATHLETICS."

Introduced by: Senators Toguchi, Hee, Young, Yamasaki, Soares, Matsuura, Cayetano, Solomon, Machida and Henderson.

No. 1267 "A BILL FOR AN ACT RELATING TO JUVENILE CRIME."

Introduced by: Senator Kuroda.

No. 1268 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS."

Introduced by: Senator Kuroda.

No. 1269 "A BILL FOR AN ACT RELATING TO TOURIST RELATED ACTIVITIES."

Introduced by: Senator Kuroda.

No. 1270 "A BILL FOR AN ACT RELATING TO REAL ESTATE."

Introduced by: Senator B. Kobayashi.

No. 1271 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Senator B. Kobayashi.

No. 1272 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHILD ABUSE AND NEGLECT PREVENTION PROGRAMS."

Introduced by: Senator B. Kobayashi.

No. 1273 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Senator B. Kobayashi.

No. 1274 "A BILL FOR AN ACT RELATING TO REAL ESTATE."

Introduced by: Senator B. Kobayashi.

No. 1275 "A BILL FOR AN ACT RELATING TO AUTOPSIES."

Introduced by: Senator B. Kobayashi.

No. 1276 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Holt.

No. 1277 "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII."

Introduced by: Senator Holt.

No. 1278 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE

WOMENS' ATHLETIC PROGRAM OF THE UNIVERSITY OF HAWAII."

Introduced by: Senator Holt.

No. 1279 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senator Holt, by request.

No. 1280 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Senator Holt.

No. 1281 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AND ASIAN LEGAL STUDIES PROGRAM AT THE WILLIAM S. RICHARDSON SCHOOL OF LAW."

Introduced by: Senators Holt, Mizuguchi, Machida and Matsuura.

No. 1282 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE VOCATIONAL EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII COMMUNITY COLLEGES."

Introduced by: Senators Holt, Mizuguchi, Machida and Matsuura.

No. 1283 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA HEALTH CLINIC."

Introduced by: Senators Holt, Matsuura and Machida.

No. 1284 "A BILL FOR AN ACT RELATING TO THE APPROPRIATION OF FUNDS FOR THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM."

Introduced by: Senators Holt, Mizuguchi, Aki, Cayetano, Hee, A. Kobayashi, Matsuura, Machida, McMurdo, Henderson, Soares and Chang.

No. 1285 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FOOD SERVICE AND HOTEL OPERATIONS TRAINING PROGRAM IN THE SOUTH KOHALA AREA OF THE ISLAND OF HAWAII."

Introduced by: Senators Solomon, Holt, Matsuura and Machida.

No. 1286 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Senators Holt, Mizuguchi, Machida and Matsuura.

No. 1287 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Holt,
Mizuguchi, Machida and Matsuura.

No. 1288 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Holt, Chang,
A. Kobayashi, Henderson, Soares,
Matsuura, Machida, McMurdo and
Mizuguchi.

No. 1289 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII RESEARCH AND TRAINING
REVOLVING FUND."

Introduced by: Senators Holt,
Matsuura and Machida.

No. 1290 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Holt,
Mizuguchi and Machida.

No. 1291 "A BILL FOR AN ACT
RELATING TO TAXATION."

Introduced by: Senators Holt,
Mizuguchi, Machida and Matsuura.

No. 1292 "A BILL FOR AN ACT
RELATING TO COMPETITIVE BIDDING."

Introduced by: Senators Holt,
Mizuguchi, Aki, Cayetano, Hee, A.
Kobayashi, Matsuura, Machida, McMurdo,
Henderson, Soares and Chang.

No. 1293 "A BILL FOR AN ACT
RELATING TO THE HAWAII OCEAN
CENTER AUTHORITY."

Introduced by: Senators Holt,
Matsuura and Machida.

No. 1294 "A BILL FOR AN ACT
RELATING TO ZONING."

Introduced by: Senators Kawasaki,
Matsuura, Chang and Cayetano.

No. 1295 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Kawasaki,
Matsuura, Cayetano and Henderson.

No. 1296 "A BILL FOR AN ACT
RELATING TO LAND READJUSTMENT."

Introduced by: Senators Kawasaki,
Chang and Henderson.

No. 1297 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senators Kawasaki,
Matsuura, Chang and Cayetano.

No. 1298 "A BILL FOR AN ACT TO
AMEND SECTION 707-741, HAWAII
REVISED STATUTES, CREATING TWO
CLASSES OF INCEST."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling, McMurdo and
Hee.

No. 1299 "A BILL FOR AN ACT
RELATING TO COUNTY LIQUOR
COMMISSIONS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling, McMurdo
and Hee.

No. 1300 "A BILL FOR AN ACT
RELATING TO REIMBURSEMENT TO THE
CITY AND COUNTY OF HONOLULU."

Introduced by: Senators Kawasaki and
Henderson, by request.

No. 1301 "A BILL FOR AN ACT TO
AMEND SECTION 712-1251, HAWAII
REVISED STATUTES, PRIMA FACIE
EVIDENCE, AS IT RELATES TO
MARIJUANA."

Introduced by: Senators Kawasaki and
Henderson.

No. 1302 "A BILL FOR AN ACT
AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND
MAKING AN APPROPRIATION FOR
VARIOUS PROJECTS FOR THE
UNIVERSITY OF HAWAII."

Introduced by: Senator Holt.

No. 1303 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR THE
INSTALLATION OF STATE GOVERNMENT
SERVICES AT THE NINE CITY AND
COUNTY OF HONOLULU SATELLITE CITY
HALLS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1304 "A BILL FOR AN ACT
RELATING TO HONOLULU
GOVERNMENT."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and
McMurdo.

No. 1305 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY
REGIMES."

Introduced by: Senators Kawasaki,
Henderson, Soares and Fernandes Salling.

No. 1306 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR A
GRANT-IN-AID TO THE CITY AND
COUNTY OF HONOLULU FOR PLANNING,
LAND PURCHASE AND CONSTRUCTION
OF A CONVENTION CENTER, OAHU."

Introduced by: Senators Kawasaki,
Henderson, Soares and Fernandes Salling.

No. 1307 "A BILL FOR AN ACT
RELATING TO LAND ACQUISITION OF
BEACHFRONT LANDS."

Introduced by: Senators Kawasaki,
Henderson, Soares, Fernandes Salling and
Hee.

No. 1308 "A BILL FOR AN ACT
RELATING TO DECISION-MAKING BY
EMPLOYERS IN COLLECTIVE
BARGAINING IN PUBLIC EMPLOYMENT."

Introduced by: Senators Kawasaki,
Henderson and Fernandes Salling.

No. 1309 "A BILL FOR AN ACT
RELATING TO ENTERPRISE ZONES."

Introduced by: Senators Kawasaki,
Henderson and Fernandes Salling.

No. 1310 "A BILL FOR AN ACT
RELATING TO REPLACEMENT OF
ERODED SAND ON PUBLIC BEACHES."

Introduced by: Senators Kawasaki,
Henderson, Soares, Fernandes Salling and
Hee.

No. 1311 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR A
GRANT-IN-AID TO THE CITY AND
COUNTY OF HONOLULU FOR NIMITZ
RELIEF SEWER, OAHU."

Introduced by: Senators Kawasaki,
Henderson and Fernandes Salling.

No. 1312 "A BILL FOR AN ACT
RELATING TO JUNKED VEHICLES."

Introduced by: Senators Kawasaki,
Henderson, Soares, Fernandes Salling and
Hee.

No. 1313 "A BILL FOR AN ACT
RELATING TO UNAUTHORIZED USE OF
LAW ENFORCEMENT SYMBOLS."

Introduced by: Senators Kawasaki,
Henderson, Soares, Fernandes Salling and
Hee.

No. 1314 "A BILL FOR AN ACT
RELATING TO PAYMENT FOR GOODS
AND SERVICES UNDER SECTION 103-10,

HAWAII REVISED STATUTES, AS
AMENDED."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1315 "A BILL FOR AN ACT
RELATING TO EXEMPTION OF GENERAL
EXCISE TAX FOR GOVERNMENT SERVICE
COMPANIES."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1316 "A BILL FOR AN ACT
RELATING TO LAND USE."

Introduced by: Senators Kawasaki, by
request, Henderson and Fernandes Salling

No. 1317 "A BILL FOR AN ACT
RELATING TO TRANSPORTATION."

Introduced by: Senators Kawasaki,
Henderson, Soares and Fernandes Salling.

No. 1318 "A BILL FOR AN ACT
RELATING TO DERELICT VEHICLE."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1319 "A BILL FOR AN ACT
RELATING TO THE ESTABLISHMENT OF A
STATE REVENUE SHARING PROGRAM
FOR THE SEVERAL COUNTIES."

Introduced by: Senators Kawasaki, by
request, Henderson and Fernandes Salling.

No. 1320 "A BILL FOR AN ACT
RELATING TO THE EXEMPTION OF SALES
AND GROSS PROCEEDS OF SALES TO
THE COUNTIES FROM GENERAL EXCISE
TAXATION."

Introduced by: Senators Kawasaki,
Soares and B. Kobayashi.

No. 1321 "A BILL FOR AN ACT
RELATING TO FINES AND FORFEITURES."

Introduced by: Senators Kawasaki,
Soares, Fernandes Salling and Hee.

No. 1322 "A BILL FOR AN ACT
RELATING TO THE PAYMENT OF BONDS
ISSUED FOR THE PLANNING,
CONSTRUCTION AND IMPROVEMENT OF
PUBLIC SCHOOL FACILITIES."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1323 "A BILL FOR AN ACT
RELATING TO TRANSIENT OCCUPANCY
TAX."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1324 "A BILL FOR AN ACT

RELATING TO ALARM BUSINESSES."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1325 "A BILL FOR AN ACT
RELATING TO CAREER CRIMINAL
PROSECUTION PROGRAM."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1326 "A BILL FOR AN ACT
RELATING TO ALLOWANCE ON SERVICE
RETIREMENT."

Introduced by: Senator Kawasaki, by
request.

No. 1327 "A BILL FOR AN ACT
RELATING TO ENDANGERING THE
WELFARE OF A MINOR."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1328 "A BILL FOR AN ACT
RELATING TO FIREARMS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1329 "A BILL FOR AN ACT
RELATING TO FUNERAL ESCORTS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1330 "A BILL FOR AN ACT
RELATING TO PROBATIONARY
APPOINTMENTS OF POLICE OFFICERS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1331 "A BILL FOR AN ACT
RELATING TO MOPEDS."

Introduced by: Senators Kawasaki,
Henderson and Fernandes Salling.

No. 1332 "A BILL FOR AN ACT
RELATING TO PROHIBITED MOTOR AND
OTHER VEHICLE EQUIPMENT."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1333 "A BILL FOR AN ACT
RELATING TO PROSTITUTION."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1334 "A BILL FOR AN ACT
RELATING TO TRANSIENT VACATION
RENTALS."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1335 "A BILL FOR AN ACT
RELATING TO SERVICE-CONNECTED
OCCUPATIONAL DISABILITY
RETIREMENT."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling and Hee.

No. 1336 "A BILL FOR AN ACT
RELATING TO HOUSING LOAN AND
MORTGAGE PROGRAMS."

Introduced by: Senators Kawasaki,
Henderson, Matsuura and Chang.

No. 1337 "A BILL FOR AN ACT
RELATING TO CIVIL DEFENSE AND
EMERGENCY ACT."

Introduced by: Senators Kawasaki and
Henderson.

No. 1338 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL
QUALITY."

Introduced by: Senator Toguchi.

No. 1339 "A BILL FOR AN ACT
RELATING TO INVESTMENT ADVISERS."

Introduced by: Senator Cayetano, by
request.

No. 1340 "A BILL FOR AN ACT
RELATING TO INTOXICATING LIQUOR."

Introduced by: Senators Kawasaki and
Henderson.

No. 1341 "A BILL FOR AN ACT
RELATING TO THE HAWAII CONVENTION
CENTER AUTHORITY."

Introduced by: Senators Soares and Aki.

No. 1342 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
CITY AND COUNTY OF HONOLULU FOR
THE OPERATION OF THE ROYAL
HAWAIIAN BAND."

Introduced by: Senator Soares.

No. 1343 "A BILL FOR AN ACT
RELATING TO THE ROYAL HAWAIIAN
BAND."

Introduced by: Senator Soares.

No. 1344 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
CAPITAL IMPROVEMENT PROJECTS IN
THE ELEVENTH SENATORIAL DISTRICT."

Introduced by: Senator Soares.

No. 1345 "A BILL FOR AN ACT
MAKING AN APPROPRIATION TO THE
CITY AND COUNTY OF HONOLULU FOR
THE OPERATION OF THE ROYAL

HAWAIIAN BAND."

Introduced by: Senator Soares.

No. 1346 "A BILL FOR AN ACT
RELATING TO TREE FARMS."

Introduced by: Senator Henderson.

No. 1347 "A BILL FOR AN ACT
RELATING TO TIME SHARING."

Introduced by: Senator Henderson.

No. 1348 "A BILL FOR AN ACT
RELATING TO ATTORNEYS' FEES AND
COSTS AND EXPENSES OF LITIGATION."

Introduced by: Senators Henderson and
Matsuura.

No. 1349 "A BILL FOR AN ACT
RELATING TO PUBLIC RECORDS."

Introduced by: Senator Henderson.

No. 1350 "A BILL FOR AN ACT
RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY."

Introduced by: Senator Young.

No. 1351 "A BILL FOR AN ACT
RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY."

Introduced by: Senator Young.

No. 1352 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR
FACILITIES IN THE 23RD SENATE
DISTRICT."

Introduced by: Senator Young.

No. 1353 "A BILL FOR AN ACT
RELATING TO PESTICIDES."

Introduced by: Senator Hee.

No. 1354 "A BILL FOR AN ACT
RELATING TO SOCIAL SERVICES AND
HOUSING."

Introduced by: Senator Cayetano, by
request.

No. 1355 "A BILL FOR AN ACT
RELATING TO AIRPORTS."

Introduced by: Senator Cayetano.

No. 1356 "A BILL FOR AN ACT
RELATING TO PUPIL TRANSPORTATION."

Introduced by: Senator Cayetano, by
request.

No. 1357 "A BILL FOR AN ACT
RELATING TO CAPITOL IMPROVEMENT
PROJECTS."

Introduced by: Senator Cayetano.

No. 1358 "A BILL FOR AN ACT
RELATING TO THE COSTS OF COURT."

Introduced by: Senator Cayetano.

No. 1359 "A BILL FOR AN ACT
RELATING TO DESIGN PROFESSIONAL
CONCILIATION PANEL."

Introduced by: Senator Cayetano.

No. 1360 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR A
GENERAL AVIATION RELEIVER AIRPORT
ON OAHU AT DILLINGHAM FIELD."

Introduced by: Senator Cayetano.

No. 1361 "A BILL FOR AN ACT
RELATING TO CHILD CARE."

Introduced by: Senator Cayetano.

No. 1362 "A BILL FOR AN ACT
RELATING TO CARGO DISTRIBUTION
PLANNING."

Introduced by: Senator Cayetano, by
request.

No. 1363 "A BILL FOR AN ACT
RELATING TO INFORMED CONSENT."

Introduced by: Senator Cayetano.

No. 1364 "A BILL FOR AN ACT
RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Cayetano.

No. 1365 "A BILL FOR AN ACT
RELATING TO EXAMINATION OF
APPLICANTS FOR HAWAII DRIVER'S
LICENSE."

Introduced by: Senator Cayetano, by
request.

No. 1366 "A BILL FOR AN ACT
RELATING TO HEALTH CARE
PROVIDERS."

Introduced by: Senators Cayetano,
George, Henderson, McMurdo and
Matsuura.

No. 1367 "A BILL FOR AN ACT
RELATING TO AIRPORTS."

Introduced by: Senator Cayetano.

No. 1368 "A BILL FOR AN ACT
RELATING TO TRAILER REGISTRATIONS."

Introduced by: Senator Cayetano, by
request.

No. 1369 "A BILL FOR AN ACT
RELATING TO DERELICT VEHICLES."

Introduced by: Senator Cayetano, by request.

No. 1370 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS."

Introduced by: Senators Cayetano, Fernandes Salling, Soares, Machida, Solomon, Kuroda, Hee, Toguchi, George, Matsuura and McMurdo.

No. 1371 "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES AND COSTS UNDER MOTOR VEHICLE ACCIDENT REPARATIONS."

Introduced by: Senators Cayetano, Fernandes Salling, Soares, Henderson, Machida, Kawasaki, Solomon, Kuroda, Hee, Toguchi, George and McMurdo.

No. 1372 "A BILL FOR AN ACT RELATING TO REQUIRED POLICY COVERAGE UNDER MOTOR VEHICLE ACCIDENT REPARATIONS."

Introduced by: Senators Cayetano, Solomon, Kuroda, Abercrombie, Hee, Toguchi, George, Matsuura and McMurdo.

No. 1373 "A BILL FOR AN ACT RELATING TO RENT CONTROL."

Introduced by: Senators Cayetano, Fernandes Salling, Kuroda, Hee, Matsuura Solomon, McMurdo and Toguchi.

No. 1374 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Senator Machida.

No. 1375 "A BILL FOR AN ACT RELATING TO TRAFFIC CONGESTION."

Introduced by: Senators Cayetano, Hee and Toguchi.

No. 1376 "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN INDIVIDUALS AND ORGANIZATIONS IN AN ACTION RELATING TO THE NATIVE HAWAIIAN PUBLIC TRUSTS."

Introduced by: Senator Solomon.

No. 1377 "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY."

Introduced by: Senator Solomon.

No. 1378 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO BRING HEAD START DAY CARE FACILITIES UP TO REQUIRED STANDARDS."

Introduced by: Senator Solomon.

No. 1379 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Solomon and Holt.

No. 1380 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR A SINGLE DEFINITION OF NATIVE HAWAIIAN AND HAWAIIAN."

Introduced by: Senator Solomon.

No. 1381 "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS."

Introduced by: Senator Kuroda.

No. 1382 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senator Hagino.

No. 1383 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII ECONOMIC OPPORTUNITY COUNCIL."

Introduced by: Senator Solomon.

No. 1384 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDENT ACTIVITIES COORDINATORS."

Introduced by: Senator Hagino.

No. 1385 "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES PROGRAM."

Introduced by: Senator Hagino.

No. 1386 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Senator Hagino.

No. 1387 "A BILL FOR AN ACT RELATING TO A E HAWAII KAKOU FEE."

Introduced by: Senator Hagino.

No. 1388 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES HEALTH FUND."

Introduced by: Senator Chang.

No. 1389 "A BILL FOR AN ACT RELATING TO ARBITRATION."

Introduced by: Senator Chang.

No. 1390 "A BILL FOR AN ACT RELATING TO THE MONITORING OF PESTICIDE AND HERBICIDE USE."

Introduced by: Senator Hagino.

No. 1391 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR KAHUKU HOSPITAL IMPROVEMENTS."

Introduced by: Senator Hagino.

No. 1392 "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Senator Hagino.

No. 1393 "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CLUSTER DEVELOPMENT WITHIN RURAL AND AGRICULTURAL LAND USE DISTRICTS."

Introduced by: Senator Hagino.

No. 1394 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."

Introduced by: Senator Hagino.

No. 1395 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Senator Hagino.

No. 1396 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Senator Hagino.

No. 1397 "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT."

Introduced by: Senator Hagino.

No. 1398 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHARED INFORMATION PILOT PROJECT."

Introduced by: Senators Matsuura and Toguchi.

No. 1399 "A BILL FOR AN ACT RELATING TO FRANCHISORS."

Introduced by: Senators Matsuura and Toguchi.

No. 1400 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING."

Introduced by: Senators Matsuura and Toguchi.

No. 1401 "A BILL FOR AN ACT RELATING TO ANTITRUST REGULATION."

Introduced by: Senators Matsuura and Toguchi.

No. 1402 "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."

Introduced by: Senators Matsuura and Toguchi.

No. 1403 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE AND USE TAX."

Introduced by: Senators Matsuura and Toguchi.

No. 1404 "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS."

Introduced by: Senator Chang.

No. 1405 "A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS."

Introduced by: Senators Chang and Cayetano.

No. 1406 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Senator Chang.

No. 1407 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION."

Introduced by: Senator Chang.

No. 1408 "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS."

Introduced by: Senator Chang.

No. 1409 "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS."

Introduced by: Senators Chang and Cayetano.

No. 1410 "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Introduced by: Senator Abercrombie.

No. 1411 "A BILL FOR AN ACT RELATING TO THE DIRECTOR OF HEALTH."

Introduced by: Senator B. Kobayashi.

No. 1412 "A BILL FOR AN ACT RELATING TO INFORMATION."

Introduced by: Senator Abercrombie.

No. 1413 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS."

Introduced by: Senator Abercrombie.

No. 1414 "A BILL FOR AN ACT
RELATING TO INTOXICATING LIQUOR."

Introduced by: Senator Abercrombie.

No. 1415 "A BILL FOR AN ACT
RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Senator Abercrombie.

No. 1416 "A BILL FOR AN ACT
RELATING TO INCOME TAXATION."

Introduced by: Senators Abercrombie
and McMurdo.

No. 1417 "A BILL FOR AN ACT
RELATING TO VICTIMS OF CRIME."

Introduced by: Senator Abercrombie.

No. 1418 "A BILL FOR AN ACT
RELATING TO THE MEDICAL
TREATMENT DECISION ACT."

Introduced by: Senators Abercrombie,
Matsuura and Cayetano.

No. 1419 "A BILL FOR AN ACT
RELATING TO CORRECTIONS."

Introduced by: Senator Abercrombie.

No. 1420 "A BILL FOR AN ACT
RELATING TO AVAILABILITY OF X-RAY
FILMS."

Introduced by: Senator Abercrombie.

No. 1421 "A BILL FOR AN ACT
RELATING TO INTEREST."

Introduced by: Senators Abercrombie
and Kawasaki.

No. 1422 "A BILL FOR AN ACT
RELATING TO CLASSIFICATION AND
COMPENSATION OF PUBLIC OFFICERS
AND EMPLOYEES."

Introduced by: Senator Abercrombie.

No. 1423 "A BILL FOR AN ACT
RELATING TO THE VICE DIRECTOR OF
CIVIL DEFENSE."

Introduced by: Senator Abercrombie.

No. 1424 "A BILL FOR AN ACT
RELATING TO THE COMPENSATION OF
PUBLIC OFFICERS."

Introduced by: Senator Abercrombie.

No. 1425 "A BILL FOR AN ACT
RELATING TO THE STATE LIBRARIAN."

Introduced by: Senator Abercrombie.

No. 1426 "A BILL FOR AN ACT

RELATING TO THE SALARIES OF
CERTAIN STATE OFFICERS."

Introduced by: Senator Abercrombie.

No. 1427 "A BILL FOR AN ACT
RELATING TO THE EXEMPTION OF KEY
ADMINISTRATIVE POSITIONS FROM THE
CIVIL SERVICE AND COMPENSATION
LAWS."

Introduced by: Senator Abercrombie.

No. 1428 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senator Abercrombie.

No. 1429 "A BILL FOR AN ACT
RELATING TO EXCLUDED OFFICERS
AND EMPLOYEES."

Introduced by: Senator Abercrombie.

No. 1430 "A BILL FOR AN ACT
RELATING TO SALES."

Introduced by: Senator Abercrombie.

No. 1431 "A BILL FOR AN ACT
RELATING TO CHILD CARE SERVICES."

Introduced by: Senator Abercrombie.

No. 1432 "A BILL FOR AN ACT
RELATING TO DOMICILIARY CARE."

Introduced by: Senator Abercrombie.

No. 1433 "A BILL FOR AN ACT
RELATING TO HUMAN SERVICES."

Introduced by: Senator Abercrombie.

No. 1434 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
SOCIAL SERVICES AND HOUSING."

Introduced by: Senator Abercrombie.

No. 1435 "A BILL FOR AN ACT
RELATING TO CHILD SUPPORT
ENFORCEMENT."

Introduced by: Senator Abercrombie.

No. 1436 "A BILL FOR AN ACT
RELATING TO THE CHILDREN'S TRUST
FUND."

Introduced by: Senator Abercrombie.

No. 1437 "A BILL FOR AN ACT
RELATING TO PAYMENT FOR FOSTER
CARE SERVICES."

Introduced by: Senator Abercrombie.

No. 1438 "A BILL FOR AN ACT
MAKING AN APPROPRIATION FOR

MULTIDISCIPLINARY TEAMS."

Introduced by: Senator Abererombie.

No. 1439 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES ADVISORY COMMITTEE."

Introduced by: Senator Abererombie.

No. 1440 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STATE FUNDED ADOPTION PROGRAM."

Introduced by: Senator Abererombie.

No. 1441 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Senator Abererombie.

No. 1442 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALTERNATIVE PLACING OF STATUS OFFENDERS."

Introduced by: Senator Abererombie.

No. 1443 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY."

Introduced by: Senator Abererombie.

No. 1444 "A BILL FOR AN ACT RELATING TO THE HEARING-IMPAIRED."

Introduced by: Senator Abererombie.

No. 1445 "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS."

Introduced by: Senator Abererombie.

No. 1446 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Senator Abererombie.

No. 1447 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE GRANTS-IN-AID FOR SOCIAL SERVICE PROGRAMS."

Introduced by: Senator Abererombie.

No. 1448 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRAINING OF POLICE OFFICERS IN THE AREA OF CHILD ABUSE AND FAMILY VIOLENCE."

Introduced by: Senator Abererombie.

No. 1449 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PARENTS ANONYMOUS OF HAWAII TO CONDUCT A PILOT PROJECT WITH HIGH RISK ADOLESCENTS TO PREVENT CHILD ABUSE AND NEGLECT."

Introduced by: Senator Abererombie.

No. 1450 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CONVALESCENT HOME ON THE KAISER HOSPITAL SITE."

Introduced by: Senator Abererombie.

No. 1451 "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES AND MAKING AN APPROPRIATION."

Introduced by: Senator Abererombie.

No. 1452 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ACADEMIC ASSISTANCE PROGRAM IN THE DEPARTMENT OF HEALTH, PHYSICAL EDUCATION AND RECREATION AT THE UNIVERSITY OF HAWAII."

Introduced by: Senator Abererombie.

No. 1453 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TEACHING FOREIGN LANGUAGES."

Introduced by: Senators Abererombie and Toguchi.

No. 1454 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAKIKI ENVIRONMENTAL EDUCATION CENTER."

Introduced by: Senators Abererombie and Toguchi.

No. 1455 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII EDUCATIONAL DISSEMINATION DIFFUSION SYSTEM."

Introduced by: Senators Abererombie and Toguchi.

No. 1456 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUBSTITUTE LIBRARIANS AND SUBSTITUTE CLERKS IN THE OFFICE OF LIBRARY SERVICES."

Introduced by: Senators Abererombie and Toguchi.

No. 1457 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE IMPLEMENTATION OF THE HAWAII IDENTIFICATION, VALIDATION, AND DISSEMINATION PROGRAM."

Introduced by: Senators Abererombie and Toguchi.

No. 1458 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GUARD SERVICES IN PUBLIC LIBRARY FACILITIES."

Introduced by: Senators Abercrombie and Toguchi.

No. 1459 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASBESTOS REMOVAL."

Introduced by: Senators Abercrombie and Toguchi.

No. 1460 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PURCHASE OF SERVICE TO THE HUMAN SERVICES COUNCIL, HAWAII COUNTY."

Introduced by: Senator Abercrombie.

No. 1461 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING PROCESSING ENTERPRISES."

Introduced by: Senators Abercrombie and Henderson.

No. 1462 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF VISUAL FIRE ALARMS IN HAWAII HOUSING AUTHORITY PROJECTS."

Introduced by: Senator Abercrombie.

No. 1463 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT CORRECTIONS OFFICERS."

Introduced by: Senator Abercrombie.

No. 1464 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HONOLULU SYMPHONY."

Introduced by: Senator Abercrombie.

No. 1465 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE WAIANAE UNITED METHODIST CHURCH."

Introduced by: Senator Abercrombie.

No. 1466 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIOGRAPHICAL CENTER AT THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Senator Abercrombie.

No. 1467 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII PRESS AT THE UNIVERSITY OF HAWAII AT MANOA."

Introduced by: Senator Abercrombie.

No. 1468 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BOARD OF PUBLICATIONS OF THE UNIVERSITY OF HAWAII AT MANOA,

OAHU."

Introduced by: Senator Abercrombie.

No. 1469 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII PUBLIC RADIO."

Introduced by: Senators Abercrombie and Toguchi.

No. 1470 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII PUBLIC RADIO."

Introduced by: Senators Abercrombie and Toguchi.

No. 1471 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A NIGHT COURT IN WAIKIKI."

Introduced by: Senators Abercrombie and McMurdo.

No. 1472 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VISITS TO THE BISHOP MUSEUM."

Introduced by: Senators Abercrombie and Toguchi.

No. 1473 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A SUBSTATION OF THE HONOLULU POLICE DEPARTMENT IN WAIKIKI."

Introduced by: Senators Abercrombie and McMurdo.

No. 1474 "A BILL FOR AN ACT RELATING TO HOME WATER FILTRATION SERVICES."

Introduced by: Senator Abercrombie.

No. 1475 "A BILL FOR AN ACT RELATING TO ALCOHOLIC BEVERAGES."

Introduced by: Senator Abercrombie.

No. 1476 "A BILL FOR AN ACT RELATING TO CHILD CARE."

Introduced by: Senator Abercrombie.

No. 1477 "A BILL FOR AN ACT RELATING TO THE CLASSIFICATION OF CHILD PROTECTIVE SERVICES SOCIAL WORKERS."

Introduced by: Senator Abercrombie.

No. 1478 "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING."

Introduced by: Senator Abercrombie.

No. 1479 "A BILL FOR AN ACT

RELATING TO CHILD ABUSE AND
NEGLECT."

Introduced by: Senator Abercrombie.

No. 1480 "A BILL FOR AN ACT
RELATING TO RENT CONTROL."

Introduced by: Senator Abercrombie.

No. 1481 "A BILL FOR AN ACT
RELATING TO LEASEHOLDS."

Introduced by: Senator Abercrombie.

No. 1482 "A BILL FOR AN ACT
RELATING TO CAPITAL IMPROVEMENT
PROJECTS."

Introduced by: Senator Abercrombie.

No. 1483 "A BILL FOR AN ACT
RELATING TO THE ACQUISITION OF
LANDS FOR PUBLIC RIGHTS-OF-WAY
AND PUBLIC TRANSIT CORRIDORS."

Introduced by: Senators Kawasaki,
Kuroda, Chang, Young, Wong, Solomon,
Yamasaki, Hagino, Aki and Machida.

No. 1485 "A BILL FOR AN ACT
RELATING TO LAND."

Introduced by: Senator Abercrombie.

No. 1486 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senator Soares.

No. 1487 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND."

Introduced by: Senator Wong, by
request.

On motion by Senator Cobb, seconded by
Senator Soares and carried, the following
bills were referred to print and were placed
on the calendar for further consideration on
Wednesday, February 13, 1985:

Senate Bills

No. 884 "A BILL FOR AN ACT
RELATING TO INDUSTRIAL
DEVELOPMENT BONDS."

Introduced by: Senators Wong and
Henderson.

No. 885 "A BILL FOR AN ACT
RELATING TO INDUSTRIAL
DEVELOPMENT BONDS."

Introduced by: Senators Wong and
Henderson.

No. 941 "A BILL FOR AN ACT

RELATING TO AGRICULTURE."

Introduced by: Senators Wong and
Henderson.

No. 942 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
AGRICULTURE."

Introduced by: Senators Wong and
Henderson.

No. 943 "A BILL FOR AN ACT
RELATING TO AQUACULTURE."

Introduced by: Senators Wong and
Henderson.

No. 944 "A BILL FOR AN ACT
RELATING TO AGRICULTURAL WATER
USE."

Introduced by: Senators Wong and
Henderson.

No. 945 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
COMMERCE AND CONSUMER AFFAIRS."

Introduced by: Senators Wong and
Henderson.

No. 946 "A BILL FOR AN ACT
RELATING TO AGREEMENTS OF SALE."

Introduced by: Senators Wong and
Henderson.

No. 947 "A BILL FOR AN ACT
RELATING TO CORPORATIONS."

Introduced by: Senators Wong and
Henderson.

No. 948 "A BILL FOR AN ACT
RELATING TO CORPORATIONS."

Introduced by: Senators Wong and
Henderson.

No. 949 "A BILL FOR AN ACT
RELATING TO THE RESIDENTIAL
LANDLORD-TENANT CODE."

Introduced by: Senators Wong and
Henderson.

No. 950 "A BILL FOR AN ACT
RELATING TO USURY."

Introduced by: Senators Wong and
Henderson.

No. 951 "A BILL FOR AN ACT
RELATING TO MORTGAGES."

Introduced by: Senators Wong and
Henderson.

No. 952 "A BILL FOR AN ACT
RELATING TO HORIZONTAL PROPERTY

REGIMES."

Introduced by: Senators Wong and Henderson.

No. 953 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Wong and Henderson.

No. 954 "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES."

Introduced by: Senators Wong and Henderson.

No. 955 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Senators Wong and Henderson.

No. 956 "A BILL FOR AN ACT RELATING TO LICENSURE."

Introduced by: Senators Wong and Henderson.

No. 957 "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS."

Introduced by: Senators Wong and Henderson.

No. 958 "A BILL FOR AN ACT RELATING TO BUSINESS REGULATION."

Introduced by: Senators Wong and Henderson.

No. 959 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Senators Wong and Henderson.

No. 960 "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)."

Introduced by: Senators Wong and Henderson.

No. 961 "A BILL FOR AN ACT RELATING TO BANKS."

Introduced by: Senators Wong and Henderson.

No. 962 "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Introduced by: Senators Wong and Henderson.

No. 963 "A BILL FOR AN ACT

RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Wong and Henderson.

No. 964 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Senators Wong and Henderson.

No. 965 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Senators Wong and Henderson.

No. 966 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Senators Wong and Henderson.

No. 967 "A BILL FOR AN ACT RELATING TO LAND."

Introduced by: Senators Wong and Henderson.

No. 968 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Senators Wong and Henderson.

No. 969 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Senators Wong and Henderson.

No. 970 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Introduced by: Senators Wong and Henderson.

No. 971 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Senators Wong and Henderson.

No. 972 "A BILL FOR AN ACT RELATING TO LIBRARIES."

Introduced by: Senators Wong and Henderson.

No. 973 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION."

Introduced by: Senators Wong and Henderson.

No. 974 "A BILL FOR AN ACT
RELATING TO THE CULTURE AND THE
ARTS."

Introduced by: Senators Wong and
Henderson.

No. 975 "A BILL FOR AN ACT
RELATING TO THE BOARD OF
EDUCATION."

Introduced by: Senators Wong and
Henderson.

No. 976 "A BILL FOR AN ACT
RELATING TO SCHOOL REPAIR AND
MAINTENANCE."

Introduced by: Senators Wong and
Henderson.

No. 977 "A BILL FOR AN ACT
RELATING TO THE SCHOOL PRIORITY
FUNDS."

Introduced by: Senators Wong and
Henderson.

No. 978 "A BILL FOR AN ACT
RELATING TO BRAILLE."

Introduced by: Senators Wong and
Henderson.

No. 979 "A BILL FOR AN ACT
RELATING TO ENERGY."

Introduced by: Senators Wong and
Henderson.

No. 980 "A BILL FOR AN ACT
RELATING TO ENERGY."

Introduced by: Senators Wong and
Henderson.

No. 981 "A BILL FOR AN ACT
RELATING TO GOVERNMENT
OPERATIONS."

Introduced by: Senators Wong and
Henderson.

No. 982 "A BILL FOR AN ACT
RELATING TO COUNTIES."

Introduced by: Senators Wong and
Henderson.

No. 983 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
DEFENSE."

Introduced by: Senators Wong and
Henderson.

No. 984 "A BILL FOR AN ACT
RELATING TO CIVIL DEFENSE."

Introduced by: Senators Wong and

Henderson.

No. 985 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators Wong and
Henderson.

No. 986 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators Wong and
Henderson.

No. 987 "A BILL FOR AN ACT
RELATING TO HEALTH."

Introduced by: Senators Wong and
Henderson.

No. 988 "A BILL FOR AN ACT
RELATING TO HOSPITALS."

Introduced by: Senators Wong and
Henderson.

No. 989 "A BILL FOR AN ACT
RELATING TO HOSPITALS."

Introduced by: Senators Wong and
Henderson.

No. 990 "A BILL FOR AN ACT
RELATING TO ENVIRONMENTAL
HEALTH."

Introduced by: Senators Wong and
Henderson.

No. 991 "A BILL FOR AN ACT
RELATING TO PESTICIDES."

Introduced by: Senators Wong and
Henderson.

No. 992 "A BILL FOR AN ACT
RELATING TO HIGHER EDUCATION."

Introduced by: Senators Wong and
Henderson.

No. 993 "A BILL FOR AN ACT
RELATING TO HIGHER EDUCATION."

Introduced by: Senators Wong and
Henderson.

No. 994 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Wong and
Henderson.

No. 995 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Wong and
Henderson.

No. 996 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Wong and
Henderson.

No. 997 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Wong and
Henderson.

No. 998 "A BILL FOR AN ACT
RELATING TO THE UNIVERSITY OF
HAWAII."

Introduced by: Senators Wong and
Henderson.

No. 999 "A BILL FOR AN ACT
RELATING TO THE BOARD OF REGENTS."

Introduced by: Senators Wong and
Henderson.

No. 1000 "A BILL FOR AN ACT
RELATING TO THE COMMUNITY
COLLEGES."

Introduced by: Senators Wong and
Henderson.

No. 1001 "A BILL FOR AN ACT
RELATING TO THE WESTERN
INTERSTATE COMMISSION FOR HIGHER
EDUCATION."

Introduced by: Senators Wong and
Henderson.

No. 1002 "A BILL FOR AN ACT
RELATING TO STUDENT LOANS,
GRANTS, SCHOLARSHIPS AND TUITION
WAIVERS FOR HIGHER EDUCATION."

Introduced by: Senators Wong and
Henderson.

No. 1003 "A BILL FOR AN ACT
RELATING TO THE STATE POST
SECONDARY EDUCATION COMMISSION."

Introduced by: Senators Wong and
Henderson.

No. 1004 "A BILL FOR AN ACT
RELATING TO HOUSING."

Introduced by: Senators Wong and
Henderson.

No. 1005 "A BILL FOR AN ACT
RELATING TO THE HAWAII HOUSING
AUTHORITY."

Introduced by: Senators Wong and
Henderson.

No. 1006 "A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY."

Introduced by: Senators Wong and
Henderson.

No. 1007 "A BILL FOR AN ACT
RELATING TO THE ALOHA TOWER
DEVELOPMENT CORPORATION."

Introduced by: Senators Wong and
Henderson.

No. 1008 "A BILL FOR AN ACT
RELATING TO RESIDENTIAL
LEASEHOLDS."

Introduced by: Senators Wong and
Henderson.

No. 1009 "A BILL FOR AN ACT
RELATING TO PROPERTY."

Introduced by: Senators Wong and
Henderson.

No. 1010 "A BILL FOR AN ACT
RELATING TO HUMAN SERVICES."

Introduced by: Senators Wong and
Henderson.

No. 1011 "A BILL FOR AN ACT
RELATING TO THE DEPARTMENT OF
SOCIAL SERVICES AND HOUSING."

Introduced by: Senators Wong and
Henderson.

No. 1012 "A BILL FOR AN ACT
RELATING TO CHILDREN AND YOUTH."

Introduced by: Senators Wong and
Henderson.

No. 1013 "A BILL FOR AN ACT
RELATING TO THE ELDERLY."

Introduced by: Senators Wong and
Henderson.

No. 1014 "A BILL FOR AN ACT
RELATING TO CHILD CARE."

Introduced by: Senators Wong and
Henderson.

No. 1015 "A BILL FOR AN ACT
RELATING TO FOSTER CARE."

Introduced by: Senators Wong and
Henderson.

No. 1016 "A BILL FOR AN ACT
RELATING TO CHILD PROTECTIVE
SERVICES."

Introduced by: Senators Wong and
Henderson.

No. 1017 "A BILL FOR AN ACT

RELATING TO INTERSTATE COMPACT
ON PLACEMENT OF CHILDREN."

Introduced by: Senators Wong and
Henderson.

No. 1018 "A BILL FOR AN ACT
RELATING TO THE JUDICIARY."

Introduced by: Senators Wong and
Henderson.

No. 1019 "A BILL FOR AN ACT
RELATING TO THE ATTORNEY
GENERAL."

Introduced by: Senators Wong and
Henderson.

No. 1020 "A BILL FOR AN ACT
RELATING TO TORTS."

Introduced by: Senators Wong and
Henderson.

No. 1021 "A BILL FOR AN ACT
RELATING TO CRIMINAL JUSTICE."

Introduced by: Senators Wong and
Henderson.

No. 1022 "A BILL FOR AN ACT
RELATING TO THE PRACTICE OF LAW."

Introduced by: Senators Wong and
Henderson.

No. 1023 "A BILL FOR AN ACT
RELATING TO THE COURTS."

Introduced by: Senators Wong and
Henderson.

No. 1024 "A BILL FOR AN ACT
RELATING TO THE HAWAII STATE
CONSTITUTION."

Introduced by: Senators Wong and
Henderson.

No. 1025 "A BILL FOR AN ACT
RELATING TO ADMINISTRATIVE
PROCEDURES."

Introduced by: Senators Wong and
Henderson.

No. 1026 "A BILL FOR AN ACT
RELATING TO PRIVILEGED
COMMUNICATIONS."

Introduced by: Senators Wong and
Henderson.

No. 1027 "A BILL FOR AN ACT
RELATING TO ELECTIONS."

Introduced by: Senators Wong and
Henderson.

No. 1028 "A BILL FOR AN ACT
RELATING TO INTAKE SERVICE
CENTERS."

Introduced by: Senators Wong and
Henderson.

No. 1029 "A BILL FOR AN ACT
RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Senators Wong and
Henderson.

No. 1030 "A BILL FOR AN ACT
RELATING TO LABOR AND INDUSTRIAL
RELATIONS."

Introduced by: Senators Wong and
Henderson.

No. 1031 "A BILL FOR AN ACT
RELATING TO PERSONNEL SERVICES."

Introduced by: Senators Wong and
Henderson.

No. 1032 "A BILL FOR AN ACT
RELATING TO THE PUBLIC EMPLOYEES
HEALTH FUND."

Introduced by: Senators Wong and
Henderson.

No. 1033 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES'
RETIREMENT SYSTEM."

Introduced by: Senators Wong and
Henderson.

No. 1034 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT SECURITY."

Introduced by: Senators Wong and
Henderson.

No. 1035 "A BILL FOR AN ACT
RELATING TO UNEMPLOYMENT
INSURANCE."

Introduced by: Senators Wong and
Henderson.

No. 1036 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Wong and
Henderson.

No. 1037 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Wong and
Henderson.

No. 1038 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."

Introduced by: Senators Wong and Henderson.	No. 1050 "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION."
No. 1039 "A BILL FOR AN ACT RELATING TO COMPARABLE WORTH."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1051 "A BILL FOR AN ACT RELATING TO WATER TRANSPORTATION."
No. 1040 "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1052 "A BILL FOR AN ACT RELATING TO LAND TRANSPORTATION."
No. 1041 "A BILL FOR AN ACT RELATING TO THE LEGISLATURE."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1053 "A BILL FOR AN ACT RELATING TO HIGHWAYS."
No. 1042 "A BILL FOR AN ACT RELATING TO LEGISLATIVE SUPPORT AGENCIES."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1054 "A BILL FOR AN ACT RELATING TO THE OAHU METROPOLITAN PLANNING ORGANIZATION."
No. 1043 "A BILL FOR AN ACT RELATING TO TOURISM."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1055 "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND."
No. 1044 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1056 "A BILL FOR AN ACT RELATING TO UNIFORM AERONAUTICS ACT (MODIFIED)."
No. 1045 "A BILL FOR AN ACT RELATING TO RECREATION."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1057 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS."
No. 1046 "A BILL FOR AN ACT RELATING TO PARKS."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1058 "A BILL FOR AN ACT RELATING TO THE BUDGETING PROCESS."
No. 1047 "A BILL FOR AN ACT RELATING TO BOATING."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1059 "A BILL FOR AN ACT RELATING TO LOANS."
No. 1048 "A BILL FOR AN ACT RELATING TO A CONVENTION CENTER."	Introduced by: Senators Wong and Henderson.
Introduced by: Senators Wong and Henderson.	No. 1060 "A BILL FOR AN ACT RELATING TO THE LAPSING OF APPROPRIATIONS."
No. 1049 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."	
Introduced by: Senators Wong and Henderson.	

- Introduced by: Senators Wong and Henderson. RELATING TO TAXATION."
- No. 1061 "A BILL FOR AN ACT
RELATING TO WORKERS'
COMPENSATION."
Introduced by: Senators Wong and Henderson.
- No. 1062 "A BILL FOR AN ACT
RELATING TO GRANTS-IN-AID."
Introduced by: Senators Wong and Henderson.
- No. 1063 "A BILL FOR AN ACT
RELATING TO EMPLOYEES EXCLUDED
FROM COLLECTIVE BARGAINING."
Introduced by: Senators Wong and Henderson.
- No. 1064 "A BILL FOR AN ACT
RELATING TO BOARDS AND
COMMISSIONS."
Introduced by: Senators Wong and Henderson.
- No. 1065 "A BILL FOR AN ACT
RELATING TO PUBLIC CONTRACTS."
Introduced by: Senators Wong and Henderson.
- No. 1066 "A BILL FOR AN ACT
RELATING TO SPECIAL PURPOSE
REVENUE BONDS."
Introduced by: Senators Wong and Henderson.
- No. 1067 "A BILL FOR AN ACT
RELATING TO UNEMPLOYMENT."
Introduced by: Senators Wong and Henderson.
- No. 1068 "A BILL FOR AN ACT
RELATING TO OFFICE OF HAWAIIAN
AFFAIRS."
Introduced by: Senators Wong and Henderson.
- No. 1069 "A BILL FOR AN ACT
RELATING TO PUBLIC EMPLOYEES
HEALTH FUND."
Introduced by: Senators Wong and Henderson.
- No. 1070 "A BILL FOR AN ACT
RELATING TO THE EMPLOYEES
RETIREMENT SYSTEM."
Introduced by: Senators Wong and Henderson.
- No. 1071 "A BILL FOR AN ACT
RELATING TO TAXATION."
Introduced by: Senators Wong and Henderson.
- No. 1072 "A BILL FOR AN ACT
RELATING TO THE STATE
CONSTITUTION."
Introduced by: Senators Wong and Henderson.
- No. 1073 "A BILL FOR AN ACT
RELATING TO DISASTER RELIEF."
Introduced by: Senators Wong and Henderson.
- No. 1074 "A BILL FOR AN ACT
RELATING TO EMPLOYMENT SECURITY."
Introduced by: Senators Wong and Henderson.
- No. 1075 "A BILL FOR AN ACT
RELATING TO TAXATION."
Introduced by: Senators Wong and Henderson.
- No. 1076 "A BILL FOR AN ACT
RELATING TO NON-TAX REVENUES."
Introduced by: Senators Wong and Henderson.
- No. 1077 "A BILL FOR AN ACT
RELATING TO THE LEGISLATURE."
Introduced by: Senators Wong and Henderson.
- No. 1078 "A BILL FOR AN ACT
RELATING TO FEES."
Introduced by: Senators Wong and Henderson.
- No. 1079 "A BILL FOR AN ACT
RELATING TO JUDICIARY."
Introduced by: Senators Wong and Henderson.
- No. 1080 "A BILL FOR AN ACT
RELATING TO EXECUTIVE
DEPARTMENTS."
Introduced by: Senators Wong and Henderson.
- No. 1081 "A BILL FOR AN ACT
RELATING TO GRANTS, SUBSIDIES, AND
PURCHASES OF SERVICE."
Introduced by: Senators Wong and Henderson.
- No. 1082 "A BILL FOR AN ACT
RELATING TO THE BUDGET."

Introduced by: Senators Wong and
Henderson.

No. 1083 "A BILL FOR AN ACT
RELATING TO COLLECTIVE
BARGAINING."

Introduced by: Senators Wong and
Henderson.

No. 1084 "A BILL FOR AN ACT
RELATING TO THE GENERAL EXCISE
TAX."

Introduced by: Senators Wong and
Henderson.

No. 1085 "A BILL FOR AN ACT
RELATING TO TOBACCO TAX."

Introduced by: Senators Wong and
Henderson.

No. 1086 "A BILL FOR AN ACT
RELATING TO SPECIAL PURPOSE
REVENUE BONDS."

Introduced by: Senators Henderson,
Matsuura and Wong.

No. 1087 "A BILL FOR AN ACT
RELATING TO SPECIAL PURPOSE
REVENUE BONDS."

Introduced by: Senators Henderson,
Matsuura and Wong.

No. 1088 "A BILL FOR AN ACT
RELATING TO HEALTH CLUB."

Introduced by: Senators Wong and
Henderson.

No. 1484 "A BILL FOR AN ACT
RELATING TO COUNTY BONDS AND
FINANCING SOLID WASTE PROCESSING
AND DISPOSAL AND ELECTRIC
GENERATING FACILITIES."

Introduced by: Senators Kawasaki,
Henderson, Fernandes Salling, McMurdo
and Hee.

At 11:49 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.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on
Legislative Management, presented a report
(Stand. Com. Rep. No. 11) informing the
Senate that S.B. Nos. 583 to 723 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.

ORDER OF THE DAY

MATTER DEFERRED FROM
FRIDAY, FEBRUARY 8, 1985

REFERRAL OF SENATE RESOLUTIONS

By unanimous consent, consideration of
Senate Concurrent Resolution No. 3 and
Senate Resolution No. 10 was deferred until
Wednesday, February 13, 1985.

MATTER DEFERRED FROM
MONDAY, FEBRUARY 11, 1985

REFERRAL OF SENATE RESOLUTIONS

By unanimous consent, consideration of
Senate Concurrent Resolution Nos. 4 and 5
and Senate Resolution No. 11 was deferred
until Wednesday, February 13, 1985.

REFERRAL OF SENATE BILLS

By unanimous consent, consideration of
Senate Bill Nos. 496 to 723 was deferred
until Wednesday, February 13, 1985.

At this time, Senator Abercrombie rose to
speak on a point of personal privilege as
follows:

"Mr. Vice President, I'm compelled to
take the floor at this juncture because it
doesn't appear that we're going to be able
to, in the press of business, make a point
that needs to be made, apparently, to the
Board of Education that has delayed in
making a decision in the area of library
fines, and continues to thwart the
legislative purpose.

"Mr. Vice President, I feel compelled to
make this commentary inasmuch as I was
the responsible party in this body at the
time when this bill was passed.

"I find members of the Board of Education
calling our legislation discriminatory is a
direct reflection on the hard work that was
done by the librarian, by supporters of the
librarian and by legislators, many of whom
are in this body and voted for this
legislation, and by no means or stretch of
the imagination could be said to have voted
for a discriminatory legislation. On the
contrary, Mr. Vice President, we are
discriminating against every borrower of
books and discriminating against every
taxpayer in this state; discriminating
against anyone who supports the library
system by continuing to allow vast numbers
of books, in the thousands, to be, in effect,
stolen from the library without doing
anything about it and we are the only
jurisdiction in the entire United States that
does it and allows it.

"Contrary to it being discriminatory, we

are trying to recover in the neighborhood and will, by the best estimates made available to us, a quarter of a million dollars a year in fines alone which are being lost to the general revenues of this state and have to be made up by the taxpayers, made up by those people who are borrowing books because we have not dealt with this issue.

"Many members recall where I was able to show, at the time of this legislation passing sheet, after sheet, after sheet of printout material of books that had been taken and, in effect, stolen and prevented, at the very least, from being used by other patrons of our public library system because there was no effective remedy in terms of even a modest fine system to deal with it.

"We dealt with the questions of community school libraries. We dealt with the public library system in the legislation that was passed in conference committee and, unfortunately, I must say, and I have to plead guilty here, we left in the conference committee report, and I just want to quote very briefly from it, 'with respect to minors, the guardians, parents of minors, on library books overdue, your Committee on Conference feels that this area of concern should be addressed by the state Board of Education when it implements the assessment of library fines.' And it's two years and it hasn't been done. Now we get another board come in and want to start it all over again.

"Now, this thing has to be settled. It's hurting the state librarian. It is absolutely clear as to what the legislation says, 'any person who detains a book, newspaper, etc., belonging to any public library or similar institution controlled by the state...' and, obviously, that was put there to refer to the community school libraries. And it's the community school libraries that have access to more materials, if it's there, than many of our other libraries do, and they are being denied it. It's actually harming the community school libraries.

"One of the things we have tried to do over and over again in this Legislature and for which we are constantly being criticized by outside parties is that we are too soft on people who are not obeying the rules, committing crimes. Now, I have to believe that the people of this state want, in the area of libraries or anything else, to have the rules obeyed and that there should be consequences when you don't obey the rules.

"One of the problems we have in the DOE and in other areas of our life is that people don't believe there are consequences to your actions; that when you take actions against the public interest or violate the law or violate the rules and regulations, that nothing happens. Nothing is done.

"There are all kinds of...we have to pay our taxes. If that isn't done on time, you're fined. You have to estimate your taxes. If that isn't done on time, you can be penalized, all kinds of penalties come in. But, when you break the law, break the rules, violate the regulations wantonly, you can do it with impunity.

"Now, I for one for a long time have supported the idea of an elected board of education but since this board has gotten under way again, more and more we find ourselves being swatted after all kinds of activity in the Legislature by the Board of Education failing to act on its responsibilities. And in this particular instance, it is not the late fine vote, it is the late vote being taken on fines. That's where we have the problem! I want this Board of Education to get off its 'okoles' and get to work; get these fines in and help our libraries to get back to where they should be and teach some people some responsibility with respect to the libraries.

"The Board of Education has to get on the ball. If we can't have a board of education that's going to do its job, if we can't have a board of education that can read the English language in the plain common sense meaning of the words in the laws that we pass, then perhaps we ought to get an advisory board of education and have the superintendent of schools and the state librarian report directly to the Legislature because we're the ones that have to come up with the money and we're the ones that have to take the grief, as far as the public is concerned, when the services are not available, and when things are not running according to the rules and regulations that have been established on behalf of the public interest.

"The Board of Education has to get on the ball and get moving and start making the decisions it's supposed to make or we aren't going to have a board of education anymore, at least in the context as it's presently existing."

Senator Toguchi added his comments as follows:

"Mr. Vice President, I just want to say that I fully support the comments of the previous speaker. We will be meeting with the board on Thursday night at 7:30 and will discuss this issue among other things. Thank you."

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 13, 1985.

TWENTY-FIRST DAY

Wednesday, February 13, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Thomas Okano of the Honpa Hongwanji Mission, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twentieth Day.

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

Senator Young introduced Donna Gottschalk and Gina Winn, students from Ilima Intermediate School, Ewa Beach, who are here participating in the school's legislative awareness program. Senator Young said that "hopefully, this program will encourage students to become more aware of the law-making process and to learn how citizens can participate in government. Each week a new group of students will be selected for this program." The students were accompanied by Mrs. Rena Beamer, staff member.

Senator Chang then introduced the 1985 Narcissus Queen and court and remarked as follows:

"Mr. Vice President, according to the Chinese lunar calendar, this is the Year of the Ox. The Chinese Chamber of Commerce has once again selected beautiful women of Chinese ancestry in the 36th Annual Narcissus Queen Pageant. These women represent beauty, poise, personality and talent of Hawaii's young Chinese women. They also symbolize the commencement of the Chinese new year.

"Members of the Senate, I would like to introduce to you the 1985 Narcissus Queen and court: Queen Karen Jade Sau Mei Von; First Princess Helen Chun; Second Princess Kim Wu; Third Princess Lynette Lee; and Fourth Princess Yvonne Leong.

"Also with us are representatives of the Chinese Chamber of Commerce: Mr. Paul Lau, President, and Mr. Warren Luke, Narcissus Queen Festival Chairman."

The ladies and gentlemen rose to be recognized and were presented with the Senate Certificate by Senator Chang and Senators McMurdo, Young, Cobb, Mizuguchi, Holt and Soares presented the leis.

Senator Soares then rose to introduce Mr. Sid Fernandez, who was accompanied by his mother Sheila Fernandez, and remarked as

follows:

"Mr. Vice President, if you drive around the island in the next few weeks, you will see a lot of signs in various districts calling for registration of little league applicants, T-ball applicants, by various organizations that are beginning to recruit young athletes in baseball athletes, some of them aspiring to someday reach the heights of major league activity.

"I am very proud, this morning, to have this honorable body meet one of the boys that started years ago in one of the same baseball programs in Kailua, Sid Fernandez. Sid started in T-ball and was voted the most valuable player in 1971; as a 9-year old in little league baseball, he was the winner of the most valuable player award in the state championships for 12-year olds. While playing for Kaiser High School, he was voted the most outstanding pitcher in the state championship, pitching a no-hit, no-run game. Again, he was voted the most outstanding player in Hawaii.

"Many of the scouts throughout the country were following Sid's career with interest and, finally, he was recruited by the LA Dodgers, spent a few years in Florida and Arizona, and then was picked up by the New York Mets. At the New York Mets one of his first assignments was to pitch against one of his old teammates and friend, Fernando Valenzuela, of the LA Dodgers. I'm proud to say that Sid Fernandez beat him. The pressure, of course, on this young gentleman must have been fantastic — imagine facing such an outstanding pitcher — Sid was challenged and walked off the mound as the proud winner.

"We have on this floor, this morning, Sid Fernandez. With him is his mother Sheila, who most of us know because she works here at our Minority Research Office. She has played a very, very important part in this boy's life, and I think that just as most mothers greet with joy and suffer with sadness the ups and downs of their children's lives, she's had to absorb a lot of pressure both from Sid and the rest of the family as he pursued his contract pitching for the New York Mets.

"Mr. Vice President and members of the Senate, it's very difficult for me to describe what this boy has to face as he leaves next Monday for the New York Mets where they've got some fantastic pitchers, but I'm sure you all join me in wishing Sid well in his tremendous career. We are proud to see this young man blossom both physically as well as athletically ... he's no small guy either ... and we'd like to honor him this morning with

a certificate and have him meet all of you."

Sid Fernandez and his mother, Sheila Fernandez, rose to be recognized and were presented the Senate Certificate by Senator Soares.

Senator Kuroda then introduced the 1984 Little League Junior Division World Series Champions who were sitting in the gallery; Mr. Dan Miyamura, team manager, and Chris Gushiken, team player-representative, who were sitting on the Senate floor. Senator Kuroda remarked as follows:

"Mr. Vice President, ladies and gentlemen, we are grateful for the presence of Sid Fernandez, professional baseball player and a former Hawaii State Little League star, as we recognize and honor a group of present little leaguers who hail from Pearl City.

"Most of the Senators are familiar with the little leaguers as 9- to 12-year olds. We have had the Senior Division, 14- to 15-year olds, in Hawaii for over 10 years. We also have the Big League Division, 16- to 18-year olds, for about 8 years. For the past 4 years, we have had the 13-year old division called the Junior Division.

"In 1984, Hawaii sent the Junior Division champions to the national competition for the first time and this group of 13-year old boys went all the way and won the World Series which was held at Taylor, Michigan, on August 21, 1984. 1984 was not only the 25th year of statehood, it was also Pearl City Little League's 25th year of operation.

"Pearl City is part of Senator Cayetano's and my district and was part of Senator Mizuguchi's and Senator Young's district."

The following individual members of the championship team, accompanied by their parents and former team coach Sub Agor, were introduced by Senators Cayetano, Mizuguchi, Young and Kuroda: Wade Balidoy, Ryan Ching, Wil Cordes, Scott Yamamoto, Ron Nakamura, Richard Nonaka, Royden Oshita, Scot Paiva, Lanson Ronquilio, Dean Saiki, Scott Sato, Sean Silva, and Michael Tamashiro.

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock a.m.

At this time, the Chair invited the 1985 Narcissus Queen Karen Jade Von to the rostrum and she addressed the members of the Senate as follows:

"Please bear with me, this is my first speech of the year.

"I'd like to address the members of the Senate, honored guests and friends. Thank you for inviting us. It is a privilege and honor to be here today to get the recognition of our hard work that we've spent many, many months preparing for the pageant.

"We'd like to wish you all a Happy New Year in the Year of the Ox and to thank you again for having us here and honoring us today.

"Kung Hee Fat Choy!"

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 12) informing the Senate that S.B. Nos. 724 to 1355 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.

ORDER OF THE DAY

MATTER DEFERRED FROM
MONDAY, FEBRUARY 11, 1985

S.C.R. No. 5:

On motion by Senator Solomon, seconded by Senator Cayetano and carried, S.C.R. No. 5, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE WEEK BEGINNING MARCH 3, 1985 AS 'WOMEN'S HISTORY WEEK' AND URGING FULL COMMUNITY PARTICIPATION IN THE WEEK'S MANY ACTIVITIES," was adopted.

REFERRAL OF SENATE RESOLUTIONS

The Chair made the following committee assignments of resolutions that were offered on Monday, February 11, 1985:

Senate Concurrent Resolution	Referred to:
No. 4	Committee on Health

Senate Resolution	Referred to:
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No. 11	Committee on Health, then to the Committee on Legislative Management
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By unanimous consent, consideration of Senate Concurrent Resolution Nos. 3 and 6 to 8 and Senate Resolution Nos. 10 and 12 to 14 was deferred until Thursday, February 14, 1985.

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Friday, February 8, 1985:

Senate Bills Referred to:

No. 496 Committee on Judiciary, then to the Committee on Ways and Means

No. 497 Committee on Judiciary, then to the Committee on Ways and Means

No. 498 Committee on Judiciary

No. 499 Committee on Judiciary, then to the Committee on Ways and Means

No. 500 Committee on Judiciary, then to the Committee on Ways and Means

No. 501 Committee on Government Operations, then to the Committee on Ways and Means

No. 502 Committee on Judiciary, then to the Committee on Ways and Means

No. 503 Committee on Judiciary, then to the Committee on Ways and Means

No. 504 Committee on Judiciary

No. 505 Committee on Judiciary

No. 506 Committee on Judiciary

No. 507 Committee on Judiciary

No. 508 Committee on Human Services, then to the Committee on Judiciary

No. 509 Committee on Judiciary, then to the Committee on Ways and Means

No. 510 Committee on Consumer Protection and Commerce

No. 511 Committee on Health, then to the Committee on Ways and Means

No. 512 Committee on Agriculture, then to the Committee on Ways and Means

No. 513 Committee on Government Operations, then to the Committee on Ways and Means

No. 514 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 515 Committee on Economic Development, then to the Committee on Ways and Means

No. 516 Committee on Agriculture, then to the Committee on Ways and Means

No. 517 Committee on Agriculture, then to the Committee on Ways and Means

No. 518 Committee on Higher Education, then to the Committee on Ways and Means

No. 519 Committee on Agriculture, then to the Committee on Ways and Means

No. 520 Committee on Agriculture, then to the Committee on Ways and Means

No. 521 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 522 Committee on Economic Development, then to the Committee on Ways and Means

No. 523 Committee on Health, then to the Committee on Ways and Means

No. 524 Committee on Higher Education, then to the Committee on Ways and Means

No. 525 Committee on Higher Education, then to the Committee on Ways and Means

No. 526 Committee on Higher Education, then to the Committee on Ways and Means

No. 527 Committee on Higher Education, then to the Committee on Ways and Means

No. 528 Committee on Higher Education, then to the Committee on Ways and Means

No. 529 Committee on Higher Education, then to the Committee on Ways and Means

No. 530 Committee on Higher Education, then to the Committee on Ways and Means

No. 531 Committee on Higher Education, then to the Committee on Ways and Means

No. 532 Committee on Higher Education, then to the Committee on Ways and Means

No. 533 Committee on Transportation, then to the Committee on Ways and Means

No. 534 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 535 Committee on Tourism and

Recreation, then to the Committee on Ways and Means

No. 536 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 537 Committee on Agriculture, then to the Committee on Ways and Means

No. 538 Committee on Labor and Employment

No. 539 Committee on Consumer Protection and Commerce

No. 540 Committee on Economic Development, then to the Committee on Ways and Means

No. 541 Committee on Government Operations, then to the Committee on Labor and Employment

No. 542 Committee on Government Operations, then to the Committee on Consumer Protection and Commerce

No. 543 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 544 Committee on Judiciary

No. 545 Committee on Labor and Employment

No. 546 Committee on Government Operations, then to the Committee on Ways and Means

No. 547 Committee on Government Operations, then to the Committee on Ways and Means

No. 548 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 549 Committee on Higher Education, then to the Committee on Ways and Means

No. 550 Committee on Education, then to the Committee on Ways and Means

No. 551 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 552 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 553 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 554 Committee on Consumer Protection and Commerce, then to the

Committee on Judiciary

No. 555 Committee on Judiciary

No. 556 Committee on Consumer Protection and Commerce

No. 557 Committee on Ways and Means

No. 558 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 559 Committee on Consumer Protection and Commerce

No. 560 Committee on Consumer Protection and Commerce

No. 561 Committee on Ways and Means

No. 562 Committee on Ways and Means

No. 563 Committee on Judiciary

No. 564 Committee on Economic Development, then to the Committee on Ways and Means

No. 565 Committee on Agriculture, then to the Committee on Ways and Means

No. 566 Committee on Agriculture, then to the Committee on Economic Development

No. 567 Committee on Economic Development

No. 568 Committee on Government Operations

No. 569 Committee on Transportation, then to the Committee on Ways and Means

No. 570 Committee on Transportation

No. 571 Committee on Labor and Employment

No. 572 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 573 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 574 Committee on Judiciary, then to the Committee on Ways and Means

No. 575 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 576 Committee on Ways and Means

No. 577 Committee on Judiciary,
then to the Committee on Ways and Means

No. 578 Committee on Judiciary,
then to the Committee on Ways and Means

No. 579 Committee on Judiciary,
then to the Committee on Ways and Means

No. 580 Committee on Judiciary,
then to the Committee on Ways and Means

No. 581 Committee on Judiciary,
then to the Committee on Ways and Means

No. 582 Committee on Labor and
Employment, then to the Committee on
Ways and Means

By unanimous consent, consideration of
Senate Bill Nos. 583 to 1487 was deferred
until Thursday, February 14, 1985.

ADJOURNMENT

At 12:11 o'clock p.m., on motion by
Senator Cobb, seconded by Senator Soares
and carried, the Senate adjourned until
11:00 o'clock a.m., Thursday, February 14,
1985.

TWENTY-SECOND DAY

Thursday, February 14, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bob Anders, First Baptist Church of Nanakuli, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-First Day.

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

Senator Mizuguchi introduced 56 sixth graders from Waimalu Elementary School who were accompanied by their teachers, Mrs. Jeanette Nakata and Mrs. Gladys Park.

Senator Hee then made the following introduction:

"Mr. President, in the gallery today are two young ladies. One is my cousin. Both of these young women are from Mid-Pacific Institute. They are here to support Senator Chang in his view against raising the drinking age. They wanted to show their support by their presence and to be interviewed by Senator Abercrombie because they do not want their civil liberties usurped by the State Legislature.

"Mr. President, I'd like to introduce Robyn Yanaga and Roselani Maa."

Senator McMurdo rose and made the following introduction:

"Mr. President, I would like to introduce this morning a young man who has given such a wonderful gift to the people of Hawaii that he has touched our hearts with the generous way that he has shared his talent, and he has stirred our imagination with the joy of the beauty of the whale and porpoises in his magnificent mural.

"He painted his first mural at age 15 — a picture of the Alps on the side of a Dairy Queen. Later he moved to Long Beach, California, where he resides now and he painted his first giant mural with the whales and porpoises.

"I first met this young man a few months ago at the Waikiki Neighborhood Board. He had come there to ask their blessing on his idea of painting a mural on the side of the Ilikai Marina. And with him were five or six people from White Rock, British Columbia, who had come over here for the express purpose of helping him sell his idea to

the people here and who have raved about the mural which he did for them, which you will see up here on the easel a little later.

"After here, where does he go when he's finished with his mural in April? Well, I'm happy to report that he is going to Norfolk, Virginia, to the Cousteau Society. Dr. Jacques Cousteau has invited him to come and put a mural beside the famed Calypso.

"So without further ado, it gives me great pleasure to introduce this marvelous young artist and to thank him for giving Waikiki and the people of Hawaii this tremendous, beautiful mural — Mr. Robert Wyland, who prefers to be known as Wyland.

"We also have with us on the floor, today, Mr. John Hillerman, who is widely known as a very fine actor and known locally, of course, for his starring role in Magnum P.I. He is less well known as being a responsible, caring citizen, who went to a Neighborhood Board meeting one night to recommend that this mural be allowed to be put on the wall.

"So I would like to introduce, Mr. John Hillerman.

"Next to Mr. Hillerman is Mr. Frank Wooley, who is from Sinclair Paint and they are the ones who donated the paint for this beautiful art work.

"Next is Ms. Marge McDowell who is resident manager of the Ilikai Marina and she was, of course, instrumental in persuading the association there to allow him to paint this mural.

"Last, but not least, we have Mr. Walden Flood who is a member of the Waikiki Neighborhood Board who did give their blessings, by the way.

"Thank you.

"I now will be yielding the floor to Senator Abercrombie who will be presenting a certificate and saying a few words."

Senator Abercrombie continued the introduction as follows:

"Mr. President, we do have the pleasure of having with us in the gallery today some of the other people who have been instrumental in seeing to it that Wyland was able to undertake and now complete the Whaling Wall and I would like to introduce them.

"First, from Sinclair Paint, Mr. Wooley's colleague, Mr. Harry Williams. I want to add parenthetically that I think it's a

tremendous public service activity and we are all hopeful that this idea, in terms of decorative art in a responsible and creative way, will be taken up by other associations in buildings in Waikiki and elsewhere so we can enhance our environment.

"I want to introduce some of the other people—apartment owners, condominium owners and friends of Wyland — and I'll introduce them all together: Barbara Anderson, Kathy Grossman, Ruth Ball, James Howard, Rick Rossell, Dennis Gilbertson and Denise Luko.

"I don't know if everyone in the gallery ... obviously has not had the opportunity and perhaps not everyone in the Senate has had the opportunity, but I'd like to introduce Mary-Jane McMurdo's husband, Mick McMurdo."

Senator Abercrombie then read portions of the Senate Certificate honoring Mr. Wyland.

Senator McMurdo then rose and stated as follows:

"Mr. President, I omitted to say that the Atlas Company donated the scaffolding for this great achievement here. They were not able to be here today, but I did want them to be recognized."

Senator Abercrombie then presented Mr. Wyland with the Senate Certificate with members of the Senate presenting leis.

At 11:20 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:25 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 169 and 170) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 169, transmitting the "Report on State Positions Assigned to Ranges SC-1, SC-2 and SC-3," prepared by the Department of Personnel Services, pursuant to Sec. 77-13 (d), HRS, as amended, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 170, transmitting a report, School Health Services Branch Annual Report 1983-84, prepared by the Department of Health, was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 34 from the Hawaii Housing Authority, transmitting two reports, "Alternative Tax Policies and

Incentives to Increase the Availability of Affordable Housing, Final Report" and "Housing Regulation Study," was read by the Clerk and was referred to the Committee on Housing and Community Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

S.C.R. No. 9, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A FOUR-YEAR LIBERAL ARTS COLLEGE ON MAUI," was offered by Senators Holt, Chang, Young, Hee, Abercrombie, McMurdo, Aki, A. Kobayashi, Matsuura, Soares, Mizuguchi, Machida and Henderson.

By unanimous consent, action on S.C.R. No. 9 was deferred until Friday, February 15, 1985.

S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF REGENTS TO INSTITUTE AT THE UNIVERSITY OF HAWAII AT HILO A GRADUATE PROGRAM AND SPECIALIZED CURRICULA APPROPRIATE TO THE BIG ISLAND," was offered by Senators Holt, Chang, Cayetano, Young, Hee, Abercrombie, McMurdo, George, Aki, Mizuguchi, A. Kobayashi, Matsuura, Machida, Henderson and Soares.

By unanimous consent, action on S.C.R. No. 10 was deferred until Friday, February 15, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 15 to 17) were read by the Clerk and were disposed of as follows:

S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A FOUR-YEAR LIBERAL ARTS COLLEGE ON MAUI," was offered by Senators Holt, Chang, Young, Hee, Abercrombie, McMurdo, Aki, A. Kobayashi, Matsuura, Soares, Mizuguchi, Machida and Henderson.

By unanimous consent, action on S.R. No. 15 was deferred until Friday, February 15, 1985.

S.R. No. 16, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF REGENTS TO INSTITUTE AT THE UNIVERSITY OF HAWAII AT HILO A GRADUATE PROGRAM AND SPECIALIZED CURRICULA APPROPRIATE TO THE BIG ISLAND," was offered by Senators Holt, Chang, Cayetano, Young, Hee, Abercrombie, McMurdo, George, Aki, Mizuguchi, A. Kobayashi, Matsuura,

Machida, Henderson and Soares.

By unanimous consent, action on S.R. No. 16 was deferred until Friday, February 15, 1985.

S.R. No. 17, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE UNIVERSITY OF HAWAII SYSTEM," was offered by Senators Holt, Chang, Cayetano, Young, Hee, Abercrombie, McMurdo, George, Aki, Mizuguchi, A. Kobayashi, Matsuura, Machida, Henderson and Soares.

By unanimous consent, action on S.R. No. 17 was deferred until Friday, February 15, 1985.

STANDING COMMITTEE REPORT

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 13) informing the Senate that S.B. Nos. 1356 to 1487 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.

ORDER OF THE DAY

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Friday, February 8, 1985:

Senate Concurrent Resolution	Referred to:
No. 3	Committee on Judiciary
Senate Resolution	Referred to:
No. 10	Committee on Judiciary

The President made the following committee assignments of resolutions that were offered on Tuesday, February 12, 1985:

Senate Concurrent Resolutions	Referred to:
No. 6	Committee on Labor and Employment
No. 7	Committee on Judiciary
No. 8	Committee on Economic Development
Senate Resolutions	Referred to:

No. 12	Committee on Labor and Employment
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No. 13	Committee on Judiciary
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No. 14	Committee on Economic Development, then to the Committee on Legislative Management
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REFERRAL OF SENATE BILLS

The President then made the following committee assignments of bills that were introduced on Monday, February 11, 1985:

Senate Bills	Referred to:
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No. 583	Committee on Economic Development
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No. 584	Committee on Health, then to the Committee on Ways and Means
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No. 585	Committee on Higher Education, then to the Committee on Ways and Means
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No. 586	Committee on Judiciary
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No. 587	Committee on Judiciary
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No. 588	Committee on Consumer Protection and Commerce
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No. 589	Committee on Labor and Employment, then to the Committee on Ways and Means
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No. 590	Committee on Judiciary
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No. 591	Committee on Judiciary
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No. 592	Committee on Judiciary
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No. 593	Committee on Labor and Employment, then to the Committee on Ways and Means
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No. 594	Committee on Judiciary
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No. 595	Committee on Health, then to the Committee on Ways and Means
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No. 596	Committee on Labor and Employment
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No. 597	Committee on Health, then to the Committee on Ways and Means
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No. 598	Committee on Judiciary
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No. 599	Committee on Ways and Means
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No. 600	Committee on Ways and Means
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No. 601	Committee on Government
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Operations, then to the Committee on Ways and Means	No. 623	Committee on Judiciary
No. 602 Committee on Higher Education, then to the Committee on Ways and Means	No. 624	Committee on Judiciary
No. 603 Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 625	Committee on Judiciary, then to the Committee on Ways and Means
No. 604 Committee on Government Operations, then to the Committee on Ways and Means	No. 626	Committee on Judiciary
No. 605 Committee on Government Operations, then to the Committee on Ways and Means	No. 627	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 606 Committee on Education, then to the Committee on Ways and Means	No. 628	Committee on Judiciary
No. 607 Committee on Economic Development, then to the Committee on Ways and Means	No. 629	Committee on Judiciary
No. 608 Committee on Government Operations, then to the Committee on Ways and Means	No. 630	Committee on Judiciary, then to the Committee on Ways and Means
No. 609 Committee on Government Operations, then to the Committee on Ways and Means	No. 631	Committee on Judiciary
No. 610 Committee on Judiciary	No. 632	Committee on Human Services, then to the Committee on Ways and Means
No. 611 Committee on Ways and Means	No. 633	Committee on Health, then to the Committee on Ways and Means
No. 612 Committee on Judiciary	No. 634	Committee on Health
No. 613 Committee on Judiciary	No. 635	Committee on Judiciary
No. 614 Committee on Labor and Employment	No. 636	Committee on Government Operations, then to the Committee on Ways and Means
No. 615 Committee on Judiciary	No. 637	Committee on Government Operations, then to the Committee on Ways and Means
No. 616 Committee on Economic Development, then to the Committee on Ways and Means	No. 638	Committee on Health, then to the Committee on Ways and Means
No. 617 Committee on Higher Education, then to the Committee on Ways and Means	No. 639	Committee on Government Operations, then to the Committee on Ways and Means
No. 618 Committee on Housing and Community Development	No. 640	Committee on Government Operations, then to the Committee on Ways and Means
No. 619 Committee on Labor and Employment	No. 641	Committee on Judiciary
No. 620 Committee on Economic Development	No. 642	Committee on Government Operations
No. 621 Committee on Labor and Employment, then to the Committee on Ways and Means	No. 643	Committee on Health
No. 622 Committee on Ways and Means	No. 644	Committee on Transportation
	No. 645	Committee on Government Operations
	No. 646	Committee on Health, then to the Committee on Ways and Means
	No. 647	Committee on Judiciary, then to the Committee on Ways and Means

No. 648	Committee on Judiciary	No. 671	Committee on Higher Education, then to the Committee on Ways and Means
No. 649	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce	No. 672	Committee on Government Operations, then to the Committee on Ways and Means
No. 650	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce	No. 673	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 651	Committee on Tourism and Recreation	No. 674	Committee on Government Operations
No. 652	Committee on Judiciary	No. 675	Committee on Ways and Means
No. 653	Committee on Labor and Employment	No. 676	Committee on Economic Development
No. 654	Committee on Health, then to the Committee on Judiciary	No. 677	Jointly to the Committee on Labor and Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 655	Committee on Judiciary	No. 678	Committee on Health, then to the Committee on Ways and Means
No. 656	Committee on Health, then to the Committee on Ways and Means	No. 679	Committee on Judiciary, then to the Committee on Ways and Means
No. 657	Committee on Economic Development, then to the Committee on Ways and Means	No. 680	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 658	Committee on Transportation	No. 681	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 659	Committee on Judiciary	No. 682	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 660	Committee on Transportation, then to the Committee on Judiciary	No. 683	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 661	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce	No. 684	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 662	Committee on Consumer Protection and Commerce	No. 685	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 663	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary	No. 686	Committee on Education, then to the Committee on Ways and Means
No. 664	Committee on Ways and Means	No. 687	Committee on Judiciary, then to the Committee on Ways and Means
No. 665	Committee on Consumer Protection and Commerce	No. 688	Committee on Judiciary
No. 666	Committee on Consumer Protection and Commerce, then to the Committee on Judiciary	No. 689	Committee on Ways and Means
No. 667	Committee on Judiciary	No. 690	Committee on Labor and Employment
No. 668	Committee on Consumer Protection and Commerce	No. 691	Committee on Labor and
No. 669	Committee on Consumer Protection and Commerce		
No. 670	Committee on Consumer Protection and Commerce		

Employment, then to the Committee on Ways and Means

No. 692 Committee on Health

No. 693 Committee on Human Services, then to the Committee on Ways and Means

No. 694 Committee on Government Operations, then to the Committee on Ways and Means

No. 695 Committee on Labor and Employment

No. 696 Committee on Education, then to the Committee on Ways and Means

No. 697 Committee on Ways and Means

No. 698 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 699 Committee on Government Operations

No. 700 Committee on Higher Education, then to the Committee on Ways and Means

No. 701 Committee on Ways and Means

No. 702 Committee on Health, then to the Committee on Ways and Means

No. 703 Committee on Agriculture, then to the Committee on Ways and Means

No. 704 Committee on Agriculture, then to the Committee on Ways and Means

No. 705 Committee on Higher Education, then to the Committee on Ways and Means

No. 706 Committee on Judiciary

No. 707 Committee on Judiciary, then to the Committee on Ways and Means

No. 708 Committee on Judiciary, then to the Committee on Ways and Means

No. 709 Committee on Transportation, then to the Committee on Judiciary

No. 710 Committee on Judiciary

No. 711 Committee on Judiciary, then to the Committee on Ways and Means

No. 712 Committee on Judiciary, then to the Committee on Ways and Means

No. 713 Committee on Judiciary,

then to the Committee on Ways and Means

No. 714 Committee on Ways and Means

No. 715 Committee on Agriculture

No. 716 Committee on Judiciary, then to the Committee on Ways and Means

No. 717 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 718 Committee on Economic Development

No. 719 Committee on Health, then to the Committee on Judiciary

No. 720 Committee on Energy, then to the Committee on Ways and Means

No. 721 Committee on Energy, then to the Committee on Ways and Means

No. 722 Committee on Energy, then to the Committee on Ways and Means

No. 723 Committee on Energy, then to the Committee on Ways and Means

The President made the following committee assignments of bills that were introduced on Tuesday, February 12, 1985:

No. 724 Committee on Health, then to the Committee on Ways and Means

No. 725 Committee on Judiciary

No. 726 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 727 Committee on Education, then to the Committee on Ways and Means

No. 728 Committee on Education, then to the Committee on Ways and Means

No. 729 Committee on Government Operations

No. 730 Committee on Consumer Protection and Commerce

No. 731 Committee on Education, then to the Committee on Ways and Means

No. 732 Committee on Education

No. 733 Committee on Economic Development, then to the Committee on Ways and Means

No. 734 Committee on Judiciary

No. 735 Committee on Judiciary

No. 736 Committee on Judiciary

No. 737	Committee on Judiciary	Government Operations
No. 738	Committee on Judiciary	No. 762 Committee on Health, then to the Committee on Ways and Means
No. 739	Committee on Judiciary	No. 763 Committee on Ways and Means
No. 740	Jointly to the Committee on Labor and Employment and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 764 Committee on Labor and Employment, then to the Consumer Protection and Commerce
No. 741	Committee on Judiciary	No. 765 Committee on Labor and Employment
No. 742	Committee on Judiciary	No. 766 Committee on Transportation, then to the Committee on Ways and Means
No. 743	Committee on Judiciary	No. 767 Committee on Transportation, then to the Committee on Ways and Means
No. 744	Committee on Judiciary	No. 768 Committee on Higher Education, then to the Committee on Ways and Means
No. 745	Committee on Government Operations	No. 769 Committee on Health, then to the Committee on Ways and Means
No. 746	Committee on Transportation, then to the Committee on Judiciary	No. 770 Committee on Transportation, then to the Committee on Ways and Means
No. 747	Committee on Judiciary, then to the Committee on Ways and Means	No. 771 Committee on Education, then to the Committee on Ways and Means
No. 748	Committee on Judiciary, then to the Committee on Ways and Means	No. 772 Committee on Education, then to the Committee on Ways and Means
No. 749	Committee on Judiciary	No. 773 Committee on Education, then to the Committee on Ways and Means
No. 750	Committee on Judiciary	No. 774 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 751	Committee on Transportation	No. 775 Committee on Health
No. 752	Committee on Higher Education, then to the Committee on Ways and Means	No. 776 Committee on Judiciary
No. 753	Committee on Consumer Protection and Commerce	No. 777 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 754	Committee on Labor and Employment	No. 778 Committee on Education
No. 755	Committee on Government Operations, then to the Committee on Ways and Means	No. 779 Committee on Economic Development, then to the Committee on Ways and Means
No. 756	Committee on Consumer Protection and Commerce	No. 780 Committee on Ways and Means
No. 757	Committee on Judiciary	No. 781 Committee on Judiciary
No. 758	Committee on Legislative Management, then to the Committee on Ways and Means	No. 782 Committee on Ways and Means
No. 759	Committee on Judiciary	No. 783 Committee on Economic Development
No. 760	Committee on Labor and Employment, then to the Committee on Ways and Means	
No. 761	Committee on Labor and Employment, then to the Committee on	

No. 784	Committee on Ways and Means	No. 805	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 785	Committee on Transportation, then to the Committee on Judiciary	No. 806	Committee on Housing and Community Development
No. 786	Committee on Education	No. 807	Committee on Judiciary
No. 787	Committee on Ways and Means	No. 808	Committee on Labor and Employment
No. 788	Committee on Higher Education, then to the Committee on Ways and Means	No. 809	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce
No. 789	Committee on Consumer Protection and Commerce	No. 810	Committee on Health, then to the Committee on Ways and Means
No. 790	Committee on Economic Development, then to the Committee on Judiciary	No. 811	Committee on Health, then to the Committee on Ways and Means
No. 791	Committee on Housing and Community Development	No. 812	Committee on Judiciary
No. 792	Committee on Housing and Community Development	No. 813	Committee on Judiciary
No. 793	Committee on Housing and Community Development, then to the Committee on Ways and Means	No. 814	Committee on Judiciary
No. 794	Committee on Consumer Protection and Commerce	No. 815	Committee on Judiciary
No. 795	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 816	Committee on Judiciary
No. 796	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 817	Committee on Judiciary
No. 797	Committee on Human Services, then to the Committee on Ways and Means	No. 818	Committee on Judiciary
No. 798	Committee on Housing and Community Development, then to the Committee on Ways and Means	No. 819	Committee on Judiciary
No. 799	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 820	Committee on Judiciary
No. 800	Committee on Housing and Community Development	No. 821	Committee on Judiciary
No. 801	Committee on Housing and Community Development	No. 822	Committee on Judiciary
No. 802	Committee on Housing and Community Development	No. 823	Committee on Judiciary
No. 803	Committee on Higher Education, then to the Committee on Ways and Means	No. 824	Committee on Judiciary
No. 804	Committee on Education, then to the Committee on Ways and Means	No. 825	Committee on Judiciary
		No. 826	Committee on Transportation
		No. 827	Committee on Judiciary
		No. 828	Committee on Transportation
		No. 829	Committee on Judiciary
		No. 830	Committee on Judiciary
		No. 831	Committee on Judiciary
		No. 832	Committee on Judiciary
		No. 833	Committee on Judiciary
		No. 834	Committee on Judiciary

No. 835	Committee on Judiciary	to the Committee on Ways and Means
No. 836	Committee on Judiciary	No. 863 Committee on Judiciary
No. 837	Committee on Judiciary	No. 864 Committee on Judiciary
No. 838	Committee on Judiciary	No. 865 Committee on Education, then to the Committee on Ways and Means
No. 839	Committee on Judiciary	No. 866 Committee on Health, then to the Committee on Committee on Ways and Means
No. 840	Committee on Judiciary	No. 867 Committee on Human Services, then to the Committee on Ways and Means
No. 841	Committee on Judiciary	No. 868 Committee on Economic Development, then to the Committee on Ways and Means
No. 842	Committee on Judiciary	No. 869 Committee on Labor and Employment, then to the Committee on Ways and Means
No. 843	Committee on Transportation, then to the Committee on Judiciary	No. 870 Committee on Education, then to the Committee on Ways and Means
No. 844	Committee on Judiciary	No. 871 Committee on Transportation, then to the Committee on Judiciary
No. 845	Committee on Judiciary	No. 872 Committee on Housing and Community Development, then to the Committee on Judiciary
No. 846	Committee on Judiciary	No. 873 Committee on Labor and Employment, then to the Committee on Government Operations
No. 847	Committee on Human Services, then to the Committee on Ways and Means	No. 874 Committee on Government Operations, then to the Committee on Judiciary
No. 848	Committee on Judiciary	No. 875 Committee on Judiciary, then to the Committee on Ways and Means
No. 849	Committee on Transportation, then to the Committee on Judiciary	No. 876 Committee on Energy, then to the Committee on Ways and Means
No. 850	Committee on Judiciary	No. 877 Committee on Energy, then to the Committee on Ways and Means
No. 851	Committee on Judiciary	No. 878 Committee on Transportation
No. 852	Committee on Judiciary	No. 879 Committee on Labor and Employment
No. 853	Committee on Judiciary, then to the Committee on Ways and Means	No. 880 Committee on Judiciary
No. 854	Committee on Transportation	No. 881 Committee on Judiciary, then to the Committee on Ways and Means
No. 855	Committee on Judiciary	No. 882 Committee on Labor and Employment
No. 856	Committee on Health, then to the Committee on Ways and Means	No. 883 Committee on Economic Development, then to the Committee on Ways and Means
No. 857	Committee on Labor and Employment, then to the Committee on Judiciary	
No. 858	Committee on Ways and Means	
No. 859	Committee on Ways and Means	
No. 860	Committee on Labor and Employment, then to the Committee on Ways and Means	
No. 861	Committee on Labor and Employment	
No. 862	Committee on Health, then	

No. 884	Committee on Economic Development, then to the Committee on Ways and Means	No. 908	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 885	Committee on Economic Development, then to the Committee on Ways and Means	No. 909	Jointly to the Committee on Education and the Committee on Transportation
No. 886	Committee on Housing and Community Development	No. 910	Committee on Education, then to the Committee on Ways and Means
No. 887	Committee on Housing and Community Development	No. 911	Committee on Education, then to the Committee on Ways and Means
No. 888	Committee on Housing and Community Development	No. 912	Committee on Judiciary
No. 889	Committee on Housing and Community Development	No. 913	Committee on Government Operations, then to the Committee on Ways and Means
No. 890	Committee on Higher Education, then to the Committee on Ways and Means	No. 914	Committee on Education, then to the Committee on Ways and Means
No. 891	Committee on Government Operations	No. 915	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 892	Committee on Health, then to the Committee on Ways and Means	No. 916	Committee on Health, then to the Committee on Ways and Means
No. 893	Committee on Labor and Employment	No. 917	Committee on Education, then to the Committee on Ways and Means
No. 894	Committee on Consumer Protection and Commerce	No. 918	Committee on Health, then to the Committee on Ways and Means
No. 895	Committee on Judiciary	No. 919	Committee on Education, then to the Committee on Ways and Means
No. 896	Committee on Judiciary	No. 920	Committee on Government Operations, then to the Committee on Ways and Means
No. 897	Committee on Transportation, then to the Committee on Judiciary	No. 921	Committee on Government Operations, then to the Committee on Judiciary
No. 898	Committee on Judiciary	No. 922	Committee on Economic Development
No. 899	Committee on Judiciary	No. 923	Committee on Consumer Protection and Commerce
No. 900	Committee on Judiciary	No. 924	Committee on Labor and Employment
No. 901	Committee on Government Operations, then to the Committee on Ways and Means	No. 925	Committee on Consumer Protection and Commerce
No. 902	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 926	Committee on Consumer Protection and Commerce
No. 903	Committee on Transportation, then to the Committee on Ways and Means	No. 927	Committee on Agriculture, then to the Committee on Ways and Means
No. 904	Committee on Judiciary	No. 928	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce
No. 905	Committee on Consumer Protection and Commerce	No. 929	Committee on Economic
No. 906	Committee on Health		
No. 907	Committee on Education, then to the Committee on Ways and Means		

Development, then to the Committee on Ways and Means	No. 954	Committee on Consumer Protection and Commerce
No. 930 Committee on Housing and Community Development	No. 955	Committee on Consumer Protection and Commerce
No. 931 Committee on Economic Development, then to the Committee on Ways and Means	No. 956	Committee on Consumer Protection and Commerce
No. 932 Committee on Consumer Protection and Commerce	No. 957	Committee on Consumer Protection and Commerce
No. 933 Committee on Ways and Means	No. 958	Committee on Consumer Protection and Commerce
No. 934 Committee on Judiciary, then to the Committee on Ways and Means	No. 959	Committee on Consumer Protection and Commerce
No. 935 Committee on Agriculture	No. 960	Committee on Consumer Protection and Commerce
No. 936 Committee on Housing and Community Development, then to the Committee on Ways and Means	No. 961	Committee on Consumer Protection and Commerce
No. 937 Committee on Energy, then to the Committee on Ways and Means	No. 962	Committee on Consumer Protection and Commerce
No. 938 Committee on Consumer Protection and Commerce	No. 963	Committee on Economic Development
No. 939 Committee on Economic Development	No. 964	Committee on Economic Development
No. 940 Committee on Economic Development	No. 965	Committee on Economic Development
No. 941 Committee on Agriculture	No. 966	Committee on Economic Development
No. 942 Committee on Agriculture	No. 967	Committee on Economic Development
No. 943 Committee on Agriculture	No. 968	Committee on Economic Development
No. 944 Committee on Agriculture	No. 969	Committee on Economic Development
No. 945 Committee on Consumer Protection and Commerce	No. 970	Committee on Economic Development
No. 946 Committee on Consumer Protection and Commerce	No. 971	Committee on Education
No. 947 Committee on Consumer Protection and Commerce	No. 972	Committee on Education
No. 948 Committee on Consumer Protection and Commerce	No. 973	Committee on Education
No. 949 Committee on Consumer Protection and Commerce	No. 974	Committee on Education
No. 950 Committee on Consumer Protection and Commerce	No. 975	Committee on Education
No. 951 Committee on Consumer Protection and Commerce	No. 976	Committee on Education
No. 952 Committee on Consumer Protection and Commerce	No. 977	Committee on Education
No. 953 Committee on Consumer Protection and Commerce	No. 978	Committee on Education
	No. 979	Committee on Energy
	No. 980	Committee on Energy

No. 981 Operations	Committee on Government	Community Development	
No. 982 Operations	Committee on Government	No. 1008 Committee on Housing and Community Development	
No. 983 Operations	Committee on Government	No. 1009 Committee on Housing and Community Development	
No. 984 Operations	Committee on Government	No. 1010 Committee on Human Services	
No. 985	Committee on Health	No. 1011 Committee on Human Services	
No. 986	Committee on Health	No. 1012 Committee on Human Services	
No. 987	Committee on Health	No. 1013 Committee on Human Services	
No. 988	Committee on Health	No. 1014 Committee on Human Services	
No. 989	Committee on Health	No. 1015 Committee on Human Services	
No. 990	Committee on Health	No. 1016 Committee on Human Services	
No. 991	Committee on Health	No. 1017 Committee on Human Services	
No. 992 Education	Committee on Higher	No. 1018 Committee on Judiciary	
No. 993 Education	Committee on Higher	No. 1019 Committee on Judiciary	
No. 994 Education	Committee on Higher	No. 1020 Committee on Judiciary	
No. 995 Education	Committee on Higher	No. 1021 Committee on Judiciary	
No. 996 Education	Committee on Higher	No. 1022 Committee on Judiciary	
No. 997 Education	Committee on Higher	No. 1023 Committee on Judiciary	
No. 998 Education	Committee on Higher	No. 1024 Committee on Judiciary	
No. 999 Education	Committee on Higher	No. 1025 Committee on Judiciary	
No. 1000 Education	Committee on Higher	No. 1026 Committee on Judiciary	
No. 1001 Education	Committee on Higher	No. 1027 Committee on Judiciary	
No. 1002 Education	Committee on Higher	No. 1028 Committee on Judiciary	
No. 1003 Education	Committee on Higher	No. 1029 Committee on Labor and Employment	
No. 1004	Committee on Housing and Community Development	No. 1030 Committee on Labor and Employment	
No. 1005	Committee on Housing and Community Development	No. 1031 Committee on Labor and Employment	
No. 1006	Committee on Housing and Community Development	No. 1032 Committee on Labor and Employment	
No. 1007	Committee on Housing and	No. 1033 Committee on Labor and Employment	
		No. 1034 Committee on Labor and Employment	

No. 1035 Employment	Committee on Labor and	No. 1059 Means	Committee on Ways and
No. 1036 Employment	Committee on Labor and	No. 1060 Means	Committee on Ways and
No. 1037 Employment	Committee on Labor and	No. 1061 Means	Committee on Ways and
No. 1038 Employment	Committee on Labor and	No. 1062 Means	Committee on Ways and
No. 1039 Employment	Committee on Labor and	No. 1063 Means	Committee on Ways and
No. 1040 Employment	Committee on Labor and	No. 1064 Means	Committee on Ways and
No. 1041 Management	Committee on Legislative	No. 1065 Means	Committee on Ways and
No. 1042 Management	Committee on Legislative	No. 1066 Means	Committee on Ways and
No. 1043 Recreation	Committee on Tourism and	No. 1067 Means	Committee on Ways and
No. 1044 Recreation	Committee on Tourism and	No. 1068 Means	Committee on Ways and
No. 1045 Recreation	Committee on Tourism and	No. 1069 Means	Committee on Ways and
No. 1046 Recreation	Committee on Tourism and	No. 1070 Means	Committee on Ways and
No. 1047 Recreation	Committee on Tourism and	No. 1071 Means	Committee on Ways and
No. 1048 Recreation	Committee on Tourism and	No. 1072 Means	Committee on Ways and
No. 1049 Transportation	Committee on	No. 1073 Means	Committee on Ways and
No. 1050 Transportation	Committee on	No. 1074 Means	Committee on Ways and
No. 1051 Transportation	Committee on	No. 1075 Means	Committee on Ways and
No. 1052 Transportation	Committee on	No. 1076 Means	Committee on Ways and
No. 1053 Transportation	Committee on	No. 1077 Means	Committee on Ways and
No. 1054 Transportation	Committee on	No. 1078 Means	Committee on Ways and
No. 1055 Transportation	Committee on	No. 1079 Means	Committee on Ways and
No. 1056 Transportation	Committee on	No. 1080 Means	Committee on Ways and
No. 1057 Means	Committee on Ways and	No. 1081 Means	Committee on Ways and
No. 1058 Means	Committee on Ways and	No. 1082 Means	Committee on Ways and

No. 1083 Means	Committee on Ways and	No. 1106	Committee on Judiciary
No. 1084 Means	Committee on Ways and	No. 1107	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 1085 Means	Committee on Ways and	No. 1108	Committee on Judiciary
No. 1086 Means	Committee on Ways and	No. 1109	Committee on Education, then to the Committee on Ways and Means
No. 1087 Means	Committee on Ways and	No. 1110	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 1088 Protection and Commerce	Committee on Consumer	No. 1111	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 1089	Committee on Judiciary, then to the Committee on Ways and Means	No. 1112	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce
No. 1090	Committee on Government Operations, then to the Committee on Ways and Means	No. 1113	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1091	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 1114	Committee on Consumer Protection and Commerce
No. 1092	Committee on Health, then to the Committee on Ways and Means	No. 1115	Committee on Higher Education
No. 1093	Committee on Labor and Employment	No. 1116	Committee on Higher Education, then to the Committee on Ways and Means
No. 1094	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 1117	Committee on Economic Development, then to the Committee on Ways and Means
No. 1095	Committee on Judiciary	No. 1118	Committee on Government Operations
No. 1096	Committee on Judiciary	No. 1119	Committee on Judiciary
No. 1097	Committee on Judiciary	No. 1120	Committee on Higher Education, then to the Committee on Ways and Means
No. 1098	Committee on Economic Development	No. 1121	Committee on Consumer Protection and Commerce
No. 1099	Committee on Consumer Protection and Commerce	No. 1122	Committee on Consumer Protection and Commerce
No. 1100	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 1123	Committee on Consumer Protection and Commerce
No. 1101	Committee on Labor and Employment	No. 1124	Committee on Consumer Protection and Commerce
No. 1102	Committee on Labor and Employment	No. 1125	Committee on Housing and Community Development
No. 1103	Committee on Transportation	No. 1126	Committee on Consumer Protection and Commerce
No. 1104	Committee on Education, then to the Committee on Ways and Means	No. 1127	Committee on Consumer Protection and Commerce
No. 1105	Committee on Tourism and Recreation, then to the Committee on Ways and Means		

No. 1128	Committee on Housing and Community Development	No. 1150	Committee on Consumer Protection and Commerce
No. 1129	Committee on Housing and Community Development, then to the Committee on Ways and Means	No. 1151	Committee on Judiciary
No. 1130	Committee on Consumer Protection and Commerce	No. 1152	Committee on Ways and Means
No. 1131	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 1153	Committee on Judiciary
No. 1132	Committee on Government Operations	No. 1154	Committee on Labor and Employment
No. 1133	Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means	No. 1155	Committee on Transportation
No. 1134	Committee on Consumer Protection and Commerce	No. 1156	Committee on Consumer Protection and Commerce
No. 1135	Committee on Consumer Protection and Commerce	No. 1157	Committee on Judiciary
No. 1136	Committee on Consumer Protection and Commerce	No. 1158	Committee on Judiciary
No. 1137	Committee on Consumer Protection and Commerce	No. 1159	Committee on Consumer Protection and Commerce
No. 1138	Committee on Consumer Protection and Commerce	No. 1160	Committee on Education, then to the Committee on Ways and Means
No. 1139	Committee on Consumer Protection and Commerce	No. 1161	Committee on Education, then to the Committee on Ways and Means
No. 1140	Committee on Consumer Protection and Commerce	No. 1162	Committee on Education, then to the Committee on Ways and Means
No. 1141	Committee on Consumer Protection and Commerce	No. 1163	Committee on Education, then to the Committee on Ways and Means
No. 1142	Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce	No. 1164	Committee on Education, then to the Committee on Ways and Means
No. 1143	Committee on Consumer Protection and Commerce	No. 1165	Committee on Education, then to the Committee on Ways and Means
No. 1144	Committee on Consumer Protection and Commerce	No. 1166	Committee on Education, then to the Committee on Ways and Means
No. 1145	Committee on Judiciary	No. 1167	Committee on Education, then to the Committee on Ways and Means
No. 1146	Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 1168	Committee on Transportation, then to the Committee on Judiciary
No. 1147	Committee on Education, then to the Committee on Ways and Means	No. 1169	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1148	Committee on Consumer Protection and Commerce	No. 1170	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1149	Committee on Government Operations, then to the Committee on Consumer Protection and Commerce	No. 1171	Committee on Labor and Employment
		No. 1172	Committee on Labor and Employment, then to the Committee on Ways and Means
		No. 1173	Committee on Labor and Employment, then to the Committee on

Ways and Means

No. 1174 Committee on Education,
then to the Committee on Ways and Means

No. 1175 Committee on Consumer
Protection and Commerce

No. 1176 Committee on Consumer
Protection and Commerce

No. 1177 Committee on Government
Operations

No. 1178 Committee on Consumer
Protection and Commerce

No. 1179 Committee on Government
Operations

No. 1180 Committee on Consumer
Protection and Commerce

No. 1181 Committee on Government
Operations, then to the Committee on Ways
and Means

No. 1182 Committee on Economic
Development

No. 1183 Committee on Energy, then
to the Committee on Ways and Means

No. 1184 Committee on Energy, then
to the Committee on Ways and Means

No. 1185 Committee on Health, then
to the Committee on Ways and Means

No. 1186 Committee on Health, then
to the Committee on Ways and Means

No. 1187 Committee on Human
Services, then to the Committee on Ways
and Means

No. 1188 Committee on Health, then
to the Committee on Ways and Means

No. 1189 Committee on Health, then
to the Committee on Ways and Means

No. 1190 Committee on Tourism and
Recreation, then to the Committee on Ways
and Means

No. 1191 Committee on Tourism and
Recreation, then to the Committee on Ways
and Means

No. 1192 Committee on Tourism and
Recreation, then to the Committee on Ways
and Means

No. 1193 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 1194 Committee on Judiciary

No. 1195 Committee on Economic

Development, then to the Committee on
Ways and Means

No. 1196 Jointly to the Committee on
Economic Development and the Committee
on Housing and Community Development

No. 1197 Committee on Labor and
Employment

No. 1198 Committee on Consumer
Protection and Commerce, then to the
Committee on Ways and Means

No. 1199 Committee on Consumer
Protection and Commerce

No. 1200 Committee on Ways and
Means

No. 1201 Committee on Ways and
Means

No. 1202 Committee on
Transportation, then to the Committee on
Judiciary

No. 1203 Committee on Education,
then to the Committee on Ways and Means

No. 1204 Committee on Human
Services, then to the Committee on Ways
and Means

No. 1205 Committee on Human
Services

No. 1206 Committee on Judiciary

No. 1207 Committee on Consumer
Protection and Commerce

No. 1208 Committee on Labor and
Employment

No. 1209 Committee on Ways and
Means

No. 1210 Committee on Ways and
Means

No. 1211 Committee on Agriculture

No. 1212 Committee on Agriculture,
then to the Committee on Ways and Means

No. 1213 Committee on Health

No. 1214 Committee on Tourism and
Recreation

No. 1215 Committee on Human
Services, then to the Committee on Ways
and Means

No. 1216 Committee on Tourism and
Recreation

No. 1217 Committee on Economic
Development, then to the Committee on
Ways and Means

No. 1218 Recreation	Committee on Tourism and	No. 1239 Protection and Commerce	Committee on Consumer
No. 1219 Recreation	Committee on Tourism and	No. 1240 Services	Committee on Human
No. 1220 Recreation	Committee on Tourism and	No. 1241 Protection and Commerce	Committee on Consumer
No. 1221 Development	Committee on Economic	No. 1242 Judiciary	Committee on Judiciary
No. 1222 Recreation	Committee on Tourism and	No. 1243 Operations, then to the Committee on Consumer Protection and Commerce	Committee on Government
No. 1223 Development	Committee on Economic	No. 1244 Transportation, then to the Committee on Judiciary	Committee on Transportation,
No. 1224 Development	Committee on Economic	No. 1245 Employment, then to the Committee on Ways and Means	Committee on Labor and
No. 1225 Means	Committee on Ways and	No. 1246 Employment, then to the Committee on Ways and Means	Committee on Labor and
No. 1226 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1247 Employment, then to the Committee on Ways and Means	Committee on Labor and
No. 1227 Services, then to the Committee on Judiciary	Committee on Human	No. 1248 Health	Committee on Health
No. 1228 Means	Committee on Ways and	No. 1249 Employment, then to the Committee on Ways and Means	Committee on Labor and
No. 1229 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1250 Transportation, then to the Committee on Ways and Means	Committee on Transportation,
No. 1230 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1251 Operations, then to the Committee on Judiciary	Committee on Government
No. 1231 Development	Committee on Economic	No. 1252 to the Committee on Ways and Means	Committee on Energy, then
No. 1232 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1253 Means	Committee on Ways and
No. 1233 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1254 Education, then to the Committee on Ways and Means	Committee on Higher
No. 1234 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1255 Recreation, then to the Committee on Ways and Means	Committee on Tourism and
No. 1235 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1256 Recreation, then to the Committee on Ways and Means	Committee on Tourism and
No. 1236 Means	Committee on Ways and	No. 1257 Recreation, then to the Committee on Ways and Means	Committee on Tourism and
No. 1237 Development, then to the Committee on Ways and Means	Committee on Economic	No. 1258 Recreation, then to the Committee on Ways and Means	Committee on Tourism and
No. 1238 Protection and Commerce	Committee on Consumer		

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| No. 1259 | Committee on Tourism and Recreation, then to the Committee on Ways and Means | No. 1280 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1260 | Committee on Tourism and Recreation, then to the Committee on Ways and Means | No. 1281 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1261 | Committee on Economic Development, then to the Committee on Ways and Means | No. 1282 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1262 | Committee on Education, then to the Committee on Ways and Means | No. 1283 | Committee on Health, then to the Committee on Ways and Means |
| No. 1263 | Committee on Education, then to the Committee on Ways and Means | No. 1284 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1264 | Committee on Transportation | No. 1285 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1265 | Committee on Education, then to the Committee on Ways and Means | No. 1286 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1266 | Committee on Education, then to the Committee on Ways and Means | No. 1287 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1267 | Committee on Judiciary | No. 1288 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1268 | Committee on Ways and Means | No. 1289 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1269 | Committee on Tourism and Recreation, then to the Committee on Ways and Means | No. 1290 | Jointly to the Committee on Education and the Committee on Higher Education |
| No. 1270 | Committee on Consumer Protection and Commerce | No. 1291 | Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1271 | Committee on Consumer Protection and Commerce | No. 1292 | Committee on Government Operations, then to the Committee on Ways and Means |
| No. 1272 | Committee on Human Services, then to the Committee on Ways and Means | No. 1293 | Committee on Tourism and Recreation, then to the Committee on Ways and Means |
| No. 1273 | Committee on Health | No. 1294 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1274 | Committee on Consumer Protection and Commerce | No. 1295 | Committee on Labor and Employment |
| No. 1275 | Committee on Government Operations, then to the Committee on Ways and Means | No. 1296 | Committee on Housing and Community Development |
| No. 1276 | Committee on Higher Education, then to the Committee on Ways and Means | No. 1297 | Committee on Ways and Means |
| No. 1277 | Committee on Higher Education, then to the Committee on Ways and Means | No. 1298 | Committee on Judiciary |
| No. 1278 | Committee on Higher Education, then to the Committee on Ways and Means | No. 1299 | Committee on Government |
| No. 1279 | Committee on Higher Education, then to the Committee on Ways and Means | | |

Operations	No. 1320	Committee on Government Operations, then to the Committee on Ways and Means
No. 1300 Committee on Government Operations, then to the Committee on Ways and Means	No. 1321	Committee on Government Operations, then to the Committee on Ways and Means
No. 1301 Committee on Judiciary	No. 1322	Committee on Ways and Means
No. 1302 Committee on Higher Education, then to the Committee on Ways and Means	No. 1323	Committee on Tourism and Recreation, then to the Committee on Ways and Means
No. 1303 Committee on Government Operations, then to the Committee on Ways and Means	No. 1324	Committee on Consumer Protection and Commerce
No. 1304 Committee on Government Operations	No. 1325	Committee on Judiciary
No. 1305 Committee on Consumer Protection and Commerce	No. 1326	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1306 Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 1327	Committee on Judiciary
No. 1307 Committee on Tourism and Recreation, then to the Committee on Ways and Means	No. 1328	Committee on Judiciary
No. 1308 Committee on Labor and Employment	No. 1329	Committee on Government Operations, then to the Committee on Consumer Protection and Commerce
No. 1309 Committee on Economic Development, then to the Committee on Ways and Means	No. 1330	Committee on Labor and Employment
No. 1310 Committee on Tourism and Recreation	No. 1331	Committee on Judiciary
No. 1311 Committee on Government Operations, then to the Committee on Ways and Means	No. 1332	Committee on Transportation, then to the Committee on Judiciary
No. 1312 Committee on Transportation	No. 1333	Committee on Judiciary
No. 1313 Committee on Judiciary	No. 1334	Committee on Consumer Protection and Commerce
No. 1314 Committee on Government Operations	No. 1335	Committee on Labor and Employment
No. 1315 Committee on Transportation, then to the Committee on Ways and Means	No. 1336	Committee on Housing and Community Development, then to the Committee on Ways and Means
No. 1316 Committee on Economic Development, then to the Committee on Ways and Means	No. 1337	Committee on Government Operations
No. 1317 Committee on Transportation, then to the Committee on Ways and Means	No. 1338	Committee on Health
No. 1318 Committee on Transportation	No. 1339	Committee on Consumer Protection and Commerce
No. 1319 Committee on Government Operations, then to the Committee on Ways and Means	No. 1340	Committee on Judiciary
	No. 1341	Committee on Tourism and Recreation, then to the Committee on Ways and Means
	No. 1342	Committee on Education, then to the Committee on Ways and Means
	No. 1343	Committee on Education,

then to the Committee on Ways and Means

No. 1344 Committee on Ways and Means

No. 1345 Committee on Education, then to the Committee on Ways and Means

No. 1346 Committee on Ways and Means

No. 1347 Committee on Consumer Protection and Commerce

No. 1348 Committee on Judiciary

No. 1349 Committee on Judiciary

No. 1350 Committee on Housing and Community Development

No. 1351 Committee on Housing and Community Development

No. 1352 Committee on Ways and Means

No. 1353 Committee on Agriculture

No. 1354 Committee on Human Services

No. 1355 Committee on Transportation, then to the Committee on Ways and Means

No. 1356 Committee on Transportation

No. 1357 Committee on Ways and Means

No. 1358 Committee on Judiciary

No. 1359 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 1360 Committee on Transportation, then to the Committee on Ways and Means

No. 1361 Committee on Human Services

No. 1362 Committee on Transportation, then to the Committee on Ways and Means

No. 1363 Committee on Health

No. 1364 Committee on Economic Development

No. 1365 Committee on Transportation

No. 1366 Committee on Consumer Protection and Commerce

No. 1367 Committee on

Transportation, then to the Committee on Ways and Means

No. 1368 Committee on Transportation

No. 1369 Committee on Transportation

No. 1370 Committee on Consumer Protection and Commerce

No. 1371 Committee on Consumer Protection and Commerce

No. 1372 Committee on Consumer Protection and Commerce

No. 1373 Committee on Housing and Community Development, then to the Committee on Ways and Means

No. 1374 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 1375 Jointly to the Committee on Transportation and to the Committee on Labor and Employment

No. 1376 Committee on Economic Development, then to the Committee on Judiciary

No. 1377 Committee on Economic Development

No. 1378 Committee on Human Services, then to the Committee on Ways and Means

No. 1379 Committee on Economic Development, then to the Committee on Judiciary

No. 1380 Committee on Economic Development, then to the Committee on Judiciary

No. 1381 Committee on Education, then to the Committee on Government Operations

No. 1382 Committee on Economic Development

No. 1383 Committee on Human Services, then to the Committee on Ways and Means

No. 1384 Committee on Education, then to the Committee on Ways and Means

No. 1385 Committee on Health

No. 1386 Committee on Economic Development

No. 1387 Committee on Tourism and Recreation, then to the Committee on Ways and Means

No. 1388	Committee on Labor and Employment, then to the Committee on Ways and Means	No. 1414	Committee on Government Operations
No. 1389	Committee on Judiciary	No. 1415	Committee on Transportation
No. 1390	Committee on Health	No. 1416	Committee on Housing and Community Development, then to the Committee on Ways and Means
No. 1391	Committee on Health, then to the Committee on Ways and Means	No. 1417	Committee on Judiciary
No. 1392	Committee on Health, then to the Committee on Ways and Means	No. 1418	Committee on Health, then to the Committee on Judiciary
No. 1393	Committee on Housing and Community Development	No. 1419	Committee on Judiciary, then to the Committee on Ways and Means
No. 1394	Committee on Agriculture, then to the Committee on Ways and Means	No. 1420	Committee on Health
No. 1395	Committee on Judiciary	No. 1421	Committee on Consumer Protection and Commerce
No. 1396	Committee on Government Operations	No. 1422	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1397	Committee on Agriculture	No. 1423	Committee on Government Operations
No. 1398	Committee on Judiciary, then to the Committee on Ways and Means	No. 1424	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1399	Committee on Consumer Protection and Commerce	No. 1425	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1400	Committee on Transportation	No. 1426	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1401	Committee on Consumer Protection and Commerce	No. 1427	Committee on Labor and Employment
No. 1402	Committee on Consumer Protection and Commerce	No. 1428	Committee on Labor and Employment
No. 1403	Committee on Energy, then to the Committee on Ways and Means	No. 1429	Committee on Labor and Employment, then to the Committee on Ways and Means
No. 1404	Committee on Judiciary	No. 1430	Committee on Judiciary
No. 1405	Committee on Economic Development	No. 1431	Committee on Human Services, then to the Committee on Ways and Means
No. 1406	Committee on Economic Development	No. 1432	Committee on Government Operations
No. 1407	Committee on Economic Development, then to the Committee on Ways and Means	No. 1433	Committee on Human Services, then to the Committee on Ways and Means
No. 1408	Committee on Judiciary, then to the Committee on Ways and Means	No. 1434	Committee on Human Services
No. 1409	Committee on Economic Development, then to the Committee on Judiciary	No. 1435	Committee on Judiciary, then to the Committee on Ways and Means
No. 1410	Committee on Judiciary		
No. 1411	Committee on Health		
No. 1412	Committee on Judiciary		
No. 1413	Committee on Judiciary		

No. 1436 Committee on Health, then to the Committee on Ways and Means

No. 1437 Committee on Government Operations, then to the Committee on Ways and Means

No. 1438 Committee on Human Services, then to the Committee on Ways and Means

No. 1439 Committee on Human Services

No. 1440 Committee on Human Services, then to the Committee on Ways and Means

No. 1441 Committee on Human Services, then to the Committee on Ways and Means

No. 1442 Committee on Human Services, then to the Committee on Ways and Means

No. 1443 Committee on Human Services, then to the Committee on Ways and Means

No. 1444 Committee on Human Services, then to the Committee on Ways and Means

No. 1445 Committee on Judiciary

No. 1446 Committee on Human Services, then to the Committee on Ways and Means

No. 1447 Committee on Human Services, then to the Committee on Ways and Means

No. 1448 Committee on Human Services, then to the Committee on Ways and Means

No. 1449 Committee on Human Services, then to the Committee on Ways and Means

No. 1450 Committee on Human Services, then to the Committee on Ways and Means

No. 1451 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 1452 Committee on Higher Education, then to the Committee on Ways and Means

No. 1453 Committee on Education, then to the Committee on Ways and Means

No. 1454 Committee on Education, then to the Committee on Ways and Means

No. 1455 Committee on Education,

then to the Committee on Ways and Means

No. 1456 Committee on Education, then to the Committee on Ways and Means

No. 1457 Committee on Education, then to the Committee on Ways and Means

No. 1458 Committee on Education, then to the Committee on Ways and Means

No. 1459 Committee on Education, then to the Committee on Ways and Means

No. 1460 Committee on Human Services, then to the Committee on Ways and Means

No. 1461 Committee on Agriculture, then to the Committee on Ways and Means

No. 1462 Committee on Housing and Community Development, then to the Committee on Ways and Means

No. 1463 Committee on Judiciary, then to the Committee on Ways and Means

No. 1464 Committee on Education, then to the Committee on Ways and Means

No. 1465 Committee on Government Operations, then to the Committee on Ways and Means

No. 1466 Committee on Higher Education, then to the Committee on Ways and Means

No. 1467 Committee on Higher Education, then to the Committee on Ways and Means

No. 1468 Committee on Higher Education, then to the Committee on Ways and Means

No. 1469 Committee on Education, then to the Committee on Ways and Means

No. 1470 Committee on Education, then to the Committee on Ways and Means

No. 1471 Committee on Judiciary, then to the Committee on Ways and Means

No. 1472 Committee on Education, then to the Committee on Ways and Means

No. 1473 Committee on Judiciary, then to the Committee on Ways and Means

No. 1474 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 1475 Committee on Judiciary

No. 1476 Committee on Human Services, then to the Committee on Ways and Means

- No. 1477 Committee on Labor and Employment
- No. 1478 Committee on Judiciary
- No. 1479 Committee on Human Services, then to the Committee on Ways and Means
- No. 1480 Committee on Housing and Community Development, then to the Committee on Ways and Means
- No. 1481 Committee on Housing and Community Development, then to the Committee on Ways and Means
- No. 1482 Committee on Ways and Means
- No. 1483 Committee on Tourism and Recreation, then to the Committee on Ways and Means
- No. 1484 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1485 Committee on Economic Development
- No. 1486 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1487 Committee on Labor and Employment, then to the Committee on Ways and Means

At 11:22 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:27 o'clock a.m.

At this time, Senator Hee rose on a point of personal privilege and stated as follows:

"Mr. President, members of the Senate, on yesterday's front page in the Star-Bulletin, there was an article with this headline and I quote, 'Maui Grower Seeks to Use DBCP Again.'

"Mr. President, I rise today because it's appropriate that in the Agriculture Committee today we will be taking up a bill which has been introduced for several years to give the Department of Health the ability to enforce pesticide abuse, what heretofore has not been done by the Department of Agriculture.

"Mr. President, if you will allow me, I'd like to read a few quotations in the article which I find disturbing. 'DBCP has been found to be carcinogenic (it causes cancer) and has been linked to reproductive

difficulties in men and women. The U.S. Environmental Protection Agency has canceled its use everywhere but Hawaii, where pineapple companies had until last fall to use up their stock.' The extension for two more years has now been granted, and the article goes on to explain that it expires now in December 1986. Mr. Williams from Maui Land and Pine has said that he 'intends to use DBCP only on fields in the coastal areas near Haiku in the north central part of the Island and in West Maui between Honokahau and Kahana.' As he said, quote, 'Basically, we're going to be using it within a mile or a mile-and-a-half of the ocean,' ... 'Groundwater there moves a few feet a day and is then flushed out into the ocean. They don't drill wells that near to the ocean because they pull saline water.'

"Mr. President, the cavalier approach taken by this business with respect not only to the environment, but to the contamination of human habitat is what I find most disturbing.

"What compounds the disturbance is that this has been allowed because the Department of Agriculture's ability to waive chemicals which previously had been banned by the Federal EPA.

"Perhaps, now would be a good year, Mr. President, that we pass legislation not to give the DOA that ability to waive carcinogenic contaminants and abusive chemical use thereof.

"Perhaps, Mr. President, this would be a good year to take that power away from the Department of Agriculture and put that enforcement power in the Department of Health.

"Thank you, Mr. President."

Senator Fernandes Salling then rose and stated:

"Mr. President, those of you who are wondering about the roses placed on your desks, my staff and I distributed them with our best wishes to all of you for a Happy Valentine's Day."

The Chair then thanked the Senator from Kauai for her thoughtfulness and extended his best wishes to everyone for a Happy Valentine's Day.

ADJOURNMENT

At 11:33 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, February 15, 1985.

TWENTY-THIRD DAY

Friday, February 15, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Sister Honor Mounteer, Associate Director, Spiritual Life Center, after which the Roll was called showing all Senators present with the exception of Senator Cayetano who was excused.

The Chair announced that he had read and approved the Journal of the Twenty-Second Day.

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

Senator Hagino introduced a group of 75 fourth grade students from Wahiawa Elementary School, accompanied by their teachers, Mrs. Pauleen Hirai, Mrs. Karen Flatte and Mrs. Leslie Kunihiha.

Senator Matsuura, on behalf of the Senators from the Big Island, introduced Mr. Francis Pacheco from Hilo and added that "we're very grateful for all the efforts and time Mr. Pacheco has given in helping the sugar industry."

Senator Solomon then rose to introduce Master Steve Hagino, Senator Gerald Hagino's son, one of the fourth grade students from Wahiawa Elementary School.

Senator Kuroda then introduced the following members of the Gifu (Japan) Prefectural Assembly Team, guests of the USIA: Seizo Matsunaga, Team Leader and former speaker and vice speaker; Yoshinao Mitsuoka, Vice Team Leader; Yukiaki Matsuno, Team Secretary; and Shogo Aoyama, Kimio Sakai, Yukio Funato, Takashi Nekoda, Shiro Ban, Hitoshi Hatoya and Yoneo Kimata, Team Members; accompanied by Reverend Sam Lee, a Hawaii resident, interpreter for the group.

The President then introduced the board members of the State Legislative Leaders Foundation and remarked as follows:

"Members of the Senate, it gives me great pleasure to introduce some very distinguished guests today. They are with the State Legislative Leaders Foundation which is having its winter board meeting here in Honolulu.

"The board members of the State Legislative Leaders Foundation consists of senate presidents, house speakers and majority and minority leaders from across the country and, of course, we all know how

important these positions are.

"The reason they are visiting our session today is because, when I last visited them, I had told them that the Hawaii State Senate is an exceptionally harmonious and congenial body whose members have the highest respect and deference for its president. Well, they didn't believe that there was really such a body so they thought they'd come out and visit us to find out whether that was true.

"So, members of the Senate, please don't make a liar out of me. Please give them the same courtesy you would give me. Wait! I take that back! Don't treat them like you would treat me, be nice to them.

"Anyway, I'd like to make a few introductions. On the floor here is Senate President William M. Bulger from Massachusetts, Chairman of the Board of the State Legislative Leaders Foundation. Accompanying Senator Bulger is Mr. Stephen G. Lakis, the president of the organization. On behalf of the Senate, I will be presenting them the Certificate of Appreciation.

"Speaker Pro Tempore W. Sterling Anderson from South Carolina is not with us this morning but he will be joining us later.

"In the gallery are the following: House Minority Leader J. Michael Busch from Michigan; Senate Majority Leader Timothy F. Cullen from Wisconsin; Assembly Majority Leader John Paul Doyle from New Jersey; Senate President Jerome M. Hughes from Minnesota; House Speaker John L. Martin from Maine; Senate President Philip J. Rock from Illinois; House Minority Leader Irving J. Stolberg from Connecticut; and House Speaker John B. Tucker from New Hampshire. They are accompanied by the members of the State Legislative Leaders Foundation Advisory Council, spouses, guests and staff."

The Honorable William M. Bulger, the Honorable Stephen G. Lakis and the ladies and gentlemen in the gallery rose to be recognized.

The President then invited the Honorable William Bulger to address the members of the Senate.

The Honorable William Bulger addressed the members of the Senate as follows:

"Thank you very much, Mr. President.

"I just would like to say to all of the members of your body here, the State

Senate, and through you to the people of this state that we have been treated so hospitably that we would be remiss if we did not express our gratitude to all for the wonderful hospitality shown to us.

"I guess we knew far in advance...we have the universal wisdom to know where to go to hold our annual conference, coming to Hawaii, as do our brother legislators from Japan. All roads lead to Hawaii.

"And we notice that among our guests, Mr. President, the best representation is from the northern climes of the continental United States—Maine, Massachusetts, New Jersey, Minnesota are all well represented. It's cold there. Furthermore, Mr. President, I have nine children and I will do anything to get out of the house.

"We're very, very happy to be here and we thank you very much for your generous and thoughtful hospitality to us. Thank you."

MESSAGE FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 171 and 172) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 171, transmitting the "Criminal Justice Information System Study," prepared by the Governor's Planning Committee on Crime, was referred to the Committee on Judiciary.

Gov. Msg. No. 172, transmitting "A Feasibility Study on the Possible Acquisition of the Kohala Ditch System," prepared by the Department of Land and Natural Resources, in response to S.R. No. 74 (1984) and H.R. No. 232 (1984), was referred to the Committee on Agriculture.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 35 from the Family Court, First Circuit, transmitting a report, in response to S.R. No. 113 (1984), Requesting a Study of Using Mediation in Child Custody Cases, and H.R. No. 180 (1984), Requesting the Family Court to Study and Implement Mediation between the Parties in Child Custody Cases, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATION

Hse. Com. No. 3, transmitting House Concurrent Resolution No. 30, which was adopted by the House of Representatives on February 14, 1985, was read by the Clerk and was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 30, regarding the dates of the mandatory

recess of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, was adopted.

ORDER OF THE DAY

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Thursday, February 14, 1985:

Senate Concurrent Resolutions	Referred to:		
No. 9 Education	Committee	on	Higher
No. 10 Education	Committee	on	Higher
Senate Resolutions	Referred to:		
No. 15 Education	Committee	on	Higher
No. 16 Education	Committee	on	Higher
No. 17	Committee	on	Higher
Education, then to the Committee on Legislative Management			

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced:

Senate Bills	Referred to:		
No. 172	Committee	on	Consumer Protection and Commerce
No. 207	Committee	on	Consumer Protection and Commerce
No. 264	Committee on Energy		
No. 370	Committee	on	Human Services, then to the Committee on Ways and Means
No. 379	Committee	on	Transportation
No. 478	Committee on Judiciary		
No. 597	Committee	on	Ways and Means
No. 633	Committee	on	Ways and Means
No. 858	Jointly to the Committee on Government Operations and the Committee on Tourism and Recreation, then to the Committee on Ways and Means		

No. 916 Committee on Ways and Means

No. 918 Committee on Ways and Means

No. 1391 Committee on Ways and Means

No. 1392 Committee on Ways and Means

At 11:32 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock a.m.

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the re-referral of senate bills received by the Senate Clerk prior to midnight. In consequence thereof, and subsequent to its recessing at 11:34 o'clock a.m., the Senate took the following action on the following bills:

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced:

Senate Bills Referred to:

No. 400 Committee on Government Operations, then to the Committee on Ways and Means

No. 656 Committee on Human Services, then to the Committee on Ways and Means

No. 679 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 1290 Committee on Higher Education

No. 1432 Committee on Human Services

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Tuesday, February 26, 1985.

TWENTY-FOURTH DAY

Tuesday, February 26, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Gerald T. Chinen, Church at Our House, after which the Roll was called showing all Senators present with the exception of Senators A. Kobayashi and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Twenty-Third Day.

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

Senator Toguchi on behalf of Senator Clayton Hee and himself introduced 45 students from the gifted and talented program of Puohala and Ahuimanu Schools, accompanied by their teachers, Mrs. Ing and Mrs. Sakoeki; parents, Mrs. Michibata, Mrs. Ige, Mr. Guillermo and Mrs. Tamayose.

Senator Toguchi then remarked as follows:

"Mr. Vice President, I have a message for all of you from the students. They told me to tell all of you to vote for the 'humuhumu' as the state fish. The other thing too is that I asked them what was one of their top priorities here at the Legislature. They said, 'make the gifted and talented classes full time.' Thank you."

Senator Fernandes Salling rose and introduced, on behalf of Senator Aki and herself, nine senior citizens from Kauai who were selected as the legislative delegates for 1985 under the Office of Elderly Affairs, County of Kauai. They were accompanied by their executive director, Mrs. Ellie Lloyd, and staff member, Richard Chun.

Senator Kuroda then made the following introductions:

"Mr. Vice President, on behalf of Senator Yamasaki and Senator Bert Kobayashi whose ancestors come from the Island of Kyushu, we have visiting with us six Fukuoka Prefecture councilmen. They are called assemblymen, the Kanda City assemblymen. Kanda City has a very large Nissan plant. It adds to a very successful economy there.

"These visitors are here in conjunction with the 'kanyaku imin,' the 100th anniversary celebration of the Japanese coming to Hawaii. I'd like to at this time introduce Shinichi Imoto, the delegation leader, Hiroshi Hisamatsu, Masato Ejima,

Koujiro Okuda, Kyuuzo Meguro and Takeshi Kawasaki, who happens to have the same name as you, Mr. Vice President.

"Mr. Vice President, we also have visiting with us from Kingston, Pennsylvania, Dr. Herbert Oliver, a dentist for 30 years, who is very involved in Little League baseball and is the present district administrator. Dr. Oliver has devoted 33 years in Little League baseball. He is accompanied by his wife, Kay, and friend, Catherine Dildine, a retired school teacher. Catherine Dildine is celebrating her 70th birthday today. Accompanying them is Mrs. Anita Aoki, district administrator of Hawaii Little League, District 2, which encompasses Aiea, Pearl Harbor and Hickam."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 173 to 191) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 173, transmitting the 1983-84 Annual Report of the Department of Personnel Services, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 174, transmitting the report, "Adequacy of Welfare Allowances," prepared by the Department of Social Services and Housing, pursuant to Chapter 346, HRS, was referred to the Committee on Human Services.

Gov. Msg. No. 175, transmitting the final report of the Governor's Committee on Hawaii's Economic Future, was referred to the Committee on Economic Development.

Gov. Msg. No. 176, transmitting a report prepared by the Office of Environmental Quality Control, in response to HCR 39 (1984), Requesting the Office of Environmental Quality Control to Determine the Source of EDB (ethylene dibromide) Contamination of the Waipahu Wells, was referred to the Committee on Health.

Gov. Msg. No. 177, transmitting the 1984 Annual Report of the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

Gov. Msg. No. 178, transmitting the "State of Hawaii Program Structure," a supplement to the Multi-Year Program and Financial Plan, was referred to the Committee on Ways and Means.

Gov. Msg. No. 179, transmitting a report

prepared by the Department of Land and Natural Resources, in response to H.R. No. 108 (1984), Requesting Meetings to Determine the Advisability of Restricting Net Fishing in a Portion of the Harbor and Nearshore Waters of Kawaihae, Hawaii, was referred to the Committee on Economic Development.

Gov. Msg. No. 180, submitting for consideration and confirmation to the Advisory Committee on Flowers and Foliage, the nomination of Tracey Elmore Lauder, term to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 181, submitting for consideration and confirmation to the CATV Advisory Committee, the nomination of Henry L. Freund, term to expire December 31, 1987, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 182, submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Karen J. Bardin-Billman, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 183, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of Robert G. Schmitt, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 184, submitting for consideration and confirmation to the Board of Examiners of Nursing Home Administrators, the nominations of the following:

Darryl N. Ing, term to expire December 31, 1987; and

Clifford E. Miller, Jr., term to expire December 31, 1985,

was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 185, submitting for consideration and confirmation to the Board of Land and Natural Resources, the nomination of John Y. Arisumi, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 186, submitting for consideration and confirmation to the Natural Area Reserves System Commission, the nomination of Frank J. Radovsky, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 187, submitting for consideration and confirmation to the

Aquatic Life and Wildlife Advisory Committee, County of Maui, the nomination of Stanley Y. Oshima, term to expire December 31, 1985, was referred to the Committee on Economic Development.

Gov. Msg. No. 188, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Hawaii County Hospital System, the nominations of the following:

Herbert A. Segawa, term to expire December 31, 1988; and

Lawrence A. Peebles, M.D., term to expire December 31, 1987,

was referred to the Committee on Health.

Gov. Msg. No. 189, submitting for consideration and confirmation to the Civil Service Commission, the nomination of Clarence M. Takashima, term to expire December 31, 1985, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 190, submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District, the nomination of Fred T. Yamashiro, term to expire December 31, 1988, was referred to the Committee on Ways and Means.

Gov. Msg. No. 191, submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District, the nomination of Erlinda Salvador, term to expire December 31, 1988, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 36 to 38) were read by the Clerk and were disposed of as follows:

Dept. Com. No. 36 from the Office of the Auditor, transmitting a report, "Study of the Regulation of Child Care in Hawaii," pursuant to Act 280, SLH 1984, was referred to the Committee on Human Services.

Dept. Com. No. 37 from the Department of the Attorney General, transmitting the "1985 Report on Claims for Legislative Relief," pursuant to Sec. 37-77, HRS, was referred to the Committee on Judiciary.

Dept. Com. No. 38 from the Office of the Auditor, transmitting the report, "Sunrise Analysis of Proposals to Regulate the Practice of Acupuncture," pursuant to Sec. 26H-6, HRS, was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 11 to 16) were read by the Clerk and were disposed of as follows:

S.C.R. No. 11, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 11 was referred to the Committee on Agriculture, then to the Committee on Economic Development.

S.C.R. No. 12, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 12 was referred to the Committee on Education, then to the Committee on Economic Development.

S.C.R. No. 13, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVIEW AND REPORT UPON THE LAWS, REGULATIONS, AND POLICY GUIDELINES FOR USING ANIMAL MANURES IN AQUACULTURE SYSTEMS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 13 was referred jointly to the Committee on Agriculture and to the Committee on Health.

S.C.R. No. 14, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, PACIFIC OCEAN DIVISION, HAWAII, TO INCORPORATE AQUACULTURE OUTFALLS AND RELATED STRUCTURES AND APPURTENANCES UNDER THE GENERAL (REGIONAL) PERMIT SYSTEM OF THE UNITED STATES CLEAN WATER ACT," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 14 was referred jointly to the Committee on Agriculture and the Committee on Health.

S.C.R. No. 15, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO RAISE THE AQUACULTURE EFFLUENT DISCHARGE EXEMPTION LIMITS UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 15 was referred jointly to the Committee on Agriculture and the Committee on Health.

S.C.R. No. 16, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ALL COUNTIES OF THE STATE TO DEFINE AQUACULTURE AS A FORM OF AGRICULTURE UNDER THEIR

GOVERNING ORDINANCES, CODES, RULES AND REGULATIONS," was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 16 was referred jointly to the Committee on Agriculture and the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 18 and 19) were read by the Clerk and were disposed of as follows:

S.R. No. 18, entitled: "SENATE RESOLUTION REQUESTING AN EPIDEMIOLOGICAL STUDY TO DETERMINE WHY LANAI AND MOLOKAI HAVE EXTRAORDINARILY HIGH RATES OF BIRTH DEFECTS," was offered by Senators A. Kobayashi, McMurdo, Abercrombie, Kawasaki, Matsuura, Hagino, Kuroda, Hee, Yamasaki, Fernandes Salling and George.

By unanimous consent, S.R. No. 18 was referred to the Committee on Health.

S.R. No. 19, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPLEMENTATION OF STAGGERED SCHOOL HOURS," was offered by Senators Matsuura and Toguchi.

By unanimous consent, S.R. No. 19 was referred to the Committee on Education.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 14) recommending that Senate Bill No. 72, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, February 28, 1985.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 15) recommending that Senate Bill No. 1190, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Senator Kuroda moved that the report of the Committee be adopted and that S.B. No. 1190, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator

McMurdo.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Abercrombie rose to speak in favor of the measure as follows:

"Mr. Vice President, I want to indicate that I'm pleased to note the willingness of the committee to consider further refinements to this bill, and I trust and hope that the general public, as well as those who will convey what happened and is happening here today with the movement of this bill, will not confuse and mislead the public as to what is intended.

"Obviously, we have a deadline here to work on and we want to make sure that not only the Ways and Means Committee, but all the members of the Senate and the House have some flexibility available to them before they are held to a position which may not represent their full thinking at the present time."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.B. No. 1190, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Second Reading and was referred to the Committee on Ways and Means.

RE-REFERRAL OF SENATE BILLS

The Chair made the following re-referral of bills that were introduced:

Senate Bills Referred to:

No. 686 Committee on Ways and Means

No. 696 Committee on Ways and Means

No. 765 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 771 Committee on Ways and Means

No. 772 Committee on Ways and Means

No. 869 Jointly to the Committee on Labor and Employment and the Committee on Higher Education, then to the Committee on Ways and Means

No. 870 Committee on Ways and Means

No. 884 Committee on Ways and Means

No. 885 Committee on Ways and Means

No. 893 Committee on Labor and Employment, then to the Committee on Ways and Means

No. 907 Committee on Ways and Means

No. 909 Committee on Transportation

No. 914 Committee on Ways and Means

No. 917 Committee on Ways and Means

No. 919 Committee on Ways and Means

No. 944 Committee on Agriculture, then to the Committee on Ways and Means

No. 1196 Committee on Housing and Community Development

No. 1397 Committee on Agriculture, then to the Committee on Ways and Means

At this time, Senator Solomon, Chairman of the Committee on Agriculture, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 944, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER USE"; and

S.B. No. 1397, entitled: "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT,"

and the Chair granted the waiver.

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

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

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Senator Cobb, seconded by Senator Henderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 27, 1985.

TWENTY-FIFTH DAY

Wednesday, February 27, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sandra Hiramatsu of the Honpa Hongwanji Mission, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Fourth Day.

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

Senator Young introduced Stephanie Misch and Corina Payne, students from the social studies class of Ilima Intermediate School in Ewa Beach, participating in the legislative awareness program. The students were accompanied by their teacher, Mrs. Rena Beamer.

Senator McMurdo then introduced Major General (Ret.) and Mrs. George Wallace from San Antonio, Texas, and stated that "they were with us in Hawaii almost 30 years ago."

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 192 to 194) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 192, transmitting the "Progress Report on Activities Conducted in Furtherance of the Hawaii State Plan," prepared by the State Plan Policy Council, pursuant to Chapter 226, HRS, as amended, was referred to the Committee on Economic Development.

Gov. Msg. No. 193, transmitting a report prepared by the Real Estate Commission, Department of Commerce and Consumer Affairs, in response to S.R. No. 158 (1984) and H.R. No. 389 (1984), Requesting a Study into the Existing Duties and Responsibilities of the Real Estate Commission to Develop Recommendations to Improve the Services to Licensees and the Public, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 194, transmitting the 1984 Annual Report of The Natural Energy

Laboratory of Hawaii, pursuant to Sec. 227-3, HRS, was referred to the Committee on Energy.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 17 to 21) were read by the Clerk and were disposed of as follows:

S.C.R. No. 17, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY NOT TO CLOSE OR CONSOLIDATE ANY SCHOOL WITHIN A PARTICULAR COUNTY UNLESS THAT SCHOOL HAS THE SMALLEST STUDENT ENROLLMENT OF ALL PUBLIC SCHOOLS WITHIN THAT COUNTY," was offered by Senators Cobb and McMurdo.

By unanimous consent, action on S.C.R. No. 17 was deferred until Thursday, February 28, 1985.

S.C.R. No. 18, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF THE PROBLEMS AND NEEDS OF VETERANS RESIDING IN HAWAII," was offered by Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.C.R. No. 18 was deferred until Thursday, February 28, 1985.

S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was offered by Senators Cobb, Matsuura, Kuroda, Yamasaki, Hagino, Chang and McMurdo.

By unanimous consent, action on S.C.R. No. 19 was deferred until Thursday, February 28, 1985.

S.C.R. No. 20, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators Cobb, Matsuura, McMurdo, B. Kobayashi, George and A. Kobayashi.

By unanimous consent, action on S.C.R. No. 20 was deferred until Thursday,

February 28, 1985.

S.C.R. No. 21, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE COUNTY OF MAUI PERTAINING TO THE DISTRIBUTION OF GENERAL FEDERAL REVENUE SHARING FUNDS TO THE ISLANDS OF MOLOKAI AND LANAI," was offered by Senators Hee, Cayetano, B. Kobayashi, Fernandes Salling, McMurdo, Toguchi, George and Aki..

By unanimous consent, action on S.C.R. No. 21 was deferred until Thursday, February 28, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 20 to 25) were read by the Clerk and were disposed of as follows:

S.R. No. 20, entitled: "SENATE RESOLUTION REQUESTING THE CHAMBER OF COMMERCE OF HAWAII TO DEVELOP WAYS AND MEANS OF IMPLEMENTING THE HAWAII BUSINESS CORPORATION ACT," was offered by Senators Cobb, Yamasaki, B. Kobayashi, McMurdo, Young, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 20 was deferred until Thursday, February 28, 1985.

S.R. No. 21, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO ADOPT A POLICY NOT TO CLOSE OR CONSOLIDATE ANY SCHOOL WITHIN A PARTICULAR COUNTY UNLESS THAT SCHOOL HAS THE SMALLEST STUDENT ENROLLMENT OF ALL PUBLIC SCHOOLS WITHIN THAT COUNTY," was offered by Senators Cobb and McMurdo.

By unanimous consent, action on S.R. No. 21 was deferred until Thursday, February 28, 1985.

S.R. No. 22, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE STUDY OF THE PROBLEMS AND NEEDS OF VETERANS RESIDING IN HAWAII," was offered by Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 22 was deferred until Thursday, February 28, 1985.

S.R. No. 23, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO PROPOSE RECOMMENDATIONS FOR ESTABLISHING NO-FAULT INSURANCE RATES FOR TAXICABS," was offered by

Senators Cobb, McMurdo, Yamasaki, B. Kobayashi, Mizuguchi and Chang.

By unanimous consent, action on S.R. No. 23 was deferred until Thursday, February 28, 1985.

S.R. No. 24, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was offered by Senators Cobb, Matsuura, Kuroda, Yamasaki, Hagino, Chang and McMurdo.

By unanimous consent, action on S.R. No. 24 was deferred until Thursday, February 28, 1985.

S.R. No. 25, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET, OR TO CALL A CONSTITUTIONAL CONVENTION TO PROPOSE SUCH CONSTITUTIONAL AMENDMENT," was offered by Senators Cobb, Matsuura, McMurdo, B. Kobayashi, George, A. Kobayashi and Hee.

By unanimous consent, action on S.R. No. 25 was deferred until Thursday, February 28, 1985.

STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 16) recommending that Senate Bill No. 979, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Energy.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 979, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading and was recommitted to the Committee on Energy.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 17) recommending that Senate Bill No. 20, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 20, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 18) recommending that

Senate Bill No. 21, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 21, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 19) recommending that Senate Bill No. 944, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Agriculture.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER USE," passed First Reading and was recommitted to the Committee on Agriculture.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 20) recommending that Senate Bill No. 170, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 21) recommending that Senate Bill No. 168, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:31 o'clock p.m.

At this time, Senator Holt introduced to the members of the Senate the 1985 Miss Teen USA Kelly Hu, who was accompanied

by her mother Juanita Hu, Miss Gay Zuercher and Mr. Phil Ritz, advisor and producer, respectively, of the Miss Teen Hawaii Pageant. Senator Holt read portions of the Senate Certificate honoring Miss Hu and remarked as follows:

"Mr. Vice President, members of the Senate, we were quite proud and happy that Kelly Hu, a local resident, a young woman we all can take pride in, won the Miss Teen USA Pageant. She has brought a lot of fame and glory to this beautiful state.

"Kelly is a junior at the Kamehameha Secondary Schools who recently returned from Miami, Florida, assuming the title 'Miss Teen USA 1985.' She was crowned Miss Teen Hawaii on November 27, 1984 and went on to represent Hawaii in the Miss Teen USA Pageant which was held on January 22, 1985. Kelly, after placing very high in the bathing suit, interview, and evening gown competitions, was crowned Miss Teen USA 1985. She is the first young lady from the State of Hawaii to be crowned Miss Teen USA and only the third in the nation.

"I think many of us can remember watching the pageant on television. I witnessed the selection and, I believe, what was most important was her response when she was being interviewed. I cannot quote her exactly but Kelly said '...it's not how you look on the outside but what's inside that counts.'"

Kelly Hu was presented the Senate Certificate and a haku lei by Senator Holt, and Mrs. Hu, Miss Zuercher and Mr. Ritz were presented leis by Senators Mizuguchi, Chang and Young.

Senator Hee then introduced the 1985 Hawaii Junior Miss Michelle Ahulani Bissen, who was accompanied by Regina Helene Mayor, first runner-up, a senior at Pearl City High School; Meta Farina Tjan, second runner-up, a senior at Iolani High School; Jenevieve Tarutani, third runner-up, a senior at University High School; Diane Fumie Imamura, fourth runner-up, a senior at Iolani High School; and Mr. George Kodama, chairman of the pageant. Also introduced were parents of Miss Bissen, Miss Imamura and Miss Tjan and mother of Miss Tarutani who were sitting in the gallery. Senator Hee added as follows:

"Michelle Ahulani Bissen is a senior at Sacred Hearts Academy who placed first overall, out of 49 contestants, in scholastic achievement, poise, and appearance, and danced her way into the hearts of the judges by doing a jazz improvisation using sign language. Michelle will be representing Hawaii in the 27th Annual America's Junior Miss Scholarship Pageant which will be held in Mobile, Alabama."

All of the young ladies rose to be recognized and were presented the congratulatory certificate and with leis by Senators Hee, Cayetano, Abercrombie, Toguchi and Kuroda.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:43 o'clock p.m.

The Chair, at this time, invited Kelly Hu, Miss Teen USA 1985, to the rostrum to address the members of the Senate.

Miss Hu addressed the members of the Senate as follows:

"Good afternoon, ladies and gentlemen, it's my pleasure to be here.

"I just want to let you all know how privileged I felt to represent Hawaii in the national pageant, and I was really, really proud to bring home the crown. I'd like to thank everyone who helped me, including Gay, Phil and, of course, my mother who I think I drove 'nuts.'

"I'd like to wish the best of luck to Michelle (Bissen) in her national pageant. I hope you do well and bring back the crown.

"Thank you."

Senator Soares then rose on a point of information and inquired as to whether the chairman of the Judiciary Committee would yield to a question, and the Chair having posed the question, Senator Chang answered: "Mr. President, may I hear the question?"

Senator Soares asked: "Mr. President, I noticed in the Advertiser that the House has not seen fit to hear any bills on initiative or to pass it out; that there was some comment made that the Senate committee has not seen fit to have any hearings on it yet. I'd like to ask the committee chairman whether he plans to have any hearings on the initiative measure this session or not."

Senator Chang responded: "Mr. President, I have not been approached by many members of the Senate or members of the community to hold hearings on the matter. If there is substantial interest in this matter I will, of course, schedule a hearing."

Senator Soares further inquired: "Mr. President, aren't there bills resting in that committee on initiative?"

The Chair replied in the affirmative and Senator Soares remarked: "Mr. President, we ask for hearings. Thank you."

The Chair then made the following announcement:

"Members of the Senate, the Chair has been informed that there are many committee reports for lateral movement that are still in the preparation stage. Hopefully, they will be completed by this afternoon. Senators are asked to remain in the building to sign these reports.

"I hope we will have the committee reports submitted to the Clerk by late this afternoon so they can be listed on tomorrow morning's order of the day.

"Depending on the status of the reports, a decision will then be made as to whether or not we should have an afternoon session tomorrow.

"The Chair wishes to thank all of you for your cooperation."

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

ADJOURNMENT

At 12:51 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., Thursday, February 28, 1985.

TWENTY-SIXTH DAY

Thursday, February 28, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Dr. Clifford Hoff, Pastor, Olivet Baptist Church, after which the Roll was called showing all Senators present.

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

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:44 o'clock a.m.

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

Senator Cobb on behalf of Senator Soares and himself introduced twenty third graders from Holy Nativity School, accompanied by their teacher Mrs. Littlejohn and chaperons, Mrs. Meg Chun, Mrs. Linda Martyah, Mrs. Jenny Long and Miss Sandra Shim.

Senator Hagino introduced Mrs. Mary Cash, chairperson, and 25 members of the Honolulu District Parent Advisory Council and remarked as follows:

"Mr. Vice President and fellow members of the Senate, in 1971 all schools receiving Title I, now called Chapter I, funds for remedial programs were required to have parent participation. Therefore, the Parent Advisory Council was formed. The council operates under the Department of Education and is made up of interested parents who want to involve themselves in their children's education.

"The council is very active. They meet once a month to review the program. They provide input into the program and make recommendations for improvement, many of which are implemented by the Department of Education."

Senator Abercrombie then introduced Dr. Ronald Herberman, Dr. Clara Ching, and Dr. Clifford Wong as follows:

"Mr. Vice President, I have a particularly pleasant duty today in acquainting the members of the Senate with our guests on the floor. First, I would like to make some remarks about Dr. Clara Ching who is an associate researcher in the Department of Medicine at the University of Hawaii. I think our meeting with her today will be a little bit different than some of the meetings we've had at the School of

Medicine recently.

"Dr. Ching has been instrumental in introducing Dr. Herberman to the medical profession of Hawaii and this has led to fortunate developments as, through the efforts of Dr. Ching and Dr. Herberman, Hawaii has been given valuable assistance in our research with interferon, a substance which I know you, Mr. Vice President, have particular interest in, making this available to us at no cost through his position and activities as the associate director of the National Cancer Institute, with particular reference to the biological response modifiers program for interferon, which, of course, is an integral element.

"As a result of our being able to obtain, through the efforts of Dr. Ching and Dr. Herberman, the compound interferon at no cost, we are able to divert funds for the establishment of a research laboratory in Hawaii to monitor the effectiveness of interferon in cancer research in Hawaii. As a result of Dr. Herberman's help we can inform the Senate that the first group of Hawaii patients considered terminal are now able to be treated with interferon...to provide, at least, some hope in their battle with this dreadful disease. The importance of this situation can only be appreciated by a family with a member afflicted with terminal cancer, such as has been the case for several members of this body, including myself.

"This Senate can take pride in being the first legislative body to have had the foresight and sense of humanity to provide funding for this innovative research with biological response modifiers.

"The Hawaii program is patterned after Dr. Herberman's program at the National Cancer Institute in Washington, D.C. He is internationally known for his pioneering leadership on the role of natural killer cells in our body's defense against cancer and other such viruses.

"He is a native of Brooklyn, New York, graduated summa cum laude from New York University and received his medical degree also from New York University School of Medicine. His medical training in internal medicine continued at Massachusetts General Hospital in Boston. He is a diplomat with the American Board of Internal Medicine. He moved to the National Cancer Institute to continue his research activities and has published extensively in various aspects of cancer immunology. He is a recipient of the Public Health Service Commendation Medal in 1976 and is currently president of his professional society, the Reticuloendothelial

Society. He currently serves on more than eighteen editorial and advisory boards and, within the past ten years, his publications number more than 500 in this area of cancer research.

"As one of the pioneering researchers in this area in clinical interferon trials, he has served as a consultant in the development of this interferon research in Hawaii in helping us understand why our native Hawaiians have the highest incidence of cancer of the lung and breast and poorer survival among our multiethnic population.

"I'm sure, Mr. Vice President, that we know that our Cancer Research Institute here has a unique opportunity...perhaps unique throughout the country...to examine cancer research in various ethnic and cultural contexts. So, it is with a great deal of pleasure and pride that I introduce to you today and to the members of the body and our audience someone from our School of Medicine, a worthy recipient of our attention and applause today, Dr. Clara Ching. And her associate, I would like to say, here in Hawaii and I hope that he would consider this his second home as well, Dr. Ronald B. Herberman and his wife Harriet, accompanied by Dr. Clifford Wong of the University of Hawaii."

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 22) recommending that Senate Bill No. 107, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 107, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 23) recommending that Senate Bill No. 481, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 481, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 24) recommending that Senate Bill No. 229, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 229, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 25) recommending that Senate Bill No. 961, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 26) recommending that Senate Bill No. 383 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 383, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL SUMMER SCHOOL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 27) recommending that Senate Bill No. 1164, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 1164, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF HAWAII'S PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and

Commerce, presented a report (Stand. Com. Rep. No. 28) recommending that Senate Bill No. 552, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO NON-ECONOMIC LOSSES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 29) recommending that Senate Bill No. 514 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 514, entitled: "A BILL FOR AN ACT RELATING TO HIKING TRAILS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 30) recommending that Senate Bill No. 343 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 343, entitled: "A BILL FOR AN ACT RELATING TO LIFE-SAVING SERVICES FOR STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 31) recommending that Senate Bill No. 536 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and S.B. No. 536, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR A MUNICIPAL GOLF COURSE AT KEALAKEHE, NORTH KONA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 32) recommending that Senate Bill No. 548, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 548, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTING AND ADVERTISING OF THE ISLAND OF MOLOKAI AS A VISITOR DESTINATION AREA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 33) recommending that Senate Bill No. 698 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 698, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERNAL SECURITY SERVICES FOR IOLANI PALACE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 34) recommending that Senate Bill No. 795 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 795, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIPAHU CULTURAL GARDEN PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 35) recommending that Senate Bill No. 796 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 796, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIPAHU CULTURAL GARDEN PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 36) recommending that S.B. No. 1257 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted

and S.B. No. 1257, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WEST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 37) recommending that Senate Bill No. 1105 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1105, entitled: "A BILL FOR AN ACT RELATING TO HARBOR SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 38) recommending that Senate Bill No. 934, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 934, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 39) recommending that Senate Bill No. 460, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 40) recommending that Senate Bill No. 103 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on

Judiciary, presented a report (Stand. Com. Rep. No. 41) recommending that Senate Bill No. 245 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 42) recommending that Senate Bill No. 707, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 707, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM-WITNESS ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 43) recommending that Senate Bill No. 252, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 252, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 44) recommending that Senate Bill No. 637 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 637, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE NATIONAL GUARD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 45) recommending that Senate Bill No. 901 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the

report of the Committee was adopted and S.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 46) recommending that Senate Bill No. 920 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 920, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REPAIRS TO THE HAWAII NATIONAL GUARD ARMORY AT KAPAA, KAUAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 47) recommending that Senate Bill No. 1275 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1275, entitled: "A BILL FOR AN ACT RELATING TO AUTOPSIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 48) recommending that Senate Bill No. 1311 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1311, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR NIMITZ RELIEF SEWER, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 49) recommending that Senate Bill No. 69, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 69, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to

the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 50) recommending that Senate Bill No. 702, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 51) recommending that Senate Bill No. 724 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the majority of the Committee was adopted and S.B. No. 724, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT OF AN OFFICE OF UNITED SELF-HELP IN MENTAL HEALTH WITHIN THE OFFICE OF COMMUNITY SUPPORT OF THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 52) recommending that Senate Bill No. 61, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 61, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH FEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 53) recommending that Senate Bill No. 73, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 73, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO A PSYCHIATRIC FACILITY," passed Second Reading and was referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 54) recommending that Senate Bill No. 74, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 74, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 55) recommending that Senate Bill No. 1185 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1185, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 56) recommending that Senate Bill No. 86, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY," passed Second Reading and was referred to the Committee on Economic Development.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 57) recommending that Senate Bill No. 87, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 87, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 58) recommending that Senate Bill No. 537 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of

the Committee was adopted and S.B. No. 537, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF AN AGRICULTURAL PRODUCTS COOLING AND COLD STORAGE FACILITY AT MOLOKAI, COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 59) recommending that Senate Bill No. 565, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 565, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 60) recommending that Senate Bill No. 1394, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1394, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 61) recommending that the Senate advise and consent to the nomination of David K. Oshiro to the Board of Agriculture, in accordance with Gov. Msg. No. 94.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 61 and Gov. Msg. No. 94 was deferred until Friday, March 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 62) recommending that the Senate advise and consent to the nomination of Herbert M. Richards, Jr. to the Governor's Agriculture Coordinating Committee, in accordance with Gov. Msg. No. 95.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 62 and Gov. Msg. No. 95 was deferred until Friday, March 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 63) recommending that the

Senate advise and consent to the nominations of Mamoru Shimizu and Stanley T. Tomono to the Advisory Committee on Agricultural Products, in accordance with Gov. Msg. No. 96.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 63 and Gov. Msg. No. 96 was deferred until Friday, March 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 64) recommending that the Senate advise and consent to the nomination of Kenneth W. Leonhardt to the Advisory Committee on Flowers and Foliage, in accordance with Gov. Msg. No. 97.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 64 and Gov. Msg. No. 97 was deferred until Friday, March 1, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 65) recommending that Senate Bill No. 793, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 793, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 66) recommending that Senate Bill No. 936 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 67) recommending that Senate Bill No. 1408, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1408, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS,"

passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 68) recommending that Senate Bill No. 496, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 496, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BINGO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 69) recommending that Senate Bill No. 534 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and S.B. No. 534, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR ACQUIRING FORT DERUSSY LAND MAUKA OF KALIA ROAD, HONOLULU, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 70) recommending that Senate Bill No. 805 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 805, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE NATATORIUM MEMORIAL PARK," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 71) recommending that Senate Bill No. 902 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 902, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNTY RIFLE RANGE FOR THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 72) recommending that Senate Bill No. 915 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 915, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NAWILIWILI SMALL BOAT HARBOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 73) recommending that Senate Bill No. 1255 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1255, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 74) recommending that Senate Bill No. 1258 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1258, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 75) recommending that Senate Bill No. 1260 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1260, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STUDY, DREDGING, AND PLANS AND CONSTRUCTION OF A JETTY AT THE WAILOA RIVER, HILO, HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 76) recommending

that Senate Bill No. 1307 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1307, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION OF BEACHFRONT LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 77) recommending that Senate Bill No. 135 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII AT MANOA MALPRACTICE SELF-INSURANCE SPECIAL FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 78) recommending that Senate Bill No. 136 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL FUNDS FOR THE UNIVERSITY OF HAWAII AT MANOA, THE UNIVERSITY OF HAWAII AT HILO, AND WEST OAHU COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 79) recommending that Senate Bill No. 137, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR THE INTERCOLLEGIATE ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand.

Com. Rep. No. 80) recommending that Senate Bill No. 138 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR INTERNAL SUPPORT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 81) recommending that Senate Bill No. 139 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 139, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII STATEWIDE COMPUTER SERVICES REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 82) recommending that Senate Bill No. 140 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S TRANSCRIPT AND DIPLOMA REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 83) recommending that Senate Bill No. 141, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand.

Com. Rep. No. 84) recommending that Senate Bill No. 374, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 85) recommending that Senate Bill No. 518 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 518, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNTY EXTENSION AGENT UNDER THE COOPERATIVE EXTENSION SERVICE OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 86) recommending that Senate Bill No. 524, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 524, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ATHLETIC DEPARTMENT IN THE UNIVERSITY OF HAWAII AT MANOA, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 87) recommending that Senate Bill No. 752 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 752, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE PESTICIDE HAZARD ASSESSMENT PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 88) recommending that Senate Bill No. 768 pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 768, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO MAUI COMMUNITY COLLEGE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 89) recommending that Senate Bill No. 890 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 890, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN AGRICULTURAL RESEARCH/DEMONSTRATION EXPERIMENT STATION ON MOLOKAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 90) recommending that Senate Bill No. 1254 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1254, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE YOUTH DEVELOPMENT AND RESEARCH CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 91) recommending that Senate Bill No. 1277, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1277, S.D. 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 92) recommending that Senate Bill No. 1278 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the

Committee was adopted and S.B. No. 1278, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WOMEN'S ATHLETIC PROGRAM OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 93) recommending that Senate Bill No. 1280 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1280, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 94) recommending that Senate Bill No. 1281 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1281, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AND ASIAN LEGAL STUDIES PROGRAM AT THE WILLIAM S. RICHARDSON SCHOOL OF LAW," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 95) recommending that Senate Bill No. 1284 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1284, entitled: "A BILL FOR AN ACT RELATING TO THE APPROPRIATION OF FUNDS FOR THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 96) recommending that Senate Bill No. 1285 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No.

1285, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FOOD SERVICE AND HOTEL OPERATIONS TRAINING PROGRAM IN THE SOUTH KOHALA AREA OF THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 97) recommending that Senate Bill No. 1286, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 98) recommending that Senate Bill No. 1287, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 99) recommending that Senate Bill No. 1288 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1288, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 100) recommending that Senate Bill No. 1289 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1289, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and

Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 101) recommending that Senate Bill No. 1467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1467, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII PRESS AT THE UNIVERSITY OF HAWAII AT MANOA," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 102) recommending that Senate Bill No. 638 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 638, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII ISLAND TEEN SERVICES PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 103) recommending that Senate Bill No. 1186, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the majority of the Committee was adopted and S.B. No. 1186, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 104) recommending that Senate Bill No. 476 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 476, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF AIRLINES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand.

Com. Rep. No. 105) recommending that Senate Bill No. 350, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 106) recommending that Senate Bill No. 397 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 397, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 107) recommending that Senate Bill No. 134 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 134, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 108) recommending that Senate Bill No. 1244, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1244, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 109) recommending that Senate Bill No. 1332 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1332, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR

AND OTHER VEHICLE EQUIPMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 110) recommending that Senate Bill No. 897 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 897, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 111) recommending that Senate Bill No. 746, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 746, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF PERSONS QUALIFIED TO TAKE BLOOD SPECIMENS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 112) recommending that Senate Bill No. 766 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 766, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR HONOAPIILANI HIGHWAY IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 113) recommending that Senate Bill No. 767 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 767, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESURFACING THREE MILES OF KAUMALAPAU HIGHWAY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on

Transportation, presented a report (Stand. Com. Rep. No. 114) recommending that Senate Bill No. 770 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 770, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAHULUI BEACH ROAD DRAINAGE IMPROVEMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 115) recommending that Senate Bill No. 313, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 116) recommending that Senate Bill No. 369, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE UNIVERSITY OF HAWAII PRESIDENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 117) recommending that Senate Bill No. 522 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 522, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR MAKING HAWAII INTO A REGIONAL FISHERIES CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No.

118) recommending that Senate Bill No. 165 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 119) recommending that Senate Bill No. 164 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 164, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 120) recommending that Senate Bill No. 1234 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1234, entitled: "A BILL FOR AN ACT RELATING TO LAND COMMISSION AWARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 121) recommending that Senate Bill No. 968, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 968, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed First Reading and was recommitted to the Committee on Economic Development.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 122) recommending that Senate Bill No. 881, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES IN

CIVIL AND CRIMINAL CASES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 123) recommending that Senate Bill No. 747, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 747, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 124) recommending that Senate Bill No. 1089, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1089, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 125) recommending that Senate Bill No. 463, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 463, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 126) recommending that Senate Bill No. 495 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 495, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE-OPERATED LOTTERY SYSTEM," passed Second Reading and was referred to the Committee on Ways

and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 127) recommending that Senate Bill No. 459, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 128) recommending that Senate Bill No. 1188 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 129) recommending that Senate Bill No. 161 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 161, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 130) recommending that Senate Bill No. 282 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 282, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 131) recommending that Senate Bill No. 1237 pass Second Reading and be referred to

the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 1237, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRESH SEAFOOD PROMOTION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 132) recommending that Senate Bill No. 436 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 436, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 133) recommending that Senate Bill No. 472 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 472, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII FILM INDUSTRY AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 134) recommending that Senate Bill No. 607 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 607, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO EXTEND THE INTERNATIONAL SERVICES BRANCH PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 135) recommending that Senate Bill No. 929 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 929, entitled: "A BILL FOR AN ACT

RELATING TO THE ECONOMIC DEVELOPMENT OF MOLOKAI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 136) recommending that Senate Bill No. 931 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 137) recommending that Senate Bill No. 1117 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 138) recommending that Senate Bill No. 1230 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 1230, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL LOANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 139) recommending that Senate Bill No. 1261, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 1261, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR HAWAII OCEAN SCIENCE AND TECHNOLOGY PARK," passed Second Reading and was referred to

the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 140) recommending that Senate Bill No. 125, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 125, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 141) recommending that Senate Bill No. 399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 142) recommending that Senate Bill No. 1360, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1360, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENERAL AVIATION RELIEVER AIRPORT ON OAHU AT DILLINGHAM FIELD," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 143) recommending that Senate Bill No. 843 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO REFUSAL TO SUBMIT TO A BREATH OR BLOOD TEST," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 144) recommending that Senate Bill No. 445 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 445, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 145) recommending that Senate Bill No. 871, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 871, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 146) recommending that Senate Bill No. 1315 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF GENERAL EXCISE TAX FOR GOVERNMENT SERVICE COMPANIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 147) recommending that Senate Bill No. 523 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 523, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FUND HAWAII PATIENT ENRICHMENT, INC.," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 148) recommending that Senate Bill No. 762 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the majority of the Committee was adopted and S.B. No. 762, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROVISION OF

MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 149) recommending that Senate Bill No. 810, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 810, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 150) recommending that Senate Bill No. 1283 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1283, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA HEALTH CLINIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 151) recommending that Senate Bill No. 1189, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1189, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEPATITIS B SCREENING AND TREATMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 152) recommending that Senate Bill No. 892 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 892, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STUDIES OF CANCER IN HAWAIIANS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 153) recommending that Senate Bill No. 44, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 44, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 154) recommending that Senate Bill No. 426, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 426, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 155) recommending that Senate Bill No. 50, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 156) recommending that Senate Bill No. 431, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 431, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS AND POST RETIREMENT ALLOWANCE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 157) recommending that Senate Bill No. 108, as amended in S.D. 1, pass Second Reading and be referred to

the Committee on Judiciary.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 158) recommending that Senate Bill No. 51 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 159) recommending that Senate Bill No. 432, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENSIONER'S BONUS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 160) recommending that Senate Bill No. 257, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 161) recommending that Senate Bill No. 37, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to

the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 162) recommending that Senate Bill No. 77, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 163) recommending that Senate Bill No. 38, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 38, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 164) recommending that Senate Bill No. 39, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 39, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 165) recommending that Senate Bill No. 40, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 166) recommending that Senate Bill No. 893 pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 893, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 167) recommending that Senate Bill No. 41, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 41, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 168) recommending that Senate Bill No. 42, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 169) recommending that Senate Bill No. 1170 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1170, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 170) recommending that Senate Bill No. 43, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 43, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR

COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 171) recommending that Senate Bill No. 47, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 172) recommending that Senate Bill No. 45, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 173) recommending that Senate Bill No. 48, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 48, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 174) recommending that Senate Bill No. 49, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 49, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 175) recommending that Senate Bill No. 680 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF THE MAUI INTAKE SERVICE CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 176) recommending that Senate Bill No. 52, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 52, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 177) recommending that Senate Bill No. 685 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 685, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 178) recommending that Senate Bill No. 1374 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1374, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 179) recommending that Senate Bill No. 46, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 180) recommending that Senate Bill No. 381 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 381, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 181) recommending that Senate Bill No. 485, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 182) recommending that Senate Bill No. 433 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 433, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 183) recommending that Senate Bill No. 6, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 6, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and

was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 184) recommending that Senate Bill No. 212 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 212, entitled: "A BILL FOR AN ACT RELATING TO STATE AGENCIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 185) recommending that Senate Bill No. 1303 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1303, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF STATE GOVERNMENT SERVICES AT THE NINE CITY AND COUNTY OF HONOLULU SATELLITE CITY HALLS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 186) recommending that Senate Bill No. 27 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 27, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 187) recommending that Senate Bill No. 150, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR AND WIND ENERGY DEVICES AND HEAT PUMPS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on

Government Operations, presented a report (Stand. Com. Rep. No. 188) recommending that Senate Bill No. 442 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 442, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ENTERPRISE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 189) recommending that Senate Bill No. 1300 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1300, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENT TO THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 190) recommending that Senate Bill No. 159, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 159, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THIRD-PARTY FINANCING ARRANGEMENTS FOR PUBLIC FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 191) recommending that Senate Bill No. 319 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 319, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 237, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 192) recommending that Senate Bill No. 723, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 723, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING APPROPRIATIONS FOR THE PUNA GEOTHERMAL RESEARCH FACILITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 193) recommending that Senate Bill No. 722, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 722, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A GASIFIER PILOT PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 194) recommending that Senate Bill No. 535 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 535, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE ACQUISITION OF LAND FOR A PARK AT QUEEN'S BEACH, EAST OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 195) recommending that Senate Bill No. 1146 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1146, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR A COMMUNITY SWIMMING POOL IN LAHAINALUNA, MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 196) recommending that Senate Bill No. 1191 pass Second

Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1191, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 197) recommending that Senate Bill No. 1259 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1259, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A SMALL BOAT HARBOR, EAST HAWAII, ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 198) recommending that Senate Bill No. 589, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 589, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 199) recommending that Senate Bill No. 691 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 200) recommending that Senate Bill No. 873, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Government Operations.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the

report of the Committee was adopted and S.B. No. 873, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL PROVISIONS ON PUBLIC SERVICE," passed Second Reading and was referred to the Committee on Government Operations.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 201) recommending that Senate Bill No. 678 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 678, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CASE MANAGEMENT COORDINATION PROJECT FOR THE ELDERLY ON MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 202) recommending that Senate Bill No. 862 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 862, entitled: "A BILL FOR AN ACT RELATING TO PREVENTION AND TREATMENT INTERVENTIONS FOR SEXUAL ASSAULT," passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 72, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM
WEDNESDAY, FEBRUARY 27, 1985

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

By unanimous consent, consideration of S.C.R. Nos. 17 to 21 was deferred until Friday, March 1, 1985.

REFERRAL OF SENATE RESOLUTIONS

By unanimous consent, consideration of

S.R. Nos. 20 to 25 was deferred until Friday, March 1, 1985.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Abercrombie rose on a point of personal privilege:

"Mr. Vice President, for the information of the body, you may have noticed a story in the Honolulu Advertiser this morning on page A-2, the headline which reads, 'No prosecution of staff in child-abuse death.' I will not read extensively from the article other than to say that for those members here who have constituents who may be inquiring of them as to the status of the Child Protective Services' evaluation and corrective action plan as a result of this story, because of the comment made by the Prosecutor, or if they are concerned to know what is taking place with respect to liability, that there is a bill which will be circulating for signatures, I hope today, which will address the question of indemnity for social workers to see to it that they are able to carry out their duties without fear of retribution, and to also indicate to the members that the Ways and Means Committee has received from the Human Services Committee its budget which includes a proviso that reads as follows: 'Provided DSSH Child Protective Services shall implement the findings and recommendations of the 1980 Evaluation Corrective Action Plan, reorganization plan, and DSSH Child Abuse and Neglect Task Force Child Protective Services Action Plans within 18 months, a report on the implementation to be filed before the next legislative session.'

"I want to indicate to the members that we were well aware of the situation and had anticipated this situation, and so the Prosecutor's remarks are in order but, of course, he had not had the opportunity to know that we were dealing with it."

At 12:40 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.

AFTERNOON SESSION

The Senate reconvened at 5:20 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 4 to 23) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 4, transmitting House Bill No. 38, which passed Third Reading in the

House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 5, transmitting House Bill No. 40, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 40, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 6, transmitting House Bill No. 112, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 7, transmitting House Bill No. 113, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 8, transmitting House Bill No. 114, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 9, transmitting House Bill No. 115, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 115, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 10, transmitting House Bill No. 154, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 11, transmitting House Bill No. 155, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 155, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 12, transmitting House Bill No. 162, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 13, transmitting House Bill No. 163, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 14, transmitting House Bill No. 165, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 15, transmitting House Bill No. 172, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 172, entitled: "A BILL FOR AN ACT RELATING

TO HEALTH," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 16, transmitting House Bill No. 231, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 231, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 17, transmitting House Bill No. 235, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 235, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 18, transmitting House Bill No. 237, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 237, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 19, transmitting House Bill No. 239, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 239, entitled: "A BILL FOR AN ACT RELATING TO BOARDS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 20, transmitting House Bill No. 269, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 21, transmitting House Bill No. 271, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 22, transmitting House Bill No. 352, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 352, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 23, transmitting House Bill No. 421, which passed Third Reading in the House of Representatives on February 28, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORTS

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 203) recommending that Senate Bill No. 516, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 516, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF BEEF AND OTHER AGRICULTURAL COMMODITIES NOT PRESENTLY COVERED UNDER LEGISLATIVE FUNDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 204) recommending that Senate Bill No. 1212 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1212, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand.

Com. Rep. No. 205) recommending that Senate Bill No. 83, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 83, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 206) recommending that Senate Bill No. 1192, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 207) recommending that Senate Bill No. 1107, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1107, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ALOHA WEEK FESTIVAL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 208) recommending that Senate Bill No. 1104, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 1104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEFORE- AND AFTER-SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 209) recommending that Senate Bill No. 32 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 32, entitled: "A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 210) recommending that Senate Bill No. 467, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 467, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 211) recommending that Senate Bill No. 85, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 85, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 212) recommending that Senate Bill No. 427 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 427, entitled: "A BILL FOR AN ACT RELATING TO A JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 213) recommending that Senate Bill No. 428 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 428, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on

Labor and Employment, presented a report (Stand. Com. Rep. No. 214) recommending that Senate Bill No. 429, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT BENEFITS OF PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 215) recommending that Senate Bill No. 765, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 765, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 216) recommending that Senate Bill No. 774, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 774, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 217) recommending that Senate Bill No. 1172 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1172, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMPREHENSIVE STATE EMPLOYMENT PLAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 218) recommending that Senate Bill No. 1173 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1173, entitled: "A BILL FOR AN ACT RELATING TO SICK LEAVE BENEFITS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 219) recommending that Senate Bill No. 1487, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1487, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 220) recommending that Senate Bill No. 206, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 206, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 221) recommending that Senate Bill No. 553, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 553, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE OF BENEFITS AND PREMIUMS PAID," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 222) recommending that Senate Bill No. 663, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 223) recommending that Senate Bill No. 726, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 726, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 224) recommending that Senate Bill No. 1110 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1110, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOTOR VEHICLE MECHANIC CERTIFICATION TRAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 225) recommending that Senate Bill No. 1198, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 226) recommending that Senate Bill No. 372, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 372, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL COMPANIES TAX CREDIT PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 227) recommending that Senate Bill No. 1193, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1193, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 228) recommending that Senate Bill No. 564, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 564, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 229) recommending that Senate Bill No. 156 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 156, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 230) recommending that Senate Bill No. 275, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 275, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CAPITAL LOAN PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 231) recommending that Senate Bill No. 1409 pass Second Reading and be referred to the Committee

on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 232) recommending that Senate Bill No. 1195 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1195, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 233) recommending that Senate Bill No. 57 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 234) recommending that Senate Bill No. 1226, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1226, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INVESTMENT PROMOTION AND ATTRACTION PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 235) recommending that Senate Bill No. 1256, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No.

1256, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 236) recommending that Senate Bill No. 100 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the majority of the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 237) recommending that Senate Bill No. 154, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the majority of the Committee was adopted and S.B. No. 154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 238) recommending that Senate Bill No. 155, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 239) recommending that Senate Bill No. 417, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 417, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was

referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 240) recommending that Senate Bill No. 1336 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 241) recommending that Senate Bill No. 425, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 242) recommending that Senate Bill No. 430, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 430, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ORDINARY DISABILITY RETIREMENT UNDER THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 243) recommending that Senate Bill No. 558, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 558, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report

(Stand. Com. Rep. No. 244) recommending that Senate Bill No. 679 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 679, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE MAUI INTAKE SERVICE CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 245) recommending that Senate Bill No. 471, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 471, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," passed First Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 246) recommending that Senate Bill No. 1169 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1169, entitled: "A BILL FOR AN ACT RELATING TO JOB-SHARING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 247) recommending that Senate Bill No. 269 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING COUNTIES FROM THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 248) recommending that Senate Bill No. 546, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTING A GOVERNMENT SERVICE COMPANY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the majority of the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 249) recommending that Senate Bill No. 1149, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the majority of the Committee was adopted and S.B. No. 1149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SWAP MEETS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 250) recommending that Senate Bill No. 1320 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1320, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF SALES AND GROSS PROCEEDS OF SALES TO THE COUNTIES FROM GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 251) recommending that Senate Bill No. 1321, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1321, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINES AND FORFEITURES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 252) recommending that Senate Bill No. 1329, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and

S.B. No. 1329, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 253) recommending that Senate Bill No. 541, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Labor and Employment.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 541, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POLICE DEPARTMENTS," passed Second Reading and was referred to the Committee on Labor and Employment.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 254) recommending that Senate Bill No. 513, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 513, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAIN STREET PROGRAM TO REVITALIZE THE CENTRAL BUSINESS DISTRICT OF HILO, HAWAII," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 255) recommending that Senate Bill No. 874, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 874, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAND-HELD OUTDOOR ADVERTISING DEVICES," passed Second Reading and was referred to the Committee on Judiciary.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 256) recommending that Senate Bill No. 913, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 913, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the majority of the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 257) recommending that Senate Bill No. 1243, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the majority of the Committee was adopted and S.B. No. 1243, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS," passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 258) recommending that Senate Bill No. 1292 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1292, entitled: "A BILL FOR AN ACT RELATING TO COMPETITIVE BIDDING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 259) recommending that Senate Bill No. 1319, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1319, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE REVENUE SHARING PROGRAM FOR THE SEVERAL COUNTIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 260) recommending that Senate Bill No. 721, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 721, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR A DESALINIZATION PILOT PLANT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on

Energy, presented a report (Stand. Com. Rep. No. 261) recommending that Senate Bill No. 876, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 876, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 262) recommending that Senate Bill No. 937, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 937, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 263) recommending that Senate Bill No. 877, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 877, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 264) recommending that Senate Bill No. 1403, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 1403, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE AND USE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 265) recommending that Senate Bill No. 1232, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 266) recommending that Senate Bill No. 1376, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN INDIVIDUALS AND ORGANIZATIONS IN AN ACTION RELATING TO THE NATIVE HAWAIIAN PUBLIC TRUSTS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 267) recommending that Senate Bill No. 616, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 616, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 268) recommending that Senate Bill No. 1461 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1461, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ASSISTING PROCESSING ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 269) recommending that Senate Bill No. 944, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 944, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 270) recommending that Senate Bill No. 322, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PATIENT'S RIGHT OF SELF-DETERMINATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 271) recommending that Senate Bill No. 511, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 511, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO KAPIOLANI WOMEN'S AND CHILDREN'S MEDICAL CENTER," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 272) recommending that Senate Bill No. 342, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 342, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 273) recommending that Senate Bill No. 1436, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S TRUST FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 274) recommending that Senate Bill No. 1416 pass Second Reading and be referred to

the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1416, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 275) recommending that Senate Bill No. 470, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 470, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 276) recommending that Senate Bill No. 1233 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 1233, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 277) recommending that Senate Bill No. 97, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 97, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 278) recommending that Senate Bill No. 868, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 868, S.D. 1, entitled: "A BILL

FOR AN ACT MAKING AN APPROPRIATION FOR MARINE SHRIMP RESEARCH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 279) recommending that Senate Bill No. 82, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 82, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 280) recommending that Senate Bill No. 330 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 281) recommending that Senate Bill No. 883, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 883, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX OF SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 282) recommending that Senate Bill No. 733, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 733, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 283) recommending that Senate Bill No. 151, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 284) recommending that Senate Bill No. 258, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 285) recommending that Senate Bill No. 1397, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 286) recommending that Senate Bill No. 656, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE HOME OPERATORS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 287) recommending that Senate Bill No. 847 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 847, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION FOR CRIMINAL INJURIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 288) recommending that Senate Bill No. 1479, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 289) recommending that Senate Bill No. 1432, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1432, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 290) recommending that Senate Bill No. 1443 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1443, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 291) recommending that Senate Bill No. 1446, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 292) recommending that Senate Bill No. 36 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 36, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," passed Second Reading and was referred to the Committee on Ways and Means.

Senators Abercrombie and B. Kobayashi, for the Committee on Human Services and the Committee on Health, presented a report (Stand. Com. Rep. No. 293) recommending that Senate Bill No. 64, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator B. Kobayashi and carried, the joint report of the Committees was adopted and S.B. No. 64, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 294) recommending that Senate Bill No. 113, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 113, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report

(Stand. Com. Rep. No. 295) recommending that Senate Bill No. 474, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 296) recommending that Senate Bill No. 508, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 508, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION," passed Second Reading and was referred to the Committee on Judiciary.

Senators Machida and Holt, for the Committee on Labor and Employment and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 297) recommending that Senate Bill No. 869, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Holt and carried, the report of the Committees was adopted and S.B. No. 869, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPARABLE WORTH," passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 5:22 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, March 1, 1985.

TWENTY-SEVENTH DAY

Friday, March 1, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father James F. Drew, Director, Catholic Communications Center, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Sixth Day.

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

Senator Abercrombie introduced the following persons and stated as follows:

"Mr. President, I'm very pleased to note the invocation by Father Drew. He indicated that we should be paying attention, in particular, to those who are powerless. I can assure you that at least two of the people I'm going to introduce this morning are not in that particular category and will be very happy to defend anything that we want to do in that area that comes out in terms of legislation.

"Mr. President, you may know that this Sunday at the Sheraton Waikiki, beginning at 1:00 o'clock in the afternoon, Gus Rethwich is once again presenting the Hawaiian championships in power lifting and body building. Those of you who are familiar with this sport of body building, power lifting and olympic lifting know that we have had over the years some of the great leaders in world, national, and olympic competitions.

"We're very, very fortunate today to have with us two leading body builders in the world, not just in the United States but in the world...two men whose reputations are international. Accompanying them, and I'd like to introduce them first, is their host while they are here in Hawaii, Mr. Power in the Honolulu Police Department, Mr. Earl White. Earl is the immovable object over in the HPD.

"With Earl is Mr. Bill Nelson, one of the leading judges with the National Physique Committee in the United States, a long time supporter in AAU, in all the amateur and professional work having to do with body building, weight lifting and power lifting. In fact, Bill Nelson judged a contest that Senator Soares's son, a body builder and weight lifter of note, was participating in. As you know, Senator Soares carries his weight elsewhere.

"It's my particular pleasure to introduce

to the members and to all those in the gallery Mr. Jeff King, who is the National Amateur Athletic Union Mr. America of 1983, who has continued to improve and excel at the sport of body building. His latest triumph is being named as one of the leading competitors in the European Mr. Universe title. Of course, the State of Hawaii extends its aloha to this great athlete and welcomes him to the Islands.

"With Jeff King is Matt Mendenhall, a friendly competitor I might say, and the leading contender for the 1985 crown in the National Physique Committee Body Championship, the most prestigious amateur competition in the United States which is to be held in September in Florida.

"Within the heavyweight division, this past year, Matt placed second out of 148 contestants in the heavyweight division, which was held in New Orleans in October. Matt continues his dedication to the world of fitness and health in his present position as associate editor of 'Muscle and Fitness' magazine. The State of Hawaii welcomes this great champion, Matt Mendenhall."

The honored guests rose to be recognized and were presented with leis by Senators McMurdo, Fernandes Salling, Kobayashi and Young.

Senator George then introduced Tom and Lucille Moore of Intellect, Inc., and remarked as follows:

"Mr. President, I have the pleasure of changing the topic this morning, with deference to my colleague Senator Abercrombie, from brawn to brain.

"I have as guests here, and I'm delighted to be able to present to this body, Tom and Lucille Moore who are the founders and executives of Intellect, Inc., which is unique in Hawaii. It is the most successful of our high-tech enterprises. It is, I think, virtually unique in that the founders and executives of Intellect don't come to the Legislature to ask for anything. I think the only time they've been here is now and it's to receive our thanks for the way in which they have gone their way, done their own thing, and been so magnificently successful at it.

"There is a happy coincidence, a serendipitous one, if you will, because the Honolulu Advertiser has just completed a six-part in-depth series of articles on high technology. I assure you I had no collusion with Mr. Chaplin who is also on the floor today.

"We also have all just received this

morning a notice from Senator Yamasaki's office telling us that Intellect and the Moores are hosting an event to which we are all invited."

Senator George read portions of the congratulatory certificate to Tom and Lucille Moore, who then rose to be recognized.

Senator Hagino, on behalf of Senator Toguchi, introduced a group of 150 eighth grade students from the social studies class of Kahuku High School, accompanied by their teachers: Mr. Irvine Richards, Ms. Danielle Barth and Mr. Victor Kim; and parents: Mrs. Edith Pehrson, Mrs. Daignault and Mrs. Suliafu. Senator Hagino added that many of the students are also members of the well-known Red Raiders Marching Band.

Senator Holt then introduced Mr. Victor H. Li, President of the East-West Center, and Mr. George Chaplin, Chairman of the Board of Governors of the East-West Center. Senator Holt read portions of the congratulatory certificate to the East-West Center in celebration of its 25th anniversary in the State of Hawaii.

Mr. Li and Mr. Chaplin rose to be recognized and were presented with the certificate by Senator Holt and leis by Senators Solomon and Young.

Senator McMurdo then introduced Mr. and Mrs. Norman Eck from Helena, Montana, who were sitting in the gallery, and added that "that they are active around the Montana State Legislature; and a point of interest is that when they have committee meetings in the legislature, the roll is called."

Senator Young then introduced Mrs. Genevieve Okinaga and remarked as follows:

"Mr. President, most of us know Mrs. Okinaga as the state director of Children and Youth. She has been a prominent figure in child development, social services, health and medical assistance programs. She has given over 30 years of public service with her contribution in teacher training, school and state program administration, master planning, program curriculum designing, author, audio-visual designer, and in many other areas. Through her profound interest in our children and youth, she has gained national recognition. She was recently elected as president of the National Association of State Directors of Child Development."

Mrs. Okinaga rose to be recognized, was presented with the congratulatory certificate by Senator Solomon and lei by Senator Abercrombie.

Senator Kawasaki then introduced a group of 50 fourth grade students from Kalihi-Uka

Elementary School, accompanied by their teachers, Mrs. Takata and Mrs. Nakanishi.

Senator Holt also introduced Nick and Theresa Serni from Connecticut, accompanied by Mrs. Nellie Shigeta of Honolulu. Senator Holt said that they are "friends whom I shared time with when I was attending college."

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 195, transmitting the Capital Improvements Program Status Report - 1984, Financial Summary, prepared by the Department of Planning and Economic Development, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 22 and 23) were read by the Clerk and were disposed of as follows:

S.C.R. No. 22, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF CONSTRAINTS ON THE BENEFICIAL USES OF STATEWIDE FOREST RESOURCES," was offered by Senator Solomon.

By unanimous consent, S.C.R. No. 22 was referred to the Committee on Economic Development.

S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THE 1985 FARM BILL," was offered by Senators Solomon, Mizuguchi, Hagino, Fernandes Salling, Henderson and Matsuura.

By unanimous consent, S.C.R. No. 23 was referred to the Committee on Agriculture.

SENATE RESOLUTION

S.R. No. 26, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO INITIATE THE ESTABLISHMENT OF A SISTER-STATE/PROVINCE RELATIONSHIP BETWEEN THE REPUBLIC OF CHINA ON TAIWAN AND HAWAII," was offered by Senators Fernandes Salling, Wong, Matsuura, Kuroda, Soares, Chang, Toguchi, A. Kobayashi, Yamasaki, B. Kobayashi, McMurdo, Young, Hee, Henderson, Kawasaki, Abercrombie, Cobb, Cayetano, Aki, Hagino, Machida, Solomon, Holt and Mizuguchi, and was read by the Clerk.

By unanimous consent, S.R. No. 26 was referred to the Committee on Tourism and Recreation.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 298) recommending that Senate Bill No. 1071, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 299) recommending that Senate Bill No. 1075, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 300) recommending that Senate Bill No. 1085, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1085, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAX," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 301) recommending that Senate Bill No. 153 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Young, for the majority of the Committee on Housing and Community Development, presented a report (Stand.

Com. Rep. No. 302) recommending that Senate Bill No. 1351, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the majority of the Committee was adopted and S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 303) recommending that Senate Bill No. 117 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 304) recommending that Senate Bill No. 120 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 120, entitled: "A BILL FOR AN ACT RELATING TO USE TAX LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 305) recommending that Senate Bill No. 118, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 306) recommending that Senate Bill No. 119, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the

report of the Committee was adopted and S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 307) recommending that Senate Bill No. 714 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 714, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 308) recommending that Senate Bill No. 1392 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 309) recommending that Senate Bill No. 557 pass Second Reading and be placed on the calendar for Third Reading.

Senator Yamasaki moved that the report of the Committee be adopted and S.B. No. 557 pass Second Reading and be placed on the calendar for Third reading, seconded by Senator Mizuguchi.

At this time, Senator Kawasaki spoke against the passage on second reading of the measure as follows:

"Mr. President, ordinarily, I would not speak on second reading of these bills but, I think, perhaps, because on Monday we'll have a rather heavy schedule of third reading bills, I thought, perhaps, this is the appropriate time for me to make some comments.

"Ordinarily, I would be voting for Senate Bill 557, accompanying this standing committee report, but I just wanted to place on the records of the Senate Journal my concern about voting in behalf of a bill that provides special purpose revenue bonds for

hospitals when all three hospitals or four hospitals are combined. I think the hospitals involved, generally, are entitled to this special treatment tax savings that result from special purpose revenue bonds but in the case of Queen's Hospital being included in here, again requesting another \$5 million of special revenue bonds, I cannot quite go along with this recommendation.

"The Queen's Hospital, as you know, has in the past already received over a \$100 million of special purpose revenue bonds issuance, and during the course of testimony in the Ways and Means Committee, we elicited some information as to the savings they are going to realize during the life span of these bonds that we have already given Queen's Hospital ... \$100 million worth of the bonds. They are going to save \$100 million, over a tenth of a billion dollars in savings, because of our action here,

"It just seems to me, for us to give them another \$5 million is not quite what we should do. Perhaps, we should give some of the other hospitals breaks in the way of these kinds of bonds even before we add another \$5 million to Queen's Hospital's benefits.

"During the course of the Ways and Means Committee's deliberations, we requested that they send us information as to what goes into the room rates established there, and one of the room rates I was concerned about was the \$740 a day intensive care unit charges — \$740 a day — after all of these special purpose revenue bonds that have been given them, ostensibly, to save money that they can pass on to the patients that utilize their services, I don't see this reflected in their room rates, and so we requested information.

"The information that they did send to Senator Yamasaki of the Ways and Means Committee insults the intelligence of the committee members, it seems to me. There was no indication in the letter Mrs. Ruth Ono sent to him as to how these people arrived at these charges.

"Further, in the course of the hearing, I requested that they send us a schedule of what the administrative executive salaries were, the salaries in excess of \$25,000. There appeared to be some resistance on the part of Mrs. Ono to give us this information. I think we have the right to get all of this information, if we are going to give these people, the Queen's Hospital, these kinds of benefits.

"In consideration of their attitude in legitimate requests that we have made to them, and in consideration of the fact that this one hospital has been given over a tenth of a billion dollars of these revenue bonds, and a tenth of a billion dollars in savings in

the life span of these bonds, I can't quite agree that we should include this with a bill that provides deserving consideration for the other hospitals—Wilcox Hospital on Kauai, Wahiawa General Hospital.

"For that reason, I vote against adoption, at least on my part, of Standing Committee Report 309 on Senate Bill 557."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 310) recommending that Senate Bill No. 561 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 311) recommending that Senate Bill No. 116, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING AND COLLECTION OF TAX AT SOURCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 312) recommending that Senate Bill No. 338, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 338, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 313) recommending that Senate Bill No. 34, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 314) recommending that Senate Bill No. 35 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 35, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 315) recommending that Senate Bill No. 362 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 362, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 4, 1985.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 61 (Gov. Msg. No. 94):

Senator Solomon moved that Stand. Com. Rep. No. 61 be received and placed on file, seconded by Senator Hagino and carried.

Senator Solomon then moved that the Senate advise and consent to the nomination of David K. Oshiro to the Board of Agriculture, term to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 62 (Gov. Msg. No. 95):

Senator Solomon moved that Stand. Com. Rep. No. 62 be received and placed on file, seconded by Senator Hagino and carried.

Senator Solomon then moved that the Senate advise and consent to the nomination of Herbert M. Richards, Jr., to the Governor's Agriculture Coordinating Committee, term to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 63 (Gov. Msg. No. 96):

Senator Solomon moved that Stand. Com. Rep. No. 63 be received and placed on file, seconded by Senator Hagino and carried.

Senator Solomon then moved that the Senate advise and consent to the nominations of Mamoru Shimizu and Stanley T. Tomono to the Advisory Committee on Agricultural Products, terms to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 64 (Gov. Msg. No. 97):

Senator Solomon moved that Stand. Com. Rep. No. 64 be received and placed on file, seconded by Senator Hagino and carried.

Senator Solomon then moved that the Senate advise and consent to the nomination of Kenneth W. Leonhardt to the Advisory Committee on Flowers and Foliage, term to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 25. Noes, none.

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

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

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of Senate Concurrent Resolution and Senate Resolutions that were offered on Wednesday, February 27, 1985:

Senate

Concurrent
Resolutions

Referred to:

No. 17

Committee on Education

No. 18

Services

Committee on Human

No. 19

Protection and

Committee on Consumer
Commerce

No. 20

Operations

Committee on Government

No. 21

Operations

Committee on Government

Senate

Resolutions

Referred to:

No. 20

Protection and

Committee on Consumer
Commerce

No. 21

Committee on Education

No. 22

Services

Committee on Human

No. 23

Protection and

Committee on Consumer
Commerce

No. 24

Protection and

Committee on Consumer
Commerce

No. 25

Operations

Committee on Government

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Yamasaki, at this time, introduced to the members of the Senate a former member of the state Senate, Mr. William Fernandes of Kauai, together with Mr. Mike Sheehan and Mr. Hardy Hutchinson, who were sitting in the gallery.

RE-REFERRAL OF A SENATE BILL

The President then made the following re-referral of a Senate bill:

Senate Bill

Referred to:

No. 1381

Operations

Committee on Government

At this time, Senator Kawasaki, Chairman of the Committee on Government Operations, requested a waiver of the 48-hour Notice of a Public Hearing on the following measures:

S.B. No. 873, entitled: "A BILL FOR AN ACT RELATING TO GENERAL PROVISIONS ON PUBLIC SERVICE"; and

S.B. No. 1381, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS,"

The Senate reconvened at 12:25 o'clock p.m.

ADJOURNMENT

and the President granted the waiver.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 12:26 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 12:00 o'clock noon, Monday, March 4, 1985.

TWENTY-EIGHTH DAY

Monday, March 4, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 12:20 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jack Isbell of the Metropolitan Community Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Seventh Day.

Senator Abercrombie then introduced Dr. Dean Edward Neubauer and Dr. Cornel West to the members of the Senate as follows:

"Mr. President, I would like to introduce someone to you and to the members. He is on the floor today and I hope is as surprised as we had hoped to make him, as he is not aware of this presentation. I think he thought that this was going to be for our other guest from out-of-state. I would like to introduce to the body Dr. Dean Edward Neubauer who is at the age of 43 named Dean of the faculty of Social Sciences at the University of Hawaii at Manoa and this appointment was made in recognition of his outstanding teaching and leadership capacity. These qualities have served as an impressive counterpoint to his scholarly achievements, particularly in the area of public health policy.

"As chairman of the Department of Political Science at the University of Hawaii and now as dean, Dr. Neubauer has been a leader in aggressive recruitment of exchange professors, one of whom we will meet shortly, providing a challenging academic atmosphere.

"A scholar whose achievement and creativity receives international respect, Dr. Neubauer, is welcomed and congratulated by this body.

"I might add, Mr. President, that Dr. Neubauer was...I have a conflict of interest here which you will have to rule on...he was on my thesis committee at the University of Hawaii and one of the first people I met on my return there that let me know that there are among the faculty at the University truly inspired teachers and aggressive scholars that we can all be proud of. We hear a great deal, not the least I might say for myself, about the shortcomings of the University, but we don't want to forget for a moment of the real talent, the tremendous pool of talent, that we have at the University and Dean Edward Neubauer is one of those people, and I'd like him to stand and be recognized.

"Next I would like to introduce to this body, and again I'll quote from the Certificate to be presented to him, a gentleman that I had the opportunity to meet in New York City whose fantastic personality, his dynamic character, was such that he is the kind of individual one never forgets once one has had the opportunity to meet him, someone whose friendship I treasure from a distance.

"Mr. President, before I introduce Dr. West, I want to indicate that this is a particularly appropriate moment for him to be here for just in this morning's Honolulu Advertiser there was an article reflecting on the Selma march, which I believe you had the honor of participating in or one similar to it at that time, Mr. President, back in 1965. Hawaii was represented in the civil rights marches which led to civil rights law changes and we're celebrating the 20th anniversary this year. Dr. West is a product of that revolution, one of the great Afro-American teachers and scholars in the United States today, Dr. Cornel West.

"Accompanying Dr. West and his hostess for this week and the lady who introduced me to him is my wife Nancie Caraway. I might say that Nancie met Dr. West when she was at Columbia University getting her degree at the School of Journalism there and it was a very fortuitous acquaintance that was made.

"This meeting today, then, reflects, Mr. President, the University of Hawaii's commitment to bringing in people from all over the world, not only from the United States, so that they may share their knowledge with us.

The Senate Certificates were then presented by Senator Abercrombie with Senators Fernandes Salling and McMurdo presenting leis.

At 12:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:02 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 24 to 29) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 24, transmitting House Bill No. 26, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 26,

H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 25, transmitting House Bill No. 159, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 26, transmitting House Bill No. 230, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 27, transmitting House Bill No. 232, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 232, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 28, transmitting House Bill No. 267, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 267, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed First Reading by title and was referred to the Committee on Labor and Employment, then to the Committee on Judiciary.

Hse. Com. No. 29, transmitting House Bill No. 311, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 311, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THE 1985 FARM BILL," was offered by Senators Solomon, Matsuura, Hagino, Cayetano, Fernandes Salling, Henderson, McMurdo and Machida, and was read by the Clerk.

By unanimous consent, S.R. No. 27 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

At this time, Senator Yamasaki rose to correct a typographical error on line 3 of the last paragraph in Standing Committee Report No. 316 on Senate Bill No. 115. The words "Second Reading" should be corrected to read "First Reading."

The Chair so ordered the correction.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 316) recommending that Senate Bill No. 115, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 317) recommending that Senate Bill No. 477, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 477, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 6, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 318) recommending that Senate Bill No. 479, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 6, 1985.

Senator Yamasaki, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 319) recommending that Senate Bill No. 1209, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 6, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 320) recommending that Senate Bill No. 884, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 321) recommending that Senate Bill No. 885, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 885, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," passed First Reading and was recommitted to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 153:

By unanimous consent, action on S.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was deferred until Tuesday, March 5, 1985.

Senate Bill No. 1351, S.D. 1:

Senator Cobb moved that S.B. No. 1351, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie rose to speak against the bill as follows:

"Mr. President, I have supported the Hawaii Community Development Authority after it was conceived and passed in the Legislature, although at the time I voted

against its initiation because I felt it was usurping a proper role of the City and County of Honolulu. Whatever political machinations were taking place at the time did not in my judgment authorize us to take away from the City and County the planning, taxing, etc. capacities it then enjoyed, particularly for this area of such vital concern to the economic, health and welfare of the Island of Oahu.

"However, once the Legislature did pass that legislation, I think the record will show that I consistently tried to support the aims of the HCDA with respect to the development process for protection of the small businesses that were there, and for the utilization of that land in Kakaako to the maximum benefit of the people of this island and ultimately to the people of this State because of the tremendous economic impact that is involved in Kakaako.

"However, I find myself in a difficult position today because I appreciate what the intent of the bill is and what the intent of the chair and the committee is. Perhaps if there was more time to deal with it or under different circumstances, I would be able to change my mind. I believe this is a single referral bill. If it is, I would urge that perhaps it be recommitted and worked on a little longer.

"The reasons, Mr. President, the necessity for my negative vote. I think that in Kakaako, because we have here a separate, distinct and unique entity, not only on this island but throughout the state, that we have to treat it differently than we do the ordinary assessment process. Now, again, I may be speaking into the wind, but I tell you, if the argument is going to be that assessment takes place in a certain process throughout the rest of the state and throughout the rest of the counties, then let's get rid of the HCDA and treat Kakaako the same as we treat everything else. You cannot make an argument logically that we should apply the assessment rules, apply the process to Kakaako, when by definition we have created a separate entity precisely because in the origination of this legislation we did not want the assessment process, property taxes, etc., zoning and everything else to proceed apace. It is schizophrenic, at the least, to say that the assessment process should apply as is usually the case.

"Here, we are dealing with land, the overwhelming majority of which is owned by three entities—Victoria Ward, Dillingham and Bishop Estate. You have in the small percentage of the land that is left, a multiplicity of small ownership of all kinds of property square footage, the absolute majority of it undeveloped in terms of sewers, in terms of amenities, in terms of all the things that are associated with assessment.

"The reason for setting up the HCDA...I'm sorry, Mr. President, I have to go into a little bit of a history lesson, but it's necessary to establish a perspective...was to have the developers do this. That's why we did this. For some of you who weren't in the Legislature at the time, that's why I'm going through it, and for those of you who were when this was created, we did this in order to get the developers to do it, in great measure because it was apparent at the time that the small people in the Kakaako area would never be able to combine themselves. And, I ask you to think of your own districts...don't forget Kakaako doesn't mean anything to most of you folks here because it's where you go to get your business done, but there are no houses, and if there are, there are very few. The number of voters left in Kakaako is miniscule. I've had to deal with this situation all my political life. It's very important from the economic point and obviously important to the few people who live there, but those small people in there the small businesses cannot do this. You're talking about starting from utter scratch. You see the rain now. If you guys want to go with me, if we go down to Kakaako, it's through floods and everything else down there right now. Virtually every other community, including rural areas, have an infinitely greater public service capacity in terms of infrastructure and all the rest of it than has been in existence in Kakaako right now.

"How are these people going to do it? The idea behind all of this was that the developers would do it, and that the state would assist with some of the major infrastructure, and I voted for those things.

"But, now we're at a stage where developers are making presentations, getting permission and it is not happening. And, now on top of the property tax which is being paid, and I ask all of you to remember here on this floor, you have constituents who live in your districts who do business, who have their businesses in Kakaako. Not everybody here, obviously; the neighbor islands don't, but they may have friends, relatives and so on. They're already paying property tax down there. Now we want to give the HCDA the capacity to assess on top of that.

"I don't think that's right. I don't think it's fair. Why are they doing it now? That was not the way it was presented to us. I understand the committee's motivation in this. I really do. And I understand the dilemma the Chair has been placed in with this, but I think this needs another look-see.

"This needs some more contemplation before we turn over additional taxes now. This is what the assessment is going to be. You're going to pay the property

tax and you're going to pay the assessment, and the developers are going to take a hike, and the developers don't forget in this instance are not going to be the little people. They're going to be the big guys that own most of the land and the big financiers that are going to come in and mostly the small landholders in there and the business that is on there is going to have to try to accommodate in one form or another.

"So, I think we should lessen the burden of the state and not put the burden on the small landholder in relation to the large landholders and the big...financial development that is required in order to develop this area in a rational way. I'm not trying to turn the clock backwards with this plea. Believe me, I'm not. And I think the small landholders in there, as well as the small businesses, understand that they have to make an accommodation.

"I'm very grateful to the chairman of the Housing Committee for recognizing this over the years and putting in legislation not only to accommodate it, recognize it, but to actually try and do something about it. But this assessment process, given the state of development right now in Kakaako which is theoretical, is not necessary at this time and deserves another look before we in effect add another tax on those people least able to bear the burden. We can survive without this legislation at this time. It is not necessary to give it to them at this time and it is necessary to take one more look, I ask you, please. Thank you."

Senator Kawasaki responded as follows:

"Mr. President, in view of some of the arguments just presented by the Senator, can we have this deferred one day so we can take a look at some of the cogent points that he has brought up in this discussion."

By unanimous consent, action on S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Tuesday, March 5, 1985.

Senate Bill No. 117:

By unanimous consent, action on S.B. No. 117 was deferred to the end of the calendar.

Senate Bill No. 120:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 120, entitled: "A BILL FOR AN ACT RELATING TO USE TAX LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 118, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 119, S.D. 1:

By unanimous consent, action on S.B. No. 119, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 714:

Senator Cobb moved that S.B. No. 714, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Abercrombie inquired as follows:

"If you will refer, Mr. President, to the bottom of the facing page of the committee report it indicates that Kaiser...I'm quoting now... 'Kaiser, as a federally qualified health maintenance organization, is required to develop rates based on cost, and therefore any savings in interest expense is directly passed on, via reduced increases in rates, to the consumer.' My question to the chairman is, did the Kaiser organization present any testimony to the committee which indicated that that sentence 'savings in interest expense is directly passed on via reduced increase in rates to the consumer'...did Kaiser Corporation give anything to the committee to indicate that that is in fact taking place?"

Senator Yamasaki replied as follows:

"I believe that the testimony included statements saying that allowing the special purpose revenue bonds to be authorized will have a positive impact on the cost containment of services provided by Kaiser."

Senator Abercrombie inquired:

"Mr. President, I appreciate the answer, but that was not my question. I would assume that they would say that it would do so. What I was asking was, is there anything given to the committee by way of an audit, by way of a notarized statement, by way of an independent verification as to what that would actually be in terms of cost savings as opposed to merely an assertion that this would be beneficial?"

Senator Yamasaki answered:

"Yes, according to the testimony of Kaiser representatives, there is a sentence in the testimony which says that 'therefore, any savings in interest expense is directly passed on in the way of reduced increases in rates to the consumer.'"

Senator Abercrombie in response to the previous speaker's reply, spoke against the bill as follows:

"Mr. President, I'm certainly...no, I think it was we who were against the Girl Scouts and so on and so forth over the years; now I suppose I'm going to be against patients and hospitals. I would like to believe the Kaiser organization...I've been a member of it for 26 years myself. Maybe after this vote they'll find a way to get rid of me. I do not think it is right to pass legislation based on the assertions of the organization which will benefit. I think that that would be in order if the organization took the time and trouble to explain to the taxpayers and to the consumers and to the committee exactly how this is going to take place. This is something that is always asserted, and may very well be true, but we have no real proof of it. For that reason, I will vote no."

Senator Kawasaki in response to the previous speaker's remarks stated:

"Mr. President, while I am voting for this bill, I think the point raised by Senator Abercrombie is well taken. I trust that perhaps all of these hospitals coming for these special purpose revenue bonds should be required to specify and the resulting savings that result therefrom...I think this language should be provided.

"May I address a question to the chairman of the Ways and Means Committee. On the one bill, 557, that we deferred for 48 hours, could we insert this kind of language to show that indeed the savings enjoyed by Queen's Hospital that had over \$100 million of these kinds of bonds, that the savings would be directed toward reducing the costs to consumers, patients. Could we put this kind of compelling language in the committee report inasmuch as we delayed it for 48 hours?"

Senator Yamasaki answered as follows:

"I believe that it can be done."

Senator Kawasaki continued:

"Are they qualified as a federally qualified hospital like Kaiser claims it is? I would think they are, but I just want it clarified that they are."

Senator Yamasaki answered: "They are."

Senator Cayetano rose to speak in support of the bill as follows:

"Mr. President, I believe Senators Kawasaki and Abercrombie raised some very valid points and my recollection is that over the four year history of these bills they were, I think, only possible as a result of the actions of the Con Con.

"We have not had enough time to record a history to determine whether or not any savings as a result of the bonds which are issued, have been passed on to the taxpayers. Pending that kind of determination, I'm going to continue to vote for these bills, to give the hospitals the benefit of the doubt and hope that at some point in time when enough of a history has been recorded in terms of the savings which may be realized from these bonds that the Legislature look into the matter to determine, in fact, whether the consumer has realized a savings in medical care costs. My own feeling is one of pessimism, but I will go along with the bill for the present."

The motion was put by the Chair and carried, and S.B. No. 714, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 1392:

Senator Cobb moved that S.B. No. 1392, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, could the chairman indicate as to what portion of the \$4.6 million is related to code deficiency?"

Senator Yamasaki answered as follows:

"I don't have the breakdown of the amount that would be allocated to correct code deficiencies, but according to the testimony of the representative from the Wahiawa Hospital, this \$4.6 million is for the last major component of the building program, which includes correction of code deficiencies, conform to current standards, modernize obstetrical services, replacement of the surgical suite, and to refurbish the radiology facility. I don't have the breakdown for each of them."

Senator Abercrombie further inquired as follows:

"Thank you very much. Mr. President, could the chairman...I'm forced by necessity to do this. Could you ask the chairman, what is the relationship, then, of this bill to, I believe it's...there's another bill..."

Senator Yamasaki interjected:

"The next bill also includes a portion of the authorization for Wahiawa."

Senator Abercrombie responded:

"Yes, I think \$225,000. I wonder if..."

Senator Yamasaki answered:

"\$3 million for Wahiawa. \$225,000 is the projected savings that will be realized."

Senator Abercrombie in response to the previous discussion, spoke against the bill as follows:

"Mr. President, although the Ways and Means Committee may very well have enjoyed the benefit of the breakdown on these bonds, my experience with it to this point and as a previous Senator has indicated, we don't have the history on it. We also don't have much of a history as to how they arrived at these numbers.

"To the best of my knowledge, Mr. President, we're simply relying on the hospital's indication that they need \$4.6 million. Now, when we take capital improvement projects in the Legislature in other areas they're subjected to a great deal of scrutiny as to whether the amount of money is in fact needed. You need only look at the deliberations of the Education Committee or the Higher Education Committee, for example, to realize what an extraordinarily involved process it is to try to determine not only the priorities of what capital improvement expenditures should be, but what the sum should be. And in this instance it seems the hospitals come in regularly now, more and more, and simply give us a figure and we vote it through.

"Now again, it can be misconstrued that we're against people and in this instance, I suppose, in rural areas. I wonder, how much when it comes to some of the savings in some of the other things that we're talking about has to do with whether people really want to use these facilities, whether they'd rather go to other facilities, whether these facilities and the costs associated with them are accurate reflections. I don't want to make an accusation that these figures are crooked in any way, because I can't do that. On the other hand, it appears that most of us in the Legislature can't say for any certainty that these figures are accurate either. And I don't think that we should put that kind of thing through the Legislature when we cannot say to the taxpayers

and to the consumers who utilize these facilities that we gave these figures the kind of scrutiny that we are supposed to give every other capital expenditure."

The motion was put by the Chair and carried, and S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 557:

By unanimous consent, action on S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was deferred until Wednesday, March 6, 1985.

Senate Bill No. 561:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 561, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 116, S.D. 1:

Senator Cobb moved that S.B. No. 116, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, this certainly is something that everybody can relate to—even my friends in the Republican Party right here that I'm cozying up to at the moment—taxes. And I understand that the Republican Party is headed by someone, who if this bill was going to be employed, and if I looked over his taxes when he was Governor of California, probably, would have had to pay the \$500 in here. But, of course, I might be biased, and that's precisely the foundation of my criticism of the bill.

"Here, you're talking about the imposition of a \$500 penalty, civil penalty, on top of what is already a misdemeanor and on top of what is already a federal crime. Inasmuch as a misdemeanor can be viewed by the judge involved, by the sentencing authority with a jail and heavy fines, to add a civil penalty at this stage seems to me meretricious, at best, and at worst is just another indication to the taxpayer that no matter how he or she tries to deal with something that the tax department is an all

powerful source of government oppression that will, in addition to those things it can already do, assign a civil penalty of \$500.

"I wish I could find either in the committee report, and if someone who signed the bill, inasmuch as the chairman has been good enough to answer all these questions, perhaps somebody on his committee will be good enough to tell me, anything in the committee report or in the bill itself that merits the addition of a \$500 civil penalty on top of the penalties that already exist in the law. If they cannot do that in any compelling way I feel that we are obligated to vote 'no' on this bill."

Senator Yamasaki replied as follows:

"Mr. President, this bill that's before us merely conforms to the federal requirements, what the federal law imposes.

Senator Cayetano rose and spoke against the bill as follows:

Mr. President, these penalties really allow the taxing authorities to further oppress taxpayers who usually are in the lower brackets. I just finished reading Lee Iaccoca's book, and in part of his book he deals with Henry Ford and relates a story about how one year Henry Ford was upset because for the first time he had to pay taxes, and I think he paid the grand sum of \$11,000, or something like that. All the years before that, his accountants were clever enough to avoid his paying taxes. Certainly, the example given by Senator Abercrombie about our President who never paid a dime in taxes until he was relegated to the light of public scrutiny is another example. Now I understand his accountants are not as clever as before and now he pays taxes. Still the amount of taxes he pays seem disproportionate, in a lesser sense, to what many who really work for a living have to pay. I was surprised when I...I'm always surprised when I in my law business deal with cases in which we must scrutinize the taxes paid by other parties, the opposing parties, and we find that people who make a lot of money and have clever accountants and who are able to afford tax shelters pay very little in taxes. This bill just adds another layer, another burden, another penalty to the whole scenario, and for that reason, I am opposed to it."

Senator McMurdo remarked:

"Mr. President, I did sign the committee report, but after hearing the arguments this afternoon I would like to change my vote to 'no' on this."

Senator Yamasaki stated:

"Mr. President, this bill that we have before us addresses the problem

that we have with those tax protestors, and they have found that there is information in the withholding statements submitted to the employer that they want to have reduction of taxes, and this is the area that the bill addresses so that there will not be any fraudulent information submitted to the employer just to avoid taxes."

Senator Henderson rose and spoke in support of the measure as follows:

"Mr. President, I think the testimony we heard in Ways and Means was that the tax department needed this civil penalty in order to expedite compliance with the tax laws. The example, I think, was given that somebody would claim 100 exemptions on their forms or some other out-of-sight number of dependents, and as a consequence, in order to go after that person they'd have to go through the criminal statutes and it was a very, very tedious and time-consuming process. And they felt that this civil penalty would be much quicker. The person would still have the right to appeal to the Tax Appeal Court and if he lost there he'd also go into the regular court. And I think that this measure would only expedite the payment of taxes by people that should be paying taxes. Thank you."

Senator Abercrombie rose in rebuttal as follows:

"Mr. President, coming from my colleague who has been always quick to point out to us waste in government, I find it rather incredible that he can be indicating that we are now going to have another layer of government coming in to assess penalties. The \$500 here would cost more than \$500 just to get the bureaucracy cranked up on this to go after this person. And, if you are in fact talking about someone who claims a hundred exemptions (I believe that was the statement of the previous speaker), that is obviously false and fraudulent information that is already a misdemeanor. And, if it is the testimony that we have to go through tedious processes in this country to prosecute people for crimes, that separates us from some other nations in the world with respect to how they deal with crime. There, you can get pretty swift justice in a lot of places in this world, that is to say you don't get any trial at all.

"Now, how someone who is already willing to commit perjury by saying that he or she has a hundred individuals who are deductions available to him...exemptions, excuse me, a hundred exemptions is going to be dissuaded from doing so by the so-called threat of a civil penalty of \$500 which also has to be taken into some kind of judicial process is absolutely beyond me. It simply would not take place.

"This is another example of us passing

along, on the basis of an assertion for which we have no evidence whatsoever that it will work in any way, shape, or form. I can tell you what it will do, however. It will allow taxpayers to have to spend even more to get this particular individual. Let's not mistake the fact that what is being addressed here is already a crime, and will be put into the judicial process as a crime, and then the person will be prosecuted. The civil penalty aspect is merely symbolic, at best, and at worst will cost the taxpayers even more money than could possibly be collected."

Senator Chang remarked as follows:

"Mr. President, I will be voting for this bill, but I must share my reservations about the substitution of civil law process for vigorous criminal prosecution. I also do share some of the reservations about utilizing civil law process merely to conform with federal law. However, until more substantial concerns are raised, I will vote for the bill. Thank you."

The motion was put by the Chair and carried, and S.B. No. 116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING AND COLLECTION OF TAX AT SOURCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Hee, McMurdo and Kawasaki).

Senate Bill No. 338, S.D. 1:

Senator Cobb moved that S.B. No. 338, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, I was on the committee and had the privilege of serving in the Ways and Means Committee at the time when this bill came forward, and was particularly swayed by the testimony at that time of the late Senate President Dave McClung, that this was at the time a good idea. It will help the business get underway which would be useful and beneficial to the State of Hawaii, and would be a useful adjunct in our tourist business. I thought that that was the case then and voted affirmatively, and I think that that has worked out, but the one thing that was stated at that time was that they merely wanted the opportunity to prove that the business could succeed and that the only precedent that it would set was that if similar businesses, that is to say, similar operations come into the State of Hawaii, not necessarily maritime in nature, that they might enjoy a similar opportunity to get a one-time start. They have done that. I think we have carried out our end of the bargain and I do not think it is

fair when you come into a legislature and say, 'we want to come in one time and out,' to then come back again and say, 'no, we want to do it again.'

"Some of the members of this body recall that there have been other people who have come into this Legislature saying that they needed a one-time appropriation in the public interest for far less money, and they have lived up to their word. They have not come back to us under those circumstances.

"I can cite public radio, for example, as one which was a very, very difficult passage and they have never come back for a single penny in operating funds. They've proved themselves, and as a matter of fact that this year now are in a position of asking us once again for matching money to provide a second station. They've never come in for a penny. They've kept their word.

"Now, these folks are a multimillion dollar operation, employ a lot of people. They've proved themselves. They're successful. They said they were coming in here for a one-time relief, and I don't think it's fair to the businesses that have to operate day in day out who don't have this kind of push in the Legislature, for them to have to pay their taxes. Then we continue with this company and say, 'that's all right, we know what you said but we're not paying any attention to it. We're going to do it all over again.' It's not right. It's not fair to those people who don't have this kind of opportunity, particularly those in small business who could also use the same of kind of tax breaks, I'm sure, to the advantage not only to themselves, but to the State as a whole. Thank you."

Senator McMurdo rose to speak in favor of the bill as follows:

"Mr. President, I feel I must speak for this bill. I feel that the maritime industry and the passenger ships for our whole country have been in danger for some time. Now, we have these people who are just starting to make money within the past two years. I think they need this extension. I think the tourist benefits from this. I think the whole image of Hawaii benefits from this, and I would speak in favor of it. Thank you."

Senator Kawasaki rose on a point of inquiry:

"Mr. President, this is directed to the chairman of the Ways and Means Committee. I understand that while the company operating these cruise ships has been making money as of the last two years, their losses that had accumulated over the past five years amount to a considerable amount of money, and my question specifically addressed to the chairman of the Ways and Means Committee is, do we

have an approximate idea as to what their cumulative losses up to this point are?"

Senator Yamasaki replied:

"I believe it's over \$20 million."

Senator Kawasaki spoke in support of the bill as follows:

"Thank you. If there is anybody who looks askance at providing tax exemptions for private entrepreneurs, it has been me over the years. But, in this particular case I support the bill primarily because while these two companies as I've stated previously, are now making money, their cumulative losses up to now in operating these ships which are, as Senator McMurdo just stated, as a tourist attraction are tremendous, they provide right now about 1400 jobs, and they have in their long-range plans, plans to bring another ship that might create another 7-800 jobs. All of this considered, and primarily because their losses up to now, even if they did make money in the last two years, amounts to over \$20 million, until they recoup their losses accumulated in the past, I am willing to support this bill."

Senator Abercrombie rose and spoke in rebuttal:

"Mr. President, I'm not so naive, or I think so economically ignorant as not to understand what the loss procedure involves with respect not only to this company, but to similar operations in any corporation.

"Mr. President, when this tax relief measure was given to us in the Ways and Means Committee it was anticipated that there would be losses for two, three or maybe even four years, and it was anticipated that the loss would be in the multimillion dollar area until they were established. It was also indicated that they felt within the fourth or fifth year they would be making money and they would have no need to come back here. And that's exactly what is taking place. Why should we extend the tax credit when what was said was going to happen has happened? And as for the losses of \$20 million, Mr. President, it's an indicator. I'm not so naive as to believe that that was not written off the books. That was put into the equation when this company went into business in the first place. The \$20 million loss, and there's been references earlier in the discussion not just in this bill, but in other bills about clever accounting. It doesn't take clever accountants to understand what the depreciation and loss is in terms of how you report income and what kind of investment you're going to make and what you tell your stockholder they're going to have to put up with in terms of losses until money is being made. That was the decision made by the

company involved just as any small businessperson has to do it.

"I will say, standing here as a Democrat today, it dumbfounds me how you can talk about differences between the Democratic Party and the Republican Party, when we're really talking about a Legislature that seems to divorce itself from the average person in this state, let alone the Democratic Party. The Democratic Party is in trouble today not only because it does not have a direction and a philosophy, but the only place that it seems to go is around in circles and up its own tail. Unfortunately, in this instance it appears the Republican Party is only too anxious to join us in this endeavor. Now, whether all of us will survive the process of election in 1986 on the basis of our record is something else again.

"We want to talk about jobs...I'm not going to get trapped into something that says, 'oh, but in this particular one, there's a lot of jobs.' There's a helluva lot of jobs. We just finished talking about Kakaako. There's a helluva lot of jobs down there that we're talking about.

"I will say, as a member of the Democratic Party and of the majority in this Senate body, that I think it is time that we start having people live up to what they say they're going to do and hold them to it. We're supposed to be accountable, and so should these people. And I would not think for a moment that the investors in this company did not know what they were doing, did not have the long-range view, did not understand what the accounting procedures would be, and that this \$20 million was written right into the equation when it was first put together. I know that to be the case because that's what the testimony was when this exemption was first given.

"Now, the terms have been met and I am pleased about that. I think that's fine. It shows that they had shrewd people at the helm I might say, no pun intended, of this company. They knew exactly what they were doing. They were able to accomplish it. They are right on schedule. And so should we.

"We should end this tax benefit and look for other ventures that could benefit from it. I don't think it's fair to go to people and tell them there has to be restrictions in education, there has to be cuts in higher education because we don't have the revenues when we have a revenue producing business that has taken advantage, full advantage, of the law that we passed that allowed them the exemption, are on their feet, are making money, and now we turn around and say, 'Well, we're going to let you continue right on doing it,' and at the same

time turn to our elderly, turn to our needy, turn to our students, turn to our taxpayers and tell them that they have to pay.

"There is even a bill in this Legislature in the House, I understand, to increase the excise tax. Who's going to pay it? People are getting off paying their taxes, but I have to pay it, my mother has to pay it, your fathers, your mothers, sons, daughters, workers, people all over the state, small businesspeople have to pay it. If you're big, you get out of it. If you're small, then you have to pay. And if that's what the Republican Party wants to do, and the Democratic Party wants to do, maybe there's going to have to be an Independent Party come up that will speak for people in this state who are the hardworking, everyday people who pay their taxes and do not have the opportunity to come down here and lobby for this kind of bill."

Senator Cayetano then rose and spoke in support of the bill as follows:

"Mr. President, I share the concerns of the previous speaker. I'm going to support this bill, but I hope that when some of the House bills come over, the bills referred to by the previous speaker, that at least the Democratic majority in this body retains its resolve to see that the little guy is not taxed more. It will be totally inconsistent, in my view, for us to pass a bill like this on one hand and on the other hand vote for measures which would increase the taxes of everyone else.

The motion was put by the Chair and carried, and S.B. No. 338, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 34, S.D. 1:

Senator Cobb moved that S.B. No. 34, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Abercrombie rose and spoke against the bill as follows:

"Here, once again we have the Federal Government coming forward here in this instance indicating to us that we must deal with the Federal Deficit Reduction Act of 1984, one of the great, ironic eggs that I have witnessed in a long, long time. The Federal Deficit Reduction Act, as a result I have learned in the discussion about this, Mr. President, that the percentages indicated in the bill are based on population.

"Well, that's probably as good a measure as we can find, but what bothers me

here is that the Legislature is giving over its function to the executive, and I don't think that's the correct way of doing it. I realize as I read through the bill that there are many steps along the way, requests, etc., that need to be made.

"Very frankly, Mr. President, if this is the way we're going to handle it, the allocation of these funds, it seems to me we should just give a list up to the Executive and say, 'Here, you folks decide and figure out anyway you want. We really don't have anything to do with it.' I don't think many of us would find that process palatable to our constituents, whether it's in our own districts or whether it's in our own counties, and as a result I feel that we are giving up once again a role that is properly the Legislature's.

"It's a trend that began in this state some years back, an unfortunate trend I think, where the Legislature slowly but surely has moved away from making policy decisions and given more and more of the power to the central authority of the Executive, to the narrow confines of people who do not have to appear before the public in elective office, and we simply rely on those people.

"Maybe that's good if you happen to be one of the insiders that can manipulate and maneuver this kind of thing, and if that's what we think that government should be, behind the scenes, maneuvering, manipulating, requesting, cajoling, begging, demanding, behind the scenes, then that's the way we should handle it. But I don't happen to be one of those people.

"I think the Legislature should have the consummate and primary role in making these decisions and that there's no project so urgent, no project so fraught with complexity, that it cannot be dealt with in one session or another, in a manner which would see to the proper instituting of these particular projects under the bonds that are in question. I simply do not believe that the legislative process is so slow that it could not accommodate something of this nature when I watch how slow the process is at the executive level when they choose to make it that way and how swift they can move when they choose to make it that way. So, in effect, what we're doing is abrogating our responsibility as legislators, and I don't think that that's the trend that should be continued one step further."

Senator Yamasaki explained as follows:

"Mr. President, I just would like to explain that the Legislature will have the opportunity to review any kind of project that is proposed by the counties or the state under the formula that we have under this bill. So, we are not delegating any kind of authority to any agency or county government or to the state agencies. I

think that if there is a project that will be covered under this private activity bond issue, then we'll have an opportunity to review that and to authorize the expenditure.

The motion was put by the Chair and carried, and S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senate Bill No. 35:

By unanimous consent, action on S.B. No. 35, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Tuesday, March 5, 1985.

Senate Bill No. 362:

Senator Cobb moved that S.B. No. 362, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Fernandes Salling rose and spoke in support of the bill as follows:

"Mr. President, previously I did not concur with this bill. I believe that it is important when looking at legislation like this that we consider whether or not the state was at fault or whether they were aware of this kind of double payment of taxes being made. On the other hand, I also do think that we should look at what kind of precedent passing legislation such as this will set in this state and whether there is any kind of common rationale or reasoning that we have used to support legislation such as this that we would use in the future to support similar legislation. And I have been informed that in the past we have supported similar legislation under the rationale that when the party applying for relief such as this has not been aware of paying the tax twice and it was simple mistake on their part, and despite the fact that the state did not make a mistake we felt that in those instances that we should provide this kind of relief to the taxpayers. And on that basis, I will change my position and support this legislation. Thank you.

Senator Henderson then asked:

"Mr. President, I'm a General Motors dealer and will be affected by this bill and I ask to be excused from the vote.

The Chair answered as follows:

"The Chair declares that there is a conflict, therefore you are excused from voting."

At 1:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:57 o'clock p.m.

Senator Kawasaki rose to speak in favor of the bill as follows:

"Mr. President, this is one of the cases in which I think what is important is the principle involved here because I'm not particularly enthralled at the proponents of this bill, the Hawaii Automobile Dealers Association, which in my mind, in their pricing of their products that come here have worked a detriment to the consumers of this state, that is to say, specifically, that their profit margins on those cars that they import from Detroit have been higher, much higher than the West Coast dealers' profits with the added benefit of the added cost of freight and storage involved here.

"I've generally been very much against their pricing policies, but I think where businessmen have dutifully paid their taxes and they made a mistake in paying that tax twice to the tax office and for the tax office to plead the statute of limitation and say, 'Beyond three years, we're not going to pay your over payment even though it was paid erroneously.' I think this is wrong. I don't think the tax office should assume this kind of posture. Where the taxes are paid in accordance with the law and an overpayment was made notwithstanding the three year statute of limitation that we have, I think the government owes it to citizens and in this case a private group of dealers and companies, the overpayment. And for that reason, I vote for this bill."

The motion was put by the Chair and carried, and S.B. No. 362, entitled: "A BILL FOR AN ACT RELATING TO USE TAX OVERPAYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 117:

Senator Cobb moved that S.B. No. 117, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, according to the committee report here, this would discourage tax protestors from filing frivolous tax returns, and it's not very clear to me what they mean by frivolous tax returns. I think, perhaps, one of the things that we pride ourselves on in our form of government democracy is that citizens can indeed, protest, and if I can remember the

most perhaps dramatic evidence of taxpayer protest happened in Boston Harbor when bundles of tea were thrown overboard by people who protested what the monarchy across the Atlantic Ocean tried to impose upon them. I think there was a case where the courts overruled an imposition of a fine against one of these so-called protestors when the court had found that indeed this taxpayer was justified in protesting and filing what the tax office had termed frivolous tax returns. In any case, I think to allow citizens, taxpayers, to protest in their own way, however frivolous it may seem to some revenue agent, I think, is a healthy situation in our form of government. For that reason, I think we should not pass this bill."

Senator Abercrombie also spoke against the bill as follows:

"Mr. President, if we're going to fine people or put them in jail for being frivolous, none of us would be able to get out of this chamber on some of these days. I mean that, you know. I wonder how many of us actually have taken the time to look at what the word frivolous means in our dictionary. What frivolous means is 'of little weight, lacking in seriousness,' something that might apply to more than one of us on occasion, 'unbecoming levity.'

"I can't believe that we're really serious about passing this kind of bill. We are the ones who are being frivolous, and we're being frivolous in a way that is, in fact, unbecoming because we're saying here that we are trying to stop tax protestors, and as the good Senator just indicated that would be a goodly proportion of the people of the then colonies that existed in what is now the United States of America, as that's in fact what they were, tax protestors.

"And their protest was seen as frivolous at the time because of the structure of the tax laws revolving around the importation of tea. The colonial governors of New York and Massachusetts and others at that time pointed out to them that this was in fact symbolic and that the nature of the import duties on tea at the time of the American Revolution was such that what they were protesting, in the minds of the colonial governors, had very little to do with what the actualities were, or the realities were to the system of taxation then imposed by the King of England and Parliament. What they failed to understand in Parliament, and I can refer you to Barbara Tuchman's book, 'The March of Folly,' which would apply to what we are doing here today. What they did in England was they failed to realize the nature of the protest and were blinded by the literal nature of what the protest was. What did it have to do with the argument was what was said in Parliament. They did not realize the depth of the emotional commitment that was being made by

virtue of the tea protest.

"Now, to you Mr. President and to myself or someone in this body or in the august halls of the tax department which apparently is reaching the stage of 'big brother' in this country, what is frivolous to you or to me may not be so to the person who is making the protest.

"That's what the First Amendment to the Constitution is all about—'Congress shall make no law, with respect to freedom of speech.' And all of us know we enjoy the privilege of immunity, for example, on this floor and off this floor with respect to the carrying out of our duties. We understand that making no law against the exercise of freedom of speech means. And we also know that freedom of speech extends to writing. It is not speech, that is to say, verbal.

"The First Amendment to the Constitution, the glory that is this country, our Constitution, particularly the first ten amendments to it, preserve and defend the right to freedom of speech no matter how much we disagree with it, no matter how foolish it seems, no matter how difficult it makes our lives for us. Look at how we struggle with religious expression, for example, in freedom of speech, trying to decide whether people can solicit donations, etc., all these things.

"The Constitution and the right of free speech is not there to make life convenient for us. It is there to make sure that when it is made inconvenient for us that we treasure even more our capacity and ability to be able to express ourselves because we may be that person on another occasion, anxious to express ourselves and to register our protest for the redress of a grievance.

"I cannot find it in my heart to say that someone is being frivolous, having finished their tax return and is so frustrated they write on it 'I don't like paying this.'

"That's what the case that the good Senator just indicated was all about. The person paid their taxes but wrote on it that they didn't like it. Then the tax department says, 'We'll show you. We're going to prosecute you because you told us that you didn't like it.' In the United States of America, I'm talking about, not the Soviet Union, this is what's come to pass.

"I refer you to the bill...lines 7, 8 on: 'contains information that on its face indicates that the self-assessment is substantially incorrect; and the conduct is due to a position which is frivolous or a desire (which appears on the purported return) to delay or to impede the administration of the tax laws,'. Anybody in this country has the right to delay or impede the payment of taxes if that's what they believe is the correct thing to do. It is up to

a court of law to make a judgment as to whether it was correct or incorrect, whether it was fraudulent or not fraudulent, not whether it was frivolous or not, but to make a judgment on the facts as to what it was or what not in terms of the criminal law.

"If we are about to take frivolousness and make that a crime...to be frivolous is now a crime...then, Mr. President, I think that we have lost all sight of what it is we're supposed to be doing here. If someone can show me that the laws are now inadequate or conversely, that they can show me that this is not, in fact, of little weight.

"How many people do this out of the thousands of taxpayers in this state and the millions of taxpayers in this nation? Do you mean to say we cannot put up with a few dozen or a few hundred people who feel so deeply about the tax situation that they wish to protest it in some manner which others might deem frivolous? If we cannot abide those folks under the First Amendment to the Constitution, then this country cannot survive a little frivolousness in terms of an attitude with tax returns.

"A far greater issue is the protection of free speech. The fact that some people may take advantage of it, whether they are of a frivolous nature or otherwise, it is utterly, and totally and completely beside the point for purposes of defending the Constitution. Tax protest has an honorable history in this country; freedom of speech is the foundation stone upon which this country exists; and to pass this kind of law is to fly in the face of all that we should hold dear and true in terms of the kinds of things that we ourselves hold to be the traditions that we must stick by if we are to survive as a country."

Senator McMurdo spoke against the measure as follows:

"I seem to be very busy this afternoon. I wasn't going to speak to this, but I feel compelled to. Since it is a woman's prerogative to change her mind. I did sign this, but also my children have accused me for years as being a member of the original Boston Tea Party, so in all good conscience I will have to change my vote to 'no.'

Senator Yamasaki then spoke in favor of the bill as follows:

"Mr. President, I just want to merely point out that this bill codifies Section 6702 of the Internal Revenue Code, so we are conforming to the federal requirements."

Senator Cobb spoke for the bill with reservations as follows:

"Mr. President, I think I would like to make my reservations on the bill known as a matter of record. This country was founded

on ostensibly what was a tax revolution that began on the Boston Harbor and quickly spread to Lexington and Concord in the Thirteen Colonies. And as I listened to the remarks and looked at what the Federal Internal Revenue Code promulgated by the federal government that preaches individualism, conservatism, individual rights and liberties, deregulation, which seems to be at variance with what is set forth in the Code. I am somehow sadly reminded of a movie I saw recently on television called 'Hitler's S.S., the Legacy of Evil,' where a young S.S. officer was looking at the pending takeover of Germany by Adolf Hitler, and considering a rather brutal suppression of the S.A. and his remark was to the effect, 'Who needs revolutionaries once the revolution has been accomplished.'

"There are times, Mr. President, I would want to protest taxes. There are times I find that I disagree with the policy and the testimony of the state tax office that the Federal Government will either refund your money or begin paying interest on it after 45 days, but the state tax office takes twice as long, 90 days for any taxpayer who has money coming back to him before he gets into a score sheet.

"I'm saddened in a way when I look at the Federal Revenue Code, and if I were totally convinced that just writing on the tax return or sending a separate letter to the tax office 'I don't like paying this tax,' that that would be subject to prosecution I'd probably change my vote. But according to the provisions of the bill that were quoted, it has to be in a manner that would make it impossible to compute taxes or the computation of a frivolous tax.

"I would be one to agree that it's difficult to define what is frivolous, and it's a sad state of affairs to see that we're conforming with the federal government in something like this. Thank you."

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, I notice a tendency in the last few years on our part to try to conform. We seem preoccupied with this great desire to codify our tax laws in conformance with the Internal Revenue Code. I was never one of those who felt that the federal government or its tax department had a cartel on wisdom, accounting wisdom or taxing wisdom. I think perhaps we have to stand up as a state, that is individual state, to codify our tax laws according to what we consider to be a fair, equitable treatment of our taxpayer citizens. We've been overly zealous in trying to conform to the Internal Revenue Code. The Internal Revenue Code is a tax document that is constantly evolving. It's in a process of evolution from

year to year. It's in a process of evolution depending on which administration is in power in Washington. So, I don't find any magic in our having to conform strictly to the provisions of the Internal Revenue Code. Perhaps we should maintain a semblance of independence here and not vote for this particular bill."

Senator Hee spoke in favor of the measure as follows:

"Mr. President, I am, as the chairman of Ways and Means said, looking forward to codifying the income tax bracket to establish an alternative minimum income tax consistent with the Federal Government, thereby establishing a tax for the state for all of those who are on pension in excess of \$50,000 a year. Thank you, Mr. President."

At 2:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:17 o'clock p.m.

By unanimous consent, action on S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 5, 1985.

Senate Bill No. 119, S.D. 1:

Senator Cobb moved that S.B. No. 119, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Soares.

Senator Kawasaki spoke against passage of the bill as follows:

"Mr. President, what this bill does is to increase the statute of limitation that's accorded the tax office. You know that the tax office cannot get into a citizen taxpayer's return beyond three years. This is known as the statute of limitation. What the tax office is trying to do is to get this extended to six years. Again this constantly increasing trend toward oppression by the tax department, both of the federal government and the state government. Right now we have provisions that allow the tax office to go back into a taxpayer's return any number of years just as long as fraud could be proven. And I think this is adequate to protect the tax office from the ill effects of fraudulent tax returns. There's no statute of limitation. The statute of limitation of three years on any other type of return, I think, is adequate and we should not start increasing the statute of limitation from three to six years, and for this reason, I urge the body to vote against this bill."

Senator Abercrombie also spoke against passage of the bill as follows:

"Mr. President, as the previous speaker

indicated, there is no statute of limitation to my knowledge where the fraudulent return is involved. Mr. President, we just deferred for one day a bill having to do with taxation on what constitutes frivolous behavior, we have passed bills already today concerning civil penalties, and in other words, everything that the taxpayer has to put up with. We're moving them along, but when it comes to holding the tax department to account, that's a different story. Now, what we're saying is that we're going to allow them to double the time that they can come after somebody. God knows what reason they might want to come after somebody. It could be that they conceive a person is being a tax protestor in some way. It may be that they would have succeeded in something with the IRS and they decided, well, let's go back and see if we can get them over something else. They don't have to have a reason. You'll notice, Mr. President, and I ask the members to look at it. I'd like to know what the reasoning is involved here. What is the compelling reason? I can't find anything in the committee report.

I would be delighted to be made aware by some member of the Ways and Means Committee as to what the compelling reason is for increasing this from three years to six years. I would like to be able to tell the taxpayers in my community or in any community throughout the state, no matter what party they belong to, what the reason for doubling it from three years to six years is. What reason has the tax

department given us that compels us to double the number of years. Failing a compelling reason or reasons to do this, we have no business passing this legislation. I think that's a fair question. I think it deserves an answer."

By unanimous consent, action on S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Tuesday, March 5, 1985.

RE-REFERRAL OF SENATE BILL

The President made the following re-referral of a Senate bill:

Senate Bill Referred to:

No. 761 Committee on Labor and
Employment

Senator Yamasaki, Chairman of the Committee on Ways and Means, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Ways and Means Committee's hearing notice for Tuesday, March 5, 1985, and the President granted the waiver.

ADJOURNMENT

At 2:24 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 5, 1985.

TWENTY-NINTH DAY

Tuesday, March 5, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Tuck Wah Lee of the United Church of Christ, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Twenty-Eighth Day.

Senator Chang then introduced to the members of the Senate Mrs. Grayce Schoonfield, his mother-in-law, who is visiting from Los Angeles, California.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 196 to 199) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 196, transmitting the Progress Report of the State Health Planning and Development Agency, Phase I, prepared by Peat, Marwick, Mitchell & Co. for the Department of Health, pursuant to Act 267, SLH 1984, was referred to the Committee on Health.

Gov. Msg. No. 197, submitting for consideration and consent to the First Circuit Court, the nomination of Wilfred K. Watanabe, as Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 198, submitting for consideration and consent to the Second Circuit Court, the nomination of E. John McConnell, as Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

Gov. Msg. No. 199, submitting for consideration and consent to the First Circuit Court, the nomination of Frank Tokio Takao, as Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 24 and 25) were read by the Clerk and were disposed of as follows:

S.C.R. No. 24, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INVESTIGATE TRAFFIC REDUCTION ALTERNATIVES FOR THE PALI AND LIKELIKE HIGHWAYS," was offered by Senators Hee, Cayetano and Toguchi.

By unanimous consent, S.C.R. No. 24 was referred to the Committee on Transportation.

S.C.R. No. 25, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REORGANIZATIONAL PLAN TO SEPARATE THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT FROM THE COLLEGE OF BUSINESS ADMINISTRATION OF THE UNIVERSITY OF HAWAII AT MANOA AND TO INCREASE SUPPORT ALLOCATED TO THE SCHOOL OF TIM," was offered by Senators Soares, Holt, Henderson, George, A. Kobayashi, Aki, Hagino, Matsuura and Toguchi.

By unanimous consent, S.C.R. No. 25 was referred to the Committee on Higher Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 28 and 29) were read by the Clerk and were disposed of as follows:

S.R. No. 28, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO INVESTIGATE TRAFFIC REDUCTION ALTERNATIVES FOR THE PALI AND LIKELIKE HIGHWAYS," was offered by Senators Hee, Cayetano and Toguchi.

By unanimous consent, S.R. No. 28 was referred to the Committee on Transportation.

S.R. No. 29, entitled: "SENATE RESOLUTION REQUESTING A REORGANIZATIONAL PLAN TO SEPARATE THE SCHOOL OF TRAVEL INDUSTRY MANAGEMENT FROM THE COLLEGE OF BUSINESS ADMINISTRATION OF THE UNIVERSITY OF HAWAII AT MANOA AND TO INCREASE SUPPORT ALLOCATED TO THE SCHOOL OF TIM," was offered by Senators Soares, Holt, Henderson, George, A. Kobayashi, Aki, Matsuura, Toguchi and Hagino.

By unanimous consent, S.R. No. 29 was referred to the Committee on Higher Education.

STANDING COMMITTEE REPORT

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 322) recommending that Senate Bill No. 967, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Economic Development.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," passed First Reading and was recommitted to the Committee on Economic Development.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM
MONDAY, MARCH 4, 1985

Senate Bill No. 153:

By unanimous consent, S.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was recommitted to the Committee on Energy.

Senate Bill No. 1351, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 1351, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and George). Excused, 1 (Hagino).

Senate Bill No. 117:

Senator Yamasaki moved that S.B. No. 117, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against measure as follows:

"Mr. President, I spoke yesterday against this bill. Mr. President, since that time, I have reflected on the bill and I find that I can see little to change my mind to be against this bill with respect to what is called frivolous tax returns.

"I call the members attention, again, just as a reminder, to the language of the bill itself, lines 8, 9, 10, ' ... contains information that on its face indicates that the self-assessment is substantially incorrect; and the conduct is due to a position which is frivolous or a desire (which appears on the purported return) to delay or to impede the administration of the tax laws ...'.

"Mr. President, I ask all the members here to think very carefully about how a government agency could use that against the individual, to force that individual into court. Mr. President, I think the reason that we pass laws like this occasionally is we think it will never happen to us and it may very well be that it doesn't happen to us but we do not pass bills on the basis of what ... we should not pass bills on the basis on what might not happen to us or to our friend or to our acquaintances or to those whom we hold in high regard. We have to pass laws and we should pass laws and we should be cognizant of this in the body of the laws that we pass in terms of how it affects the average person, the single person, the individual who depends entirely upon us to act in the public interest and in the interest of the individual citizen in this country, and taxpayer in this country.

"Mr. President, people pay taxes in this country and people put in tax returns who do not understand the English language as well as some of the people in this room, and who will be voting today might understand it. Just think of the language, please, in this bill ' ... and the conduct is due to a position which is frivolous' I honestly would ask all the members here if they can define for me what is 'a position which is frivolous.'

"What this bill says is that the return need not even be frivolous in and of itself but merely put you into the position of being frivolous. I don't know if the word 'position'... perhaps there are lawyers on the floor who can tell me if there is something in the law which defines 'position.' But I can tell you as a layman reading this language that this gives the opportunity to an agency of the government, should it decide to take revenge upon a given individual, that it could utilize such language to declare that the 'position' of the person making the tax return is frivolous and that they have a desire. Desire, Mr. President, is a thought crime. Not to have the act of committing a fraudulent return or even a frivolous return, if that's to be a word that is going to be accepted, but the desire to delay or impede. That's almost like conspiracy. It is in fact thought crime. You had the desire. How do you know what desires I have or do not have? How is that possible to be proved? But you will be taken to court and your desires will be on trial.

"Now, this is not my language and I'm not trying to be picky about this, I am describing to you the effect of what I believe exists as a result of the language which is in this bill and that's what we're voting on and that's what we're going to pass.

"How is it possible in 1985, just after the year 1984 has passed in which Orwell's book indicated what happened to people when

thought crime took place. We have gone through a spasm of trials in this country in the 1960's and in the 1950's in which people lost their jobs, in which people were prosecuted in the courts because of supposedly what was in their thoughts and what those thoughts were supposed to portend for the body politic. Not for what they did but for what they thought or were supposed to have thought. What people's interpretations of their thoughts were. And here we are actually using the word desire. Again, I am not an attorney but I would certainly like to ask attorneys whether desire now is also something that is legally being established in terms of a definition so that prosecution can take place. And I repeat, that is not for us but for the ordinary person.

"We may not think that we would ever be the subject of an investigation by a government agency but just yesterday we introduced a distinguished theologian here, a black American, Dr. Cornel West, and we know that the FBI had investigated Martin Luther King. We know that people who had thoughts that some people didn't approve of have been investigated and dossiers assembled about them. We know that in some administrations, in the highest levels of government in this country, that tax returns were going to be utilized and attempts were made to utilize tax returns to take revenge upon political opponents at the highest levels of this nation, and this has taken place in recent history so we are not exempt from that history.

"We should pay the closest attention, therefore, to the kind of language that is put into any bill with particular reference to enabling the government to bring prosecution against the average citizen. And when you talk about tax returns, you're talking about the one area of government that virtually everyone fears because you are never sure whether you are doing the right thing or the correct thing. You're never quite sure that what you put down is exactly correct. You're never quite sure that something cannot be questioned and here we are giving the opportunity to a government agency then, should it choose to do so, to bring an individual into court and force that person to prove that they did not have a position which is frivolous or that they did not have a desire to delay or impede the administration of the tax laws. The administration of the tax laws! Not the tax laws themselves, but that you're interfering with the bureaucrat being able to tax you.

"It doesn't say in this language 'impede the tax laws or delay payment on your returns' but the administration. In other words, you've upset a bureaucrat in the tax department. That's what the language says.

"Mr. President, I cannot believe that this body, after due deliberation, would pass a bill like this with this kind of language and with that kind of implication. Thank you."

Senator Fernandes Salling also rose to speak against the measure as follows:

"Mr. President, I believe that another factor that we should consider before we vote on this bill is whether or not there really is a serious problem out there which necessitates us imposing this kind of penalty. According to the Tax Foundation, it appears that out of 11 million federal tax returns that were filed in California-Hawaii in 1983, 151 returns were assessed the \$500 civil penalty and, of that number, only five were filed in Hawaii. So, I submit to all of you here that I don't believe that we do have a serious problem which will necessitate us having to pass this legislation. Thank you."

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

"Mr. President, we all spoke against this bill yesterday. Perhaps it is important that we reaffirm our opposition to enabling the tax department to continue with this gradual trend towards trampling on people's rights of expression. I have been in the past a little concerned that Congress seems to be helpless or afraid to curb the excesses of the treasury department at the federal level and we are beginning to do this over here. It just seems to me that passage of this will indicate to the population that we do nothing about this gradual trend that give powers, perhaps, that should not be given to the tax departments, both at the state level and the federal level and I think defeat of this bill will indicate to the public that we are concerned about keeping control of government bureaucracies and their trend to oppress citizens.

"The definitions provided here as to what consists of frivolous returns is not quite clear in my mind as well as the minds of others and I am in complete agreement with Senator Abercrombie that perhaps this is not the time for us to pass this kind of bill. We've gotten along without it all these years, I think we can continue to do without this bill."

The motion was put by the Chair and carried, and S.B. No. 117, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Abercrombie, Cayetano, Cobb, Fernandes Salling, Kawasaki, McMurdo and Toguchi). Excused, 1 (Hagino).

Senate Bill No. 119, S.D. 1:

Senator Yamasaki moved that S.B. No. 119, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, this is another one of those bills, as I said, that continue with this trend toward giving the tax department more power to trample on the rights of citizens.

"We have today a provision that anytime a taxpayer files a fraudulent return the tax office has no limitations on the number of years it has to consider to get at that taxpayer ... examine his returns, require all information to be submitted to him relative to that return for the years we're talking about. We do have this nonrestriction of a limitation by a statute limitation so we don't need a bill like this to expand the present three-year limit on the statute of limitation to six years.

"Again, I speak against passage of this bill because this also is an incursion upon the rights of citizens in this country."

Senator Abercrombie also spoke against the measure as follows:

"Mr. President, perhaps someone who is in favor of this bill ... I speak against the bill, again. I was interested, when we stand up and be against these bills, you can't find anybody to speak in favor of it but maybe we can get it in this one. Would somebody explain to me why we need to double the time from three years to six years? I wasn't a party to the deliberations on this particular bill and I presume that the tax department or the attorney general or someone came in and was able to present a detail and compelling case that the administration of justice with respect to the tax codes and so on was in such peril, such dire peril that it was absolutely necessary for the Legislature to double the statute of limitation so that prosecutions can take place.

"Is there anyone in favor of the bill who could enlighten me on that particular point?"

The Chair inquired: "Is that a request to the body or the Chair or"

Senator Abercrombie interjected: "At this stage, Mr. President, if you want to you can ask people in the gallery but I'd prefer someone who's going to vote in favor of this would give me an answer. I'm open to any and all quarters. Thank you."

Senator Yamasaki then responded:

"Mr. President, the information, the testimony that we have received from the tax department regarding the passage of this bill is that the amendment would keep the statute open in cases of unreported income in excess of 25 percent of reported gross income. Presently, under the three-year statute, the Department of Taxation is unable to collect taxes due on the underpayment even after notification of the adjustment made by the Internal Revenue Service. These were the further comments regarding this bill that we have received from the Department of Taxation."

Senator Abercrombie then continued as follows:

"Mr. President, I appreciate that response but, Mr. President, that does not make...unfortunately, I think it bears on my comments on being against this bill because it has no relationship to this bill and the necessity for it.

"As one of the previous speakers, Senator Kawasaki, pointed out, if there is a fraudulent return than this does not apply. And, if I'm not mistaken, Mr. President, an individual was sent to prison right from this state, ostensibly connected with what has been termed organized crime, sent away for 15 years. I believe that individual served eight years of that 15-year term before being paroled...on the basis of unreported income in excess of the 25 percent over a period of time much longer than the three years involved. So, if we're talking about prosecution for fraud that's one thing, and in that instance it doesn't apply. But there apparently is no evidence that they need this bill in order to do this.

"The fact that it might be convenient, I suppose, in some theoretical basis for the tax department is one thing but that is not a reason for passing legislation.

"I've indicated several times already this term and I guess the longer I serve here in the Legislature, I don't know what we have political parties for anymore because they apparently don't stand for anything. They put up with an awful lot but they don't stand for anything, or they force the taxpayers and the citizens to put up with a lot but they don't stand for anything. And, so, maybe we have to have an independent point of view come to bear because I cannot understand why we pass legislation when the necessity for it is not there. I think the government should not be involved in people's lives anymore than it absolutely has to be in order to protect the public interest. And when it starts getting down to this level it appears that we have nothing serious to do and so, therefore, we have to go and find ways to harass our own citizens with language in bills that become laws for which there is no necessity, apparent or

otherwise.

"We don't have to pass laws. I suppose the population would come into the street and cheer us if we got through one of these sessions bragging about not how few bills got introduced but, rather, how much we avoided harassing the population by passing unnecessary laws.

"This bill is clearly unnecessary. There is no compelling reason to pass it and, therefore, we should defeat it."

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

"Mr. President, anytime we set statutes of limitations we have policy considerations and had this bill not made an exception I suppose one could argue that the statute of limitation should be six instead of three years. But what I don't understand about this bill and, in my view, what may make this bill constitutionally infirm in terms of denial of equal protection is that..and I haven't researched that point, quite frankly ... is that the six-year statute of limitations under this bill would apply only if the underestimated income is in excess of 25 percent of the amount of the gross income.

"I quite frankly don't know what the magic is in 25 percent. I think when we look at any bill we have to look at the bill in terms of fairness and what this bill seems to be saying is that if you underestimate by less than 25 percent, three years is it for you. If you go over then it's six years. It just doesn't make sense to me."

Senator Yamasaki rose to speak in support of the measure as follows:

"Mr. President, this measure conforms to the requirements in the federal IRS code and, also, I believe that this bill will serve as a notice to taxpayers that the department has six years to impose additional taxes, should omission of income be more than 25 percent."

Senator Cayetano then responded:

"At last ... we have the real reason. It's the Federal Government again."

The motion was put by the Chair and carried, and S.B. No. 119, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Abercrombie, Cayetano, Cobb, Fernandes, Salling, Kawasaki, A. Kobayashi and McMurdo). Excused, 1 (Hagino).

Senate Bill No. 35:

Senator Yamasaki moved that S.B. No. 35, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against the bill as follows:

"Mr. President, perhaps before I speak against the bill, the chairman would be good enough to answer a question?"

The Chair posed the question to the chairman and Senator Yamasaki replied: "I will try to."

Senator Abercrombie continued:

"I appreciate that, Mr. President.

"Mr. President, would you see if the chairman could try to answer this question.

"If there is some reason why we should deal with this bill at this time, which I presume has to do with the June 30th, 1985 drop dead figure, is there any reason why we could not simply extend the present 14 percent limit that now exists in the law up to June 30th, 1985?"

Senator Yamasaki answered:

"Mr. President, it is possible to extend but the department has called to our attention that by placing a figure of 14 percent or 9-1/2 percent, the department has not had the opportunity to go to the bond market because of our fixed position on interest."

Senator Abercrombie then continued:

"I want to make sure he understands, Mr. President, that the department has been unable to go to the bond market at the 14 percent interest rate ... does that mean that there have been times when there has been an over 14 percent and they were unable to go to the market?"

Senator Yamasaki answered:

"Mr. President, such has not been the case, however, I believe that the department wants to have the flexibility to go into the bond market so that they would be able to go at an opportune time when the interest rate is low; however, by fixing an interest ceiling of 14 percent would present some difficulty to the department when and if they would like to go to the bond market."

Senator Abercrombie further inquired:

"Mr. President, could the chairman indicate, on the average basis of the bonds that we deal with in the market, what a one percent rise in the interest rate means in terms of what obligation the taxpayers have in the state?"

Senator Yamasaki answered:

"Mr. President, I don't have those figures but I think that we have some figures on our debt ceiling requirement in the budget and that is based on our expected average interest rate that we have been paying."

Senator Abercrombie continued:

"Mr. President, perhaps I can make it a bit clear, the committee report says: 'Expenditures for capital improvement projects are expected to continue at a rate of about \$150 million a year.' So my question is, is that a rate of a \$150 million a year? Is there an estimate as to what it cost the taxpayers everytime there is a percentage rise, a one percent rise, in the interest rate?"

Senator Yamasaki answered:

"Mr. President, I believe that the total amount of the debt service charge is reflected in the budget but I do not believe that there is any breakdown by percentages. The bond market fluctuates."

Senator Abercrombie continued:

"Thank you.

"Mr. President, I will speak against this bill and I will speak against it as vehemently as I can.

"Mr. President, I think that the chairman of the Ways and Means Committee would admit and that all the members on the floor would admit that a percentage rise in the interest rate causes substantial cost to be incurred by the taxpayers of the state. We are talking about millions and millions of dollars that must be paid, not just by you and I, Mr. President, but must be paid by your children and most likely your grandchildren.

"Anytime we go into the bond market, we have to have a purpose which is long term, which must serve the public interest because the debt service on these bonds is of a long term nature. When you put it up to 14 percent, as we have, and as you know I had a great hesitancy about that, 14 percent causes an enormous increase in the amount of money which must be provided in the operating budget up front. When some of us and virtually all of us who chair a committee are being given budget ceilings, I ask you to consider the fact that the debt service obligation gets paid first, not the elderly, not the poor, not the needy, not the children, not the abused, the debt service gets paid first.

"When we talk about flexibility for the department ... once again, I've raised it on this floor the past couple of days, I've raised it in other sessions of the Legislature, we are abdicating our responsibility as legislators. We have no business allowing a

department of budget and finance which is not elected by the people of this state to go into any bond market at over 14 percent. No project at that stage, if the interest rates are blown through the 14 percent ceiling, no project should go forward unless this Legislature meets in special session to reconsider its entire financial situation. It means the economy has gone sky high. It means the economy is in chaos throughout the country.

"This Legislature cannot go to sleep under those kinds of circumstances and let some bureaucrat in budget and finance say what difference does it make if we obligate the people of this state for the next 20 or 30 years at an interest rate, at God knows what rate. If you take the rate off that means it can be 15 or 16 or 18 or 20...it doesn't make any difference because we won't be here to stop them. You've given them permission in this law.

"On the other hand, in the marketplace if the interest rates are lower, they can go when they are lowest. Nothing, by putting on a cap, ever prevents a department from going in at the lowest possible rate, which presumably they would do.

"My argument against this bill is that we're looking in the other direction; that we're going to take the ceiling off. No responsible senator or representative should be voting for a bill that tells the department of the executive you obligate the people of the state to whatever kind of debt you please, be our guest it doesn't make any difference to us.

"I would like to know how any senator on this floor is going to go in front of any constituent body and explain to them how they have to live within their budget or when they take out a loan or when they get into a situation where they are taking out a loan or obligating themselves under a debt service interest that they don't have to pay any attention at all to what the interest rate is. How can anybody in good conscience go and tell somebody who's paying his taxes in this state that as far as we're concerned we could care less at what rate the department of budget and finance goes into the bond market for just as long as we can keep pumping those projects out and taking credit. Credit is a word that ought to be enshrined somewhere in these halls.

"There is no reason whatsoever that if you are going to pass a bill because there is a June 30th, 1985 deadline at 14 percent, no reason whatsoever, not to pass a bill extending that 14 percent limit or some other limit as judged to be suitable and that if there is any question about that 14 percent limit being passed that this Legislature be called back into special session to reconsider its position on any aspect and every aspect of the operational

and CIP budget."

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

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

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

"Mr. President, I too join in opposing passage of this bill. One of the things that make me very proud of belonging to this Senate is the fact that here on this floor of this chamber, on occasions, we hear speeches that are the result of some very incisive, brilliant analysis of an issue on which we have to vote, and it is my privilege, I think, to have heard that very eloquent examination of what the results may be if we vote for this bill before us, in cavalier fashion, as we generally do, on some of these important issues.

"I think no one could have stated the case against this bill more eloquently than Senator Abercrombie has done. What saddens me, what has saddened me on past occasions, is that notwithstanding perhaps the most brilliant analysis of what can be the end result of something that we do here, people very casually seem to vote opposite to the presentation made.

"I have come to the conclusion this happens possibly because a lot of people don't care. Possibly because a lot of people don't understand the implications, notwithstanding a very lucid explanation of what is the result of how we're going to vote, or they don't give a damn or a combination of all of these. This makes me very sad because I take pride in the fact that here in the Senate we try to pride ourselves in trying to protect the interest of the general public.

"To me, there was no more compelling case made on this particular subject. The complete lifting of the ceiling on the interest chargeable by the state government on its floated bonds.

"You know, there was a time when the administration used to come down to us, very reluctantly, asking us to lift the ceiling that was present in those years ... a half a percent or a quarter of a one percent ... to give them 'the flexibility' to go on the open market and float bonds because this was absolutely necessary. And in the past, we very reluctantly agreed and raised the ceiling, but never, to my knowledge, was an attempt made to lift the ceiling on these bonds completely, as is recommended here.

"As the good Senator Abercrombie has said this is unprecedented. We are just giving a *carte blanche* right to the administration to go out and borrow money

at any rate of interest that is chargeable to the state. This has tremendous implications to the taxpayers of the state.

"Now if the bill provided some kind of a ceiling, even if I consider it rather high and costly, I would have voted for this bill. This bill in effect completely removes the ceiling and never was an attempt made by past administrations to have us acquiesce to such a proposition. This is absolutely ridiculous and certainly not in the best public interest.

"I don't think if you really thought out very clearly what they are asking us to do that you can go before your constituents in the elections that follow and say that you are protecting the public interest.

"As I said, no one can state the case against this bill more eloquently than Senator Abercrombie has. But, I do want to remind you that never in the past years, past administrations have ever come before us and asked us to pass a bill that completely lifts the ceiling on interest rates chargeable.

"For that reason, Mr. President, I will vote against this bill."

Senator Cayetano then rose to speak in support of the bill as follows:

"Mr. President, I'm going to vote for this bill. The reason I am going to vote for this bill is this.

"First of all, I think that by lifting the ceiling, and this point was made by Senator Abercrombie and also, privately, by Senator Toguchi, the Legislature is in effect making a statement in terms of how it wants to deal with bonds and capital improvements and the costs thereof. But if we are truly interested in keeping the cost of government down, if we are truly interested in watching our spending then I suggest that we take stringent steps here when we prepare the budget in terms and in relation to the amount of projects that we ask the administration to seek money for. That's where the key is, right here.

"Every year we appropriate as much as we possibly can. It ranges from capital improvements for Ft. DeRussy to covered walkways. In the past, in the Senate, there have been attempts to try and bring this kind of spending under control although this has failed, primarily because of political considerations. So, to me, it really doesn't make a difference, quite frankly, whether we lift the ceiling or not, although I respect the points made by some of the speakers who are sincere about what we want to do, let's watch what we appropriate here at this level because this is where the action is. The administration really only responds to what we put in the budget.

"We can deal with the problem, I believe, in another fashion. We can put in a proviso, for example, that will limit the administration to a certain limitation on the interest rates in terms of the issuance of bonds. We can do it, I'm sure, it's legal. We can do that in the budget. So I don't see this being a particularly big problem nor do I think that this really addresses the key source of the problem which is 'us,' right here."

Senator Abercrombie then rose in rebuttal to the previous speaker as follows:

"Mr. President, I feel I must rebut. While I respect the philosophy behind the previous comment, I think that there is a message being delivered to the public in this bill which may be missed with respect to what we know.

"I've spoken previously today about what happens on this floor because we know one another, we know the process. I submit to you that the average person and taxpayer is not so thoroughly familiar with the idea of provisos and whether they may or may not come in the budget and so on and so forth but we have no assurance in this bill that there will ever be such provisos. We have no assurance that any of the rational process alluded to by the previous speaker will ever take place. What we do have is what the law allows. And my experience has been that, if the law allows it, it's likely to be taken into account by those who are going to enforce it and they need not return to us. We may not have to take the responsibility. We can always point to the law and say that's what it says.

"In this particular instance then, while I appreciate the comments of the previous speaker with respect to the good sense that he asks us to utilize, that, that unfortunately is not what's before us. What's before us is this bill. This bill in the end, as indicated by Senator Kawasaki, says that we are going to allow, whether or not it's a good idea, whether or not it is based on our judgment in this Legislature, whether or not we have a governor that is going to take these economic and social circumstances into account, we're going to allow this department to go to the bond market, at any given day, at any given time, based on what has been passed in this Legislature with respect to CIP, general obligation bonds of the State of Hawaii, and do as that department damn well pleases as opposed to coming back into session if necessary to discuss whether or not we want to go forward with any project or all projects and under what circumstances we want to, should the economy be in a position as it is up until June of this year ... 14 percent.

"I conclude by saying this, Mr. President.

If the Democratic Party is going to pass a bill like this and it's going to be the Democratic Party that passes it whether it has the acquiescence of the Republican Party or not on this floor, the Democratic Party is going to have very, very serious problems in explaining to the people of the state how it, in any way, shape or form, deserves to have their confidence in this upcoming election or any other election because the Democratic Party does not seem to have the slightest idea of what is in the public interest any longer and does not seem to have any resolve whatsoever to come to grips with problems, real problems that people have to face, and seems perfectly willing to obligate or take the chance, the chance of obligating the children and grandchildren who will have to be paying for what happens with these bonds ... take that chance regardless of what it might mean to them in terms of cost.

"Precisely because we cannot foresee exactly what's going to happen in the future, that's why we put these limits on. It's a limit on us because we're human beings and subject to all the foibles and all the illusions and delusions that human beings have and so we put these numbers into the law to try and be a checkmate on ourselves, to call us up short so that we take an accounting or reaccounting of our position when necessary. And when you remove these checks, when you remove these balances in the law, we remove any obligation on the part of ourselves or on the people in the executive to be accountable and to be responsible and that's what I don't think that we should be doing and that's why I think that this bill should not be passed and that's why I would be perfectly willing if the bill is recommitted and came back out. We have enough time for that ... to extend this 14 percent limit even though I think that's a little high ... I'm perfectly willing and I assume other people that oppose it might be willing too. We have enough time to work on it until we can maybe get a more compelling argument, should one exist, for why there should be no limit whatsoever.

"No limit means no thought. No limit means no further consideration. No limit means that we need not take any further interest in what happens. That's going to be the practical effect and if that is the effect then I tell you that the Democratic Party is going to have plenty to answer for to the electorate and if the Republican Party goes along then they're going to have plenty to answer for to their electorate and so the parties, again as I say, are under scrutiny in this Legislature as never before. And whether they deserve to have a leadership role in the political destiny of this state is being determined in this session and the session to come."

The motion was put by the Chair and

carried, and S.B. No. 35, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Fernandes Salling, Kawasaki and McMurdo). Excused, 1 (Solomon).

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a Senate bill:

Senate Bill Referred to:

No. 661 Committee on Consumer Protection and Commerce

At this time, Senator B. Kobayashi, Chairman of the Committee on Health, requested a waiver of the 48-hour Notice of a Public Hearing on the following measures:

S.B. No. 634, entitled: "A BILL FOR AN

ACT RELATING TO LITTER LAW VIOLATION PENALTIES," and

S.B. No. 906, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES,"

and the President granted the waiver.

Senator Hagino, Vice Chairman of the Committee on Agriculture, requested a waiver of the 48-hour Notice of a Public Hearing on the following resolution:

S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THEIR 1985 FARM BILL,"

and the President granted the waiver.

ADJOURNMENT

At 12:58 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., Wednesday, March 6, 1985.

THIRTIETH DAY

Wednesday, March 6, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:50 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Lt. Paul Seiler, Divisional Youth Officer, The Salvation Army, Hawaiian Islands Division, after which the Roll was called showing all Senators present.

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

Senator Henderson introduced to the members of the Senate former Representative Joseph Garcia and his friends Dorothy Carse, Dolores McMann and Frank Donner from Hilo, Ka'u and Kailua, Kona, respectively.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 39 from the Public Utilities Commission, transmitting a report on the breakdown of utility cases filed in 1983 in which decision and orders were issued in 1984, pursuant to Sec. 269-16(d), HRS, was read by the Clerk and was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 30 to 37) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 30, transmitting House Concurrent Resolution No. 6, which was adopted by the House of Representatives on March 5, 1985, was placed on file.

By unanimous consent, H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THE 1985 FARM BILL," was referred to the Committee on Agriculture.

Hse. Com. No. 31, transmitting House Concurrent Resolution No. 29, which was adopted by the House of Representatives on March 5, 1985, was placed on file.

By unanimous consent, H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DESIGNATION OF THE EXECUTIVE OFFICE ON AGING AS THE LEAD AGENCY FOR SHORT AND LONG-RANGE PLANNING FUNCTIONS RELATING TO THE LONG-TERM CARE FOR THE ELDERLY," was referred to the Committee on Human Services.

Hse. Com. No. 32, transmitting House Bill No. 171, which passed Third Reading in the House of Representatives on March 5, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 171, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

Hse. Com. No. 33, transmitting House Bill No. 181, which passed Third Reading in the House of Representatives on March 5, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 181, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed First Reading by title and was referred to the Committee on Tourism and Recreation.

Hse. Com. No. 34, transmitting House Bill No. 188, which passed Third Reading in the House of Representatives on March 5, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 188, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 35, transmitting House Bill No. 210, which passed Third Reading in the House of Representatives on March 4, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 36, transmitting House Bill No. 211, which passed Third Reading in the House of Representatives on March 5, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 37, transmitting House Bill

No. 268, which passed Third Reading in the House of Representatives on March 5, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 268, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed First Reading by title and was referred to the Committee on Labor and Employment, then to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 323) recommending that Senate Bill No. 237, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 237, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 324) recommending that Senate Bill No. 239, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 325) recommending that Senate Bill No. 241, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 241, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 326) recommending that Senate Bill No. 246, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the

report of the Committee was adopted and S.B. No. 246, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was recommitted to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 327) recommending that Senate Bill No. 62, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 328) recommending that Senate Bill No. 231, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 329) recommending that Senate Bill No. 689 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 689, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 330) recommending that Senate Bill No. 1210, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 331) recommending that Senate Bill No. 1297, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 332) recommending that Senate Bill No. 66 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 66, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 333) recommending that Senate Bill No. 1077, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 334) recommending that Senate Bill No. 253, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 335) recommending that Senate Bill No. 104 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of

the Committee was adopted and S.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 336) recommending that Senate Bill No. 434, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 337) recommending that Senate Bill No. 188 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 338) recommending that Senate Bill No. 226 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 226, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 339) recommending that Senate Bill No. 187 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by

Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 340) recommending that Senate Bill No. 954, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 954, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 341) recommending that Senate Bill No. 953, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 342) recommending that Senate Bill No. 960, as amended in S.D. 1 pass First Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 960, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed First Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 343) recommending that Senate Bill No. 19, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 344) recommending that Senate Bill No. 16 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 16, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 8, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 345) recommending that Senate Bill No. 701, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 701, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was recommitted to the Committee on Ways and Means.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

Senator Kuroda rose and introduced 68 sixth grade students from Pearl Harbor Elementary School, accompanied by their teachers: Peggy Hirata, Kathleen Kamimura and Elizabeth Wong.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM
MONDAY, MARCH 4, 1985

Senate Bill No. 557:

By unanimous consent, S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was recommitted to the Committee on Ways and Means.

THIRD READING

Senate Bill No. 477, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 477,

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

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

Senate Bill No. 479, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1209, S.D. 1:

By unanimous consent, action on S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, March 7, 1985.

RE-REFERRAL OF SENATE BILL

The President made the following re-referral of a Senate bill:

Senate Bill Referred to:

No. 550 Committee on Ways and Means

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:18 o'clock p.m.

Senator Fernandes Salling then introduced from Kauai, the County Clerk, Jerome Hew, and his Deputy Assistant Clerk, C. Bunji Shimomura.

Senator Yamasaki, chairman of the Committee on Ways and Means, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Ways and Means Committee's hearing notice for Thursday, March 7, 1985, and the President granted the waiver.

At this time, Senator Cobb, chairman of the Committee on Consumer Protection and Commerce, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 953, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES"; and

S.B. No. 954, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL

PROPERTY REGIMES,"

and the President granted the waiver.

At this time Senator Chang, chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

S.B. No. 291, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION,"

and the President granted the waiver.

Senator Cayetano rose on a point of personal privilege and spoke as follows:

"Mr. President, in February, on or about February 16, 1985, a person named Hector Matsuda testified before the Senate Committee on Agriculture. All of you are familiar with his testimony. Mr. Matsuda's remarks—the allegations, the charges that he made—at that hearing were, to put it mildly, stunning.

"The reaction of the response to Mr. Matsuda's allegations seemed to follow a common thread. Most Senators and Representatives who were asked to respond by the media responded with shock, responded with interest in terms of the Legislature investigating the charges brought forward by Mr. Matsuda. There was one negative response, however, and I want to quote from the February 16, 1985 issue of the Honolulu Star-Bulletin, page 2, column 5, and I quote, 'The only negative voice was that of Representative Mark Andrews, a Maui Democrat, who said he thought Matsuda "should be dismissed."

"The Department of Agriculture, Mr. President, responded by offering to conduct an investigation of its own. To his credit, the Governor of our State decided that that would not be a good idea, obviously because the Department had an inherent conflict in investigating charges which were leveled against the Department's own practices. Therefore, the Governor came up with the idea of an ad hoc committee and as part of this committee a member was appointed by the House Speaker and one by you, Mr. President, and I believe two by the Governor himself. Mr. President, you recommended the appointment of Senator Bert Kobayashi, and from my point of view I think the Senate will be well represented on that committee.

"However, I'm rising today because I strongly take issue to the appointment by the House. The Speaker of the House appointed, of all 51 members, Representative Mark Andrews, the person who called for the dismissal of Mr. Matsuda, a public servant who had the courage of his convictions to come forward and tell the Legislature what he thought was wrong with

the Department of Agriculture and how he thought the public interest was not being served. Mr. President, I have every reason to believe that the newspaper accounts of Representative Andrew's statements, his words, are accurate. I've talked to the reporter about it, and I have seen no rebuttal by Representative Andrews. I was shocked when I learned of his appointment several days ago. Representative Andrew's appointment, Mr. President, I think only compromises the integrity and independence of the ad hoc committee.

"It seems to me, that the public, the Legislature and the Department of Agriculture, and Representative Andrews himself, will be better served if the Speaker of the House took action to appoint a replacement.

"It's not easy for me to stand up here and say these things about a fellow legislator, but we all develop biases on issues. For example, I don't think I'd be a good person to be appointed to this committee because I have a bias. I believe Mr. Matsuda is telling the truth. I believe that he is a credible person.

"If Representative Andrews is allowed to continue to serve on this panel, I think that there will be a cloud. I think also that his continued service on the committee would cause a chilling effect on other public servants who may want to come forward to tell their legislators what they believe is wrong with the way government agencies are being run, and give us examples of what they feel are actions by state agencies which do not serve the public interest.

"Accordingly, Mr. President, I have written to the Speaker. There's no need for me to quote my letter to the Speaker. It's a short letter. I would like to have it entered in the Journal as part of my remarks.

"I make this public because Mr. Matsuda has already been under a lot of pressure. My discussions with him lead me to believe that more pressure would be forthcoming. His files, for example, have been taken from him and sealed somewhere.

"I think that a courageous person like Mr. Matsuda deserves all of the protection that we as legislators can give him to see that he gets a fair shot and to see that he is not punished for coming forward with the courage to speak out. So, I would hope that those of you who feel as I do would also communicate your feelings to the Speaker of this apparent oversight. Thank you."

Senator Cayetano's letter to Speaker

Peters is as follows:

"March 6, 1985

The Honorable Henry Peters
Speaker
State House of Representatives
Thirteenth Legislature
Regular Session of 1985
Honolulu, Hawaii

Dear Speaker Peters:

I am writing with regards to your appointment of Representative Mark Andrews to the Committee formed by Governor Ariyoshi that will examine the pesticide issue.

As you know, this panel was formed to investigate charges of pesticide misuse by Hector Matsuda, a Pesticide Specialist and Oahu Pesticide Inspection Supervisor at the Department of Agriculture.

According to newspaper reports, Representative Andrew's response to Mr. Matsuda's charges was to call for Matsuda's dismissal from the Department of Agriculture. If these newspaper reports accurately describe Representative Andrews' feelings in this matter, then he apparently has developed a bias against Mr. Matsuda and should not be permitted to sit on a panel whose main task is to investigate the credibility of Mr. Matsuda's allegations.

The public, the legislature and the integrity of the panel would be better served if you took action to appoint a replacement.

Sincerely yours,

/s/Ben

Benjamin J. Cayetano
State Senator

cc: Representative Mark Andrews"

Senator Cobb rose and inquired as follows:

"Mr. President, if the chairman of the Transportation Committee would permit it, I would like him to add my name to the letter he is sending to the Speaker. Thank you."

ADJOURNMENT

At 12:30 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., Thursday, March 7, 1985.

THIRTY-FIRST DAY

Thursday, March 7, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Richard M. Matsuura after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirtieth Day.

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

Senator Matsuura, on behalf of Senators Solomon, Henderson and himself, introduced 18 students from Hilo, Kohala, Konawaena and Laupahoehoe High Schools of the Big Island, who are participating in the Hawaii District Legislative Experience Program. The students were accompanied by student coordinators - Ms. Julie Sakasegawa and Ms. Beth Choi; faculty advisors - Mr. Jim White and Ms. Netlie Yokoyama; and Department of Education District Personnel Specialist Mr. Wallace Aki.

Senator McMurdo introduced Mrs. Joan Kane from Carlyle Barracks, Pennsylvania, and her son Joe.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 200 to 208) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 200, submitting for consideration and confirmation to the Credit Union Review Board, the nomination of Toshio Fujimoto, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 201, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Marion L. Hanlon, M.D., term to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 202, submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Richard J. Roth, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 203, submitting for consideration and confirmation to the Library Advisory Commission, County of

Hawaii, the nomination of Chieko K. Tanimoto, term to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 204, submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nominations of the following:

Gail Ehrhardt, term to expire December 31, 1988;

Ora Latham, term to expire December 31, 1988; and

Herbert Y. Nakasone, term to expire December 31, 1985,

was referred to the Committee on Health.

Gov. Msg. No. 205, submitting for consideration and confirmation to the Board of Directors, Aloha Tower Development Corporation, the nomination of Ryokichi Higashionna, Ph.D., term to expire December 31, 1988, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 206, submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of Vance C. Cannon, term to expire December 31, 1988, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 207, submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nominations of the following:

Mary L. Ventura, term to expire December 31, 1988;

Tony Tomoso, term to expire December 31, 1988;

Shintaro R. Higa, term to expire December 31, 1988;

Pedro E. Racelis, Jr., term to expire December 31, 1988; and

Jiro Wakumoto, term to expire December 31, 1986,

was referred to the Committee on Human Services.

Gov. Msg. No. 208, submitting for consideration and confirmation to the Juvenile Justice Interagency Board, the nomination of Betty M. Vitousek, term to expire December 31, 1988, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 38 to 50)

were read by the Clerk and were disposed of as follows:

Hse. Com. No. 38, transmitting House Bill No. 96, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 96, entitled: "A BILL FOR AN ACT ESTABLISHING AN ADVISORY COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS," passed First Reading by title and was referred to the Committee on Government Operations, then to the Committee on Legislative Management.

Hse. Com. No. 39, transmitting House Bill No. 129, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 129, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

Hse. Com. No. 40, transmitting House Bill No. 157, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 157, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 41, transmitting House Bill No. 168, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 168, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 42, transmitting House Bill No. 176, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 176, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT," passed First Reading by title and was referred to the Committee on Labor and Employment.

Hse. Com. No. 43, transmitting House Bill

No. 191, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 44, transmitting House Bill No. 195, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 45, transmitting House Bill No. 264, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 46, transmitting House Bill No. 274, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 274, entitled: "A BILL FOR AN ACT RELATING TO FAIR HEARINGS," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Judiciary.

Hse. Com. No. 47, transmitting House Bill No. 502, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 502, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 48, transmitting House Bill No. 1000, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Human Services.

Hse. Com. No. 49, transmitting House Bill No. 1060, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 50, transmitting House Bill No. 1243, which passed Third Reading in the House of Representatives on March 6, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1243, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATION," passed First Reading by title and was referred to the Committee on Agriculture.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 26, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING LIFELINE TELEPHONE RATES FOR THE ELDERLY AND THE DISABLED," was offered by Senators Cobb, A. Kobayashi, McMurdo, Cayetano and Young, and was read by the Clerk.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Economic Development.

SENATE RESOLUTION

S.R. No. 30, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING LIFELINE TELEPHONE RATES FOR THE ELDERLY AND THE DISABLED," was offered by Senators Cobb, A. Kobayashi, Cayetano and Young.

By unanimous consent, S.R. No. 30 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 346) recommending that Senate Bill No. 1108, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 1108, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was recommitted to the Committee on Judiciary.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 347) recommending that Senate Bill No. 108, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 347 and S.B. No. 108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 348) recommending that Senate Bill No. 260, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 349) recommending that Senate Bill No. 498, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO REQUIRE THE CONSENT OF THE SENATE FOR RETENTION OF JUSTICES AND JUDGES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 350) recommending that Senate Bill No. 610, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 610, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was placed on the

calendar for Third Reading on Monday, March 11, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 351) recommending that Senate Resolution No. 27 be adopted.

Senator Solomon then moved that Stand. Com. Rep. No. 351 be adopted and S.R. No. 27 be adopted, seconded by Senator Hagino.

Senator Solomon rose to speak in support of the resolution as follows:

"Mr. President, I stand before you today seeking your unanimous action on a legislative resolution expressing this body's unqualified support of an appeal to the Congress of the United States to adopt an effective national farm policy ... one that recognizes the uniqueness of America's domestic sugar industry; sugar competes in a market unlike any other farm commodity with the U.S. and the world.

"As you are aware, the U.S. Department of Agriculture on February 22 submitted to the Congress proposals for national farm legislation which would change national agriculture policy to one of 'market orientation.'

"In promoting its policy of market prices governed by supply and demand, the USDA says this would ultimately create a stronger American agricultural industry and enable America's farmers to become more competitive in export markets.

"Further, the Department of Agriculture said it recognized that the shift to a market system — one which infers, but cannot guarantee, free trade and competition — would initially work a hardship on many areas of agriculture and, therefore, a transition period of several years would be required to allow American farmers to adjust to the new policy.

"All major food crops are included in this proposal to Congress without apparent differentiation.

"As a consequence, these proposals discriminate heavily against domestic sugar producers. If this legislation is passed without major revisions to recognize the unique situation of sugar within domestic agriculture, it will simply and quickly destroy domestic sugar, a major segment of the nation's sweetener industry.

"There is no free trade or fair trade in a world where 100 percent of the sugar is government controlled, pre-sold or subsidized.

"In essence, the administration's proposals would slash the loan support rate on sugar produced in 1986 to 12 cents — from the

1985 rate of 18 cents.

"Worse, they would repeal quotas on foreign sugar, opening American floodgates now holding back nearly 20 million tons of under-priced foreign sugar dumped into the world market.

"This would force America's sugar farmers to compete against a stacked deck held by foreign subsidized sugar farmers.

"Against the national interest.

"These two actions would destroy domestic sugar.

"In America today, sugar is produced in 17 states. While its loss will be a severe economic blow to many communities within those states, it would be a worse blow for Hawaii's economy.

"Nationally:

- It will mean the abandonment of hundreds of millions of dollars of standing plants and equipment.

- It will mean the loss of employment for an estimated 250,000 fellow Americans dependent in whole or part upon the growing, processing and distribution of sugar.

- It will further worsen the nation's already severe imbalance of trade by at least \$2 billion a year.

- It will destroy this nation's ability to produce nearly 75 percent of its own sugar needs, forcing the country to become completely dependent on foreign sources and subject our economy and consumers to foreign market fluctuations.

- It will ultimately lead to a more volatile sugar market, forcing consumers to pay more for sugar and subject them to wild swings of price such as those that occurred in 1974 and 1980. Current farm programs have provided stable sugar prices; once domestic sugar production ends, prices paid by Americans will skyrocket.

- Finally, American consumers and taxpayers — including Hawaii's — will find themselves in the ironic position of subsidizing foreign sugar farmers while their fellow Americans have been driven out of the business by their own government.

"Direct economic loss to Hawaii.

"What would be an inventory of Hawaii's direct losses?

- An annual loss to the state's economy of more than \$400 million in revenues from sugar and molasses.

- An annual payroll loss, including valuable employee benefits, or nearly \$200 million.

- The loss of 24,000 direct and indirect jobs.

- The loss of 10 percent of state general tax fund revenues.

- The annual loss of \$140 million in sales by vendors of materials and supplies to sugar companies.

- An annual loss of \$12 million to owners of lands rented for sugarcane cultivation.

- An annual loss of more than \$28 million spent with local companies providing services to sugar companies.

"Other costs to community.

"There are a number of many less visible losses and costs to our community that are threatened by this proposed farm legislation.

- Thousands of local citizens who have invested in shares of sugar companies would see much, if not all of that investment lost.

- Statewide employment would drop by 6 percent.

- On Kauai, where 99 percent of the total cropland is in sugar, unemployment would reach 29 percent.

- On Hawaii, with 79 percent of its cropland in sugar, unemployment would be about 21 percent.

- On Maui, with 58 percent of its farm land in sugar, unemployment would reach 18 percent.

"Consumer and taxpayer costs.

"There will be other costs to Hawaii's consumers and taxpayers as well.

- Hawaii would have to spend nearly \$10 million more a year to import the additional oil it would need to create the electricity the sugar industry now provides communities throughout the state from bio-mass and hydroelectric power.

- There would be a major blow to Hawaii's beauty and environment that could have a direct, and negative effect on our tourist industry. Dr. Thomas Hitch, a retired senior vice president of First Hawaiian Bank and Hawaii's senior economist, put it well when he said:

'... if we lost our ... cane land and

our 36,000 acres of pine land and replaced those fields with weeds, scrub growth and haole koa, we would lose a lot of visitors. The visitor industry has grown in recent decades to the point that it accounts for 30 percent of the entire Hawaiian economy—with nearly 4.5 million visitors spending some \$4 billion a year here. If the blight to our present attractive landscape caused by the collapse of sugar were to have the negative effect on tourism that I think it would have, the negative impact on the economy from that could easily exceed the negative impact of losing sugar jobs and sugar income.'

"Sugar's uniqueness in American agriculture.

"American agriculture is in crisis. Falling prices, falling land values and continued high interest rates are the norm. Farmers and state legislators are converging on Washington protesting current government actions and proposed policies. Minnesota's legislature has passed and the governor of the state has this week signed a \$25 million farm aid bill for hard pressed farmers in that state.

"Domestic sugar appears the most seriously threatened by the proposed farm bill.

"Sugar is unlike any other major farm crop produced in the United States; it is the only major crop in which America is not self-sufficient. This country must import 25 to 30 percent of its sugar needs. All other major crops are produced in abundance and constitute export products important to America's balance of trade. The Administration's farm bill proposals are build around these other major crops.

"The sugar provisions of the current farm bill and its related quotas on foreign sugar have not been a panacea. Our sugar industry has received no federal subsidies, no handouts. But it, along with other domestic producers, has received crucial protection from unfair, subsidized foreign competition. Our industry's survival also has been through hard work and drastic changes to improve productivity and lower costs.

"Our sugar industry is not inefficient. It has reduced costs nearly 2 cents a pound over the past three years, despite inflationary cost increases. It continues to produce more sugar per acre with fewer man-hours than any other sugar growing area in the world. It continues to have the highest paid agriculture workers in the world.

"Our sugar industry — at every level — is committed to survival. The truth of this is borne out by the just ratified

bargaining unit contracts between the companies and the ILWU. This one-year agreement freezes wages. It is the second freeze within the past three years. When management and labor close ranks solidly to fight a common threat, we must recognize the threat and join with them.

"Mr. President, I urge the passage of this resolution. Thank you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THE 1985 FARM BILL," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 352) recommending that Senate Bill No. 189, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 353) recommending that Senate Bill No. 224 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 224, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 354) recommending that Senate Bill No. 203 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 355) recommending that Senate Bill No. 205, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 356) recommending that Senate Bill No. 462, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 357) recommending that Senate Bill No. 735, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 358) recommending that Senate Bill No. 1158 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 359) recommending that Senate Bill No. 1050, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Transportation.

On motion by Senator Cayetano, seconded

by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1050, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION," passed First Reading and was recommitted to the Committee on Transportation.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 360) recommending that Senate Bill No. 1056, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Transportation.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1056, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM AERONAUTICS ACT (MODIFIED)," passed First Reading and was recommitted to the Committee on Transportation.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 361) recommending that Senate Bill No. 980, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Energy.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed First Reading and was recommitted to the Committee on Energy.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 362) recommending that Senate Bill No. 1066, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1066, S.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed First Reading and was recommitted to the Committee on Ways and Means.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM
WEDNESDAY, MARCH 6, 1985

Senate Bill No. 1209, S.D. 1:

By unanimous consent, action on S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Friday, March 8, 1985.

At this time, Senator Cayetano, Chairman

of the Committee on Transportation, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 751, entitled: "A BILL FOR AN ACT RELATING TO DRIVING WHILE LICENSE IS SUSPENDED OR REVOKED";

S.B. No. 1050, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION"; and

S.B. No. 1056, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM AERONAUTICS ACT (MODIFIED),"

and the President granted the waiver.

Senator Matsuura, Chairman of the Committee on Energy, also requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

S.B. No. 980, entitled: "A BILL FOR AN ACT RELATING TO ENERGY,"

and the President granted the waiver.

At this time, Senator Abercrombie rose on a point of personal privilege and remarked as follows:

"Mr. President, the Judiciary Committee has been meeting recently and conducting extensive hearings with respect to what is commonly known as 'sunshine' laws ... freedom of information act or acts ... as they apply to the State of Hawaii.

"The newspapers, in particular, have been extensive participants in those discussions and deliberations. I believe that the chairman of the Judiciary Committee is now attempting to come to terms with and grips with the intricacies of making sure that these laws are expanded or amplified in such a manner as to see that both the spirit and letter of the 'sunshine' laws are well taken care of in this session of the Legislature.

"At the same time that we are extolling freedom of speech and the opportunity for information to be presented to the public, most particularly by the press, with regard to what goes on in government, we find the Honolulu Advertiser in its editorial columns ... all these editorial columns parenthetically anonymous, by the way, as opposed to what we do here ... castigating the Senate and the Judiciary Committee, in particular, with respect to the notorious drinking age bill, raising the drinking age from 18 to 21.

"Mr. President, the title of the editorial is '... Senate Stalling.' That is not true. The editorial writers and the editorial line of the Honolulu Advertiser has no relationship to the facts.

"At one time, Mr. President, I was told by

a member of the editorial staff of the Honolulu Star-Bulletin, with respect to a subject matter that he had written about, that he did not need to know the facts to write an editorial. Mr. President, I have read many editorials in both newspapers and I believe him explicitly as well as implicitly.

"The facts, as stated in the Honolulu Advertiser stories, are incorrect. They are misleading. This editorial is misleading. It is based, at best, on faulty statistics; at worst, on a deliberate attempt to mislead people with respect to the editorial line that the Honolulu Advertiser wants to establish.

"I resent, as a member of the Judiciary Committee, the implications in this editorial. I think that it is an attempt to malign the integrity of the chairman of the committee completely unfairly, and I want to reiterate, as I have in private, as I have in public meetings, as I have to members of the Honolulu Advertiser staff, as I have to the editorial board members of the Honolulu Advertiser, I will reiterate it at this time.

"I challenge this anonymous editorial writer to come into my office, to go into my files which are open to anyone and everyone who wants the true information in this area, and to print the truth about this. The Honolulu Advertiser has decided this is what everybody must believe and despite the fact that the realities are to the contrary, they continue to push this line, and I challenge the person who wrote this editorial to reveal himself or herself as to who they are and to debate me in public, preferably before young people who can decide who's telling the truth and who isn't telling the truth on this matter of raising the drinking age from 18 to 21, so that we can finally get it into the open.

"And I repeat again, and there are Advertiser reporters here ... go back to your editorial offices and see your reporters who are forbidden, apparently, to come into my

office to get the facts and continue to print untruths and misleading statements in this area ... I ask the Honolulu Advertiser to take advantage of the First Amendment and come in and get the truth.

"And I ask the Honolulu Advertiser, for once, to get out of the editorial offices over there, so ably protected by the Hawaii Newspaper Act, and for once to come out into the open and to get at the truth.

"Mr. President, I make that challenge in the full knowledge that the editorial writer will probably stay anonymous, will not come out in the open, will not debate the issue, and that the Advertiser will not send its reporters into my office to take advantage of the opportunity to look at the facts as they really are, as opposed to what the Advertiser wants to believe.

"This is one of the most pernicious bills that has come before this Legislature, and it is a sad day when the same people who come into the Judiciary Committee demanding that there be freedom of information and that government open up its files and make access to the public, greater than presumably it is at the present time, will not itself live up to the same standards that it expects of government, when it has the protection of the First Amendment in the Constitution.

"The Honolulu Advertiser is the epitome of the admonition 'do not do as I do, but do as I say.'

"Let these editorial writers come out from under the rocks under which they are hiding and debate the truth in the open."

ADJOURNMENT

At 12:10 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, March 8, 1985.

THIRTY-SECOND DAY

Friday, March 8, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:15 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Sister Claudia Wong, C.S.J., Chaminade University Campus Ministry, after which the Roll was called showing all Senators present with the exception of Senator Cayetano who was excused.

The Chair announced that he had read and approved the Journal of the Thirty-First Day.

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

Senator Machida, on behalf of Senators Yamasaki, Solomon and himself, introduced a group of Boy Scouts from Troop 18 of Makawao Hongwanji, Maui: Ken Karimoto, Bill Kawamura, James Tanizaki and Daniel Arojo and their Scout Masters Lew Shimabuku and Scott Sato. Senator Machida said, "for some of these scouts this is their first trip to the State Capitol, and they are going to be enjoying a good weekend visiting all of Oahu."

Senator Kawasaki then made the following introduction:

"This morning we have, in the interest of promoting economic development, a TV camera crew from Nippon Television Network who are doing a story on the evolution of the aloha shirt and how the aloha shirt is a common garb even in the Legislature here.

"I'd like to introduce Sandra Rogers who has brought this TV crew here. Incidentally, this production is going to be televised over 129 cities in Japan which should contribute materially to economic development for Hawaii."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 209 to 211) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 209, transmitting the Annual Report of the Environmental Council, Hawaii's Environment 1984, pursuant to Chapter 342, HRS, as amended was referred to the Committee on Health.

Gov. Msg. No. 210, transmitting the annual report of the High Technology Development Corporation, was referred to the Committee on Economic Development.

Gov. Msg. No. 211, transmitting a report, prepared by the Department of the Attorney General, in response to S.C.R. No. 97, Requesting a Review of the Interstate Transmission of Criminal Justice Data and Information, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 51 to 65) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 51, transmitting House Bill No. 18, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 18, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 52, transmitting House Bill No. 89, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 89, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

Hse. Com. No. 53, transmitting House Bill No. 111, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 111, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 54, transmitting House Bill No. 131, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 131, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 55, transmitting House Bill No. 206, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 56, transmitting House Bill No. 265, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 265, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 57, transmitting House Bill No. 266, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 266, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 58, transmitting House Bill No. 453, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 453, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed First Reading by title and was referred to the Committee on Transportation.

Hse. Com. No. 59, transmitting House Bill No. 479, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH," passed First Reading by title and was referred to the Committee on Tourism and Recreation.

Hse. Com. No. 60, transmitting House Bill No. 490, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 490, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," passed First Reading by title and was referred to the Committee on Transportation.

Hse. Com. No. 61, transmitting House Bill No. 492, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 492, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 62, transmitting House Bill No. 522, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 522, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT," passed First Reading by title and was referred to the Committee on Labor and Employment.

Hse. Com. No. 63, transmitting House Bill No. 860, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 860, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 64, transmitting House Bill No. 861, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 861, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 65, transmitting House Bill No. 830, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," passed First Reading by title and was referred to the Committee on Transportation, then the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 27 to 28) were read by the Clerk and were disposed of as follows:

S.C.R. No. 27, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO LIMIT ITS HEAVY CONSTRUCTION AND MAINTENANCE WORK ON THE PALI AND LIKELIKE HIGHWAYS TO BETWEEN THE HOURS OF 8:00 PM AND 5:00 AM," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, action on S.C.R. No. 27 was deferred until Monday, March 11, 1985.

S.C.R. No. 28, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO LIMIT ROADWORK ON THE WILSON TUNNEL AND ADJACENT PORTIONS OF LIKELIKE HIGHWAY WITHIN ITS JURISDICTION TO NIGHT HOURS," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, action on S.C.R. No. 28 was deferred until Monday, March 11, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 31 to 32) were read by the Clerk and were disposed of as follows:

S.R. No. 31, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO LIMIT ITS HEAVY CONSTRUCTION AND MAINTENANCE WORK ON THE PALI AND LIKELIKE HIGHWAYS TO BETWEEN THE HOURS OF 8:00 PM AND 5:00 AM," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, action on S.R. No. 31 was deferred until Monday, March 11, 1985.

S.R. No. 32, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO LIMIT ROADWORK ON THE WILSON TUNNEL AND ADJACENT PORTIONS OF LIKELIKE HIGHWAY WITHIN ITS JURISDICTION TO NIGHT HOURS," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, action on S.R. No. 32 was deferred until Monday, March 11, 1985.

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com.

Rep. No. 363) recommending that Senate Bill No. 68, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 364) recommending that Senate Bill No. 65, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 365) recommending that Senate Bill No. 60, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 366) recommending that Senate Bill No. 67, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 67, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 367) recommending that Senate Bill No. 76, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried,

the report of the Committee was adopted and S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senators Toguchi and B. Kobayashi, for the Committee on Education and the Committee on Health, presented a report (Stand. Com. Rep. No. 368) recommending that Senate Bill No. 59, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator B. Kobayashi and carried, the report of the Committees was adopted and S.B. No. 59, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 369) recommending that Senate Bill No. 10 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO STATE WARRANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 370) recommending that Senate Bill No. 11 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 371) recommending that Senate Bill No. 13 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC

CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 372) recommending that Senate Bill No. 1404 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1404, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the majority of the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 373) recommending that Senate Bill No. 1350, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the majority of the Committee was adopted and S.B. No. 1350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 374) recommending that House Bill No. 269 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 375) recommending that House Bill No. 271 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 376) recommending that

Senate Bill No. 20, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 376 and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 377) recommending that Senate Bill No. 87, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 377 and S.B. No. 87, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 378) recommending that Senate Bill No. 168, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 378 and S.B. No. 168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 379) recommending that Senate Bill No. 170, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 379 and S.B. No. 170, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 380) recommending that Senate Bill No. 726, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 380 and S.B. No. 726, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 381) recommending that Senate Bill No. 165 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 381 and S.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 382) recommending that Senate Bill No. 383, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 382 and S.B. No. 383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL SUMMER SCHOOL FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 383) recommending that Senate Bill No. 150, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 383 and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR AND WIND ENERGY DEVICES AND HEAT PUMPS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 384) recommending that Senate Bill No. 159, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 384 and S.B. No. 159, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THIRD-PARTY FINANCING ARRANGEMENTS FOR PUBLIC FACILITIES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 385) recommending that Senate Bill No. 319 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 385 and S.B. No. 319, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 237, HAWAII REVISED STATUTES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 386) recommending that Senate Bill No. 937, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 386 and S.B. No. 937, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 387) recommending that Senate Bill No. 27, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 387 and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 388) recommending that Senate Bill No. 936 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 388 and S.B. No. 936, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 389) recommending that Senate Bill No. 135 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 389 and S.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII AT MANOA MALPRACTICE SELF-INSURANCE SPECIAL FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 390) recommending that Senate Bill No. 136, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 390 and S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL FUNDS FOR THE UNIVERSITY OF HAWAII AT MANOA, THE UNIVERSITY OF HAWAII AT HILO, AND WEST OAHU COLLEGE," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 391) recommending that Senate Bill No. 137, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 391 and S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR THE INTERCOLLEGIATE ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 392) recommending that Senate Bill No. 138 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 392 and S.B. No.

138, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR INTERNAL SUPPORT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 393) recommending that Senate Bill No. 139 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 393 and S.B. No. 139, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII STATEWIDE COMPUTER SERVICES REVOLVING FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 394) recommending that Senate Bill No. 140 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 394 and S.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S TRANSCRIPT AND DIPLOMA REVOLVING FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 395) recommending that Senate Bill No. 141, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 395 and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 396) recommending that Senate Bill No. 313, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 396 and S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 397) recommending that Senate Bill No. 1289, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 397 and S.B. No. 1289, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 398) recommending that Senate Bill No. 61, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 398 and S.B. No. 61, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH FEES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 399) recommending that Senate Bill No. 69, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 399 and S.B. No. 69, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 400) recommending that Senate Bill No. 342, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 400 and S.B. No. 342, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 401) recommending that Senate Bill No. 1188 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 401 and S.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 402) recommending that Senate Bill No. 103 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 402 and S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 403) recommending that Senate Bill No. 245 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 403 and S.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 404) recommending that Senate Bill No. 252, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 404 and S.B. No. 252, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 405) recommending that Senate Bill No. 881, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 405 and S.B. No. 881, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES IN CIVIL AND CRIMINAL CASES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 406) recommending that Senate Bill No. 934, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 406 and S.B. No. 934, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 407) recommending that Senate Bill No. 6, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 407 and S.B. No. 6, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 408) recommending that Senate Bill No. 37, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 408 and S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on

Ways and Means, presented a report (Stand. Com. Rep. No. 409) recommending that Senate Bill No. 38, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 409 and S.B. No. 38, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 410) recommending that Senate Bill No. 39, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 410 and S.B. No. 39, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 411) recommending that Senate Bill No. 40, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 411 and S.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 412) recommending that Senate Bill No. 41, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 412 and S.B. No. 41, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 413) recommending that Senate Bill No. 42, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 413 and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 414) recommending that Senate Bill No. 43, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 414 and S.B. No. 43, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 415) recommending that Senate Bill No. 44, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 415 and S.B. No. 44, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 416) recommending that Senate Bill No. 45, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 416 and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 417) recommending that Senate Bill No. 46, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 417 and S.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 418) recommending that Senate Bill No. 47, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 418 and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 419) recommending that Senate Bill No. 48, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 419 and S.B. No. 48, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred

until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 420) recommending that Senate Bill No. 49, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 420 and S.B. No. 49, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 421) recommending that Senate Bill No. 50, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 421 and S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 422) recommending that Senate Bill No. 51 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 422 and S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 423) recommending that Senate Bill No. 52, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 423 and S.B. No. 52, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 424) recommending that Senate Bill No. 77, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 424 and S.B. No. 77, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 425) recommending that

Senate Bill No. 257, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 425 and S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 426) recommending that Senate Bill No. 381 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 426 and S.B. No. 381, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 427) recommending that Senate Bill No. 426, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 427 and S.B. No. 426, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 428) recommending that Senate Bill No. 1487, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 428 and S.B. No. 1487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 429) recommending that Senate Bill No. 134, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 429 and S.B. No. 134, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 430) recommending that Senate Bill No. 350, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 430 and S.B. No. 350, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 431) recommending that Senate Bill No. 397, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 431 and S.B. No. 397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 432) recommending that Senate Bill No. 481, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 432 and S.B. No. 481, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 433) recommending that Senate Bill No. 485, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 433 and S.B. No. 485, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 434) recommending that Senate Bill No. 685, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 434 and S.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 435) recommending that Senate Bill No. 893 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 435 and S.B. No. 893, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 436) recommending that Senate Bill No. 1170 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 436 and S.B. No. 1170, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 437) recommending that Senate Bill No. 1374, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 437 and S.B. No. 1374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 438) recommending that Senate Bill No. 384 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 384, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 439) recommending that Senate Bill No. 459, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 439 and S.B. No. 459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 440) recommending that Senate Bill No. 460, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 460 and S.B. No. 460, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 441) recommending that Senate Bill No. 463, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 441 and S.B. No. 463, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, March, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 442) recommending that

Senate Bill No. 1089, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 442 and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 443) recommending that Senate Bill No. 1192, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 443 and S.B. No. 1192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER AUTHORITY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 444) recommending that Senate Bill No. 1288, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 444 and S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 445) recommending that Senate Bill No. 1346, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 446) recommending that Senate Bill No. 1408, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 446 and S.B. No. 1408, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," was deferred until Monday, March 11, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 447) recommending that Senate Bill No. 15 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 15, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 448) recommending that Senate Bill No. 351 pass Second and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING AND MARKETING OF FRUITS, VEGETABLES, AND COFFEE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 449) recommending that Senate Bill No. 935, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

ORDER OF THE DAY

MATTER DEFERRED FROM
THURSDAY, MARCH 7, 1985

Senate Bill No. 1209, S.D. 1:

By unanimous consent, action on S.B. No. 1209, S.D. 1 was deferred to the end of the calendar.

THIRD READING

By unanimous consent, action on the following Senate Bills was deferred to the end of the calendar:

S.B. No. 62, S.D. 1;
S.B. No. 231, S.D. 1;
S.B. No. 689;
S.B. No. 1210, S.D. 1;
S.B. No. 1297, S.D. 1;
S.B. No. 66;
S.B. No. 253, S.D. 1;
S.B. No. 104;
S.B. No. 434, S.D. 1;
S.B. No. 188;
S.B. No. 226;
S.B. No. 187;
S.B. No. 19, S.D. 1, and
S.B. No. 16.

RE-REFERRAL OF SENATE BILL

The President made the following re-referral of a bill that was introduced:

Senate Bill	Referred to:
No. 261	Committee on Ways and Means

At 11:24 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:27 o'clock a.m.

The Chair announced: "Members of the Senate, there will be a 4:00 o'clock caucus this afternoon to discuss Third Reading bills which are going to be acted upon when we reconvene at 5:00 o'clock. Also, members are requested to please remain in the building to sign committee reports."

At 11:28 o'clock a.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.

NIGHT SESSION

The Senate reconvened at 10:22 o'clock p.m., with the President in the Chair and all Senators present, with the exception of Senator Soares who was excused.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 212 and 213) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 212, transmitting the Department of Agriculture's annual report for the fiscal year ending June 30, 1984, was referred to the Committee on Agriculture.

Gov. Msg. No. 213, transmitting the "Report to the Governor, 1983-84," prepared by the Department of Land and Natural Resources, was referred to the Committee on Economic Development.

HOUSE COMMUNICATION

Hse. Com. No. 66, transmitting House Bill No. 194, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Henderson and carried, H.B. No. 194, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Matsuura, for the Committee on

Energy, presented a report (Stand. Com. Rep. No. 450) recommending that Senate Bill No. 980, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 451) recommending that Senate Bill No. 651, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 651, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 452) recommending that Senate Bill No. 1216 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 453) recommending that Senate Bill No. 1220, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HISTORIC PRESERVATION PROGRAM," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 454) recommending that Senate Bill No. 63, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried,

the report of the Committee was adopted and S.B. No. 63, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 455) recommending that Senate Bill No. 162 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 456) recommending that Senate Bill No. 153, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 456 and S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was deferred until Monday, March 11, 1985.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 457) recommending that Senate Bill No. 264, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 458) recommending that Senate Bill No. 461, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 459) recommending that Senate Bill No. 55 pass Second Reading and be

placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS," passed Second Reading and was placed on the calendar for Third Reading on March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 460) recommending that Senate Bill No. 634, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER LAW VIOLATION PENALTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 461) recommending that Senate Bill No. 1329, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 461 and S.B. No. 1329, S.D. 2, was deferred to the end of the calendar.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 462) recommending that Senate Bill No. 331, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 331, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III OF THE HAWAII CONSTITUTION TO MAKE THE LEGISLATIVE PROCESS ENACTING STATUTES MORE EFFICIENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

At 10:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock p.m.

ORDER OF THE DAY

THIRD READING MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Bill No. 1209, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Soares).

Senate Bill No. 62, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Soares).

Senate Bill No. 231, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Soares).

Senate Bill No. 689:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 689, entitled: "A BILL FOR AN ACT RELATING TO THE COUNCIL ON REVENUES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Soares).

Senate Bill No. 1210, S.D. 1:

Senator Cobb moved that S.B. No. 1210, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Henderson.

Senator Cayetano rose to speak against the passage of the bill as follows:

"Mr. President, one of the advantages of the general excise tax is that it reaches all different areas of our economy.

"What this bill will do or what it proposes to do is to exempt from the general excise tax the business that local contractors do with the Federal Government. I note from the committee report that in 1983 the Federal Government offered approximately \$171 million of business, contract work, in

Hawaii, and local contractors received roughly \$68 million of that amount. Taking 4 percent of \$68 million gives me roughly \$2.7 million in loss of tax revenue. It seems to me that that is a major loss of revenue for our state and at a time when we are considering pay raises for collective bargaining, pay raises for the Executive, for the judges, and for everyone else...at a time when we have been passing bills which exempt all different kinds of businesses, whether they be travel agents or the cruise ship, Independence, and I think there have been some others...at a time when we fail to pass bills which raise revenue for the state, and I refer specifically to the airline tax, which now gives the airlines, I think, an advantage that no other business in this state enjoys, namely, that they are able to take advantage of the services protection and the privilege of doing business in this state without paying some kind of tax on their gross receipts. And I note from the evening paper that we were prepared to pass a bill which would finally tax the pensions of residents in this state and I believe the bill called for taxing pensions which exceed \$30,000. That is something that has been long needed, but according to the Honolulu Star-Bulletin the Chairman of the Ways and Means Committee did the Michael Jackson version of the moonwalk on that bill and that bill has not seen the light of day. I understand some of the reasons Mr. President. You have explained them to me. I don't quite agree with them because what we're talking about is the loss of revenue of roughly, according to the Tax Foundation, \$20 million. It seems to me that at a time when we are seeing a \$60 million or so cut in the University budget, millions of dollars cut from the DOE budget, and people all over, including Human Services organizations that are scrambling for money, it seems to me that we should have at least done those things—corrected those loopholes in our tax laws, and stop giving money away.

"Unfortunately, we have given our money away to segments of the community which really don't need them. Incidentally, it's interesting that the pension bill was dubbed, and I quote, 'the Robin Hood bill' by Senator Buddy Soares who is a well known Republican. I thought that was a good position for Democrats. I thought we were always Robin Hood, that it was our practice to take from those who have and give to those who have not. Apparently, that kind of philosophy is changing.

"Getting back to this bill, \$2.7 million...I don't think that is the kind of loss we can stand, and I'm going to vote against this bill. I know it's going to pass, but I'm going to vote against it, at least, so that the Journal will reflect that someone has thought about these things. I may not be on the Ways and Means Committee, but it

seems to me that we don't have a clue as to where we're going. I've never heard any discussion of a financial plan or the financial theory...really, I don't know how we do these things. On one hand, we pass exemptions and on the other hand, we're trying to raise money. All of this is quite confusing, and if it doesn't make sense here, I wonder what the public thinks about it."

Senator Hee also spoke against the bill and stated:

"Mr. President, I'd like to amplify on what the previous speaker has said with respect to the decision to withdraw the bill which would have set a tax on pensions at a threshold of \$30,000. I'd like to make it clear to the public that this threshold of \$30,000 is for a pension only. Presently the Federal Government taxes all pensions from your first dollar. A tax on a pension greater than \$30,000 will generate \$20 million to address the many problems confronting the state such as Manoa Finance and housing for the homeless. As you know, Mr. President, I supported the lottery, will continue to support the hotel room tax, but quite frankly, a tax on pensions above \$30,000 will do much more at much less cost to the State Government. Mr. President, I will join the previous speaker in voting against this measure. Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 1210, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Cayetano, Hee and Kawasaki). Excused, 1 (Soares).

Senate Bill No. 1297, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 1297, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 66:

By unanimous consent, S.B. No. 66, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health.

Senate Bill No. 253, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 253, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having

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

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

Senate Bill No. 104:

By unanimous consent, S.B. No. 104, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," was recommitted to the Committee on Judiciary.

Senate Bill No. 434, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 188:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 226:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 226, entitled: "A BILL FOR AN ACT RELATING TO CREDIT SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 187:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 187, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1

(Soares).

Senate Bill No. 19, S.D. 1:

On motion by Senator Cobb, seconded by Senator Henderson and carried, S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS AND COFFEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 16:

By unanimous consent, S.B. No. 16, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," was recommitted to the Committee on Agriculture.

At 10:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:52 o'clock p.m.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 463) recommending that Senate Bill No. 74, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 463 and S.B. No. 74, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 464) recommending that Senate Bill No. 1157, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 465) recommending that Senate Bill No. 563, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of

the Committee was adopted and S.B. No. 563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 466) recommending that Senate Bill No. 1095, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 466 and S.B. No. 1095, S.D. 1, was deferred to the end of the calendar.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 467) recommending that Senate Bill No. 92, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 92, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE DEALERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 468) recommending that Senate Bill No. 1224, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and S.B. No. 1224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 469) recommending that Senate Bill No. 1377, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 470) recommending

that Senate Bill No. 279 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 471) recommending that Senate Bill No. 404 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 472) recommending that Senate Bill No. 1485, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 473) recommending that Senate Bill No. 1223 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1223, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 474) recommending that Senate Bill No. 906, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted

and S.B. No. 906, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 475) recommending that Senate Bill No. 557 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 475 and S.B. No. 557 was deferred to the end of the calendar.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 461 (S.B. No. 1329, S.D. 2):

Senator Cobb moved that Stand. Com. Rep. No. 461 be received and placed on file, seconded Senator Kuroda and carried.

Senator Cobb then moved that S.B. No. 1329, S.D. 2, be placed on the calendar for Third Reading, seconded by Senator Kuroda.

Senator Kawasaki then offered the following amendment:

"SECTION 1. Senate Bill No. 1329, S.D. 2, section 1, is amended by amending line 6 on page 1 to read:

"one or more police officers to escort [the]."

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Fernandes Salling.

At 10:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:56 o'clock p.m.

Senator Kawasaki explained the amendment as follows:

"The amendment is to correct a grammatical error. The original words were 'special duty police officers.' Special duty police officers for the intents of this bill means police officers, off duty. What this bill basically does, with this amendment, is now to require payment of a fee by the mortuaries, who can well afford it to begin with, to the county coffers, payment for the use of on duty police, and this is the reason for the amendment.

"The bill, as it originally came out, had the words 'special duty' which meant off duty police officers. The practice today is that on duty policemen provide the police escorts for these funeral processions, with no compensation going to the counties. This bill is to correct that situation, where the

mortuaries, in view of the fact that they charge on the average of \$3,000 to \$3,500 to the bereaved family, the committee's position was that they can well afford to pay for this funeral service escort."

Senator Abercrombie then inquired:

"Mr. President, I wonder if the previous speaker will repeat the reason for the amendment because I fail to understand the relationship between his comments and the amendment itself."

At 10:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:06 o'clock p.m.

Senator Kawasaki answered as follows:

"The amendment merely deletes the words 'special duty' that was erroneously included in the original bill. That's what it does."

Senator Abercrombie spoke against adopting the amendment as follows:

"Mr. President, you can't make a bad bill into a good bill simply by putting in some more bad language."

The motion to adopt the amendment was put by the Chair and carried.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1329, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS," was placed on the calendar for Third Reading on Monday, March 11, 1985.

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 1209, S.D. 1:

Senator Cobb moved that the Senate reconsider its action taken earlier on the calendar on S.B. No. 1209, S.D. 1, seconded by Senator Henderson and carried.

By unanimous consent, action on S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

STANDING COMMITTEE REPORTS

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 476) recommending that Senate Bill No. 93 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 93, entitled: "A BILL FOR AN ACT RELATING

TO FISH CATCH REPORTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 477) recommending that Senate Bill No. 469 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 469, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 478) recommending that Senate Bill No. 967, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 479) recommending that Senate Bill No. 157 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 157, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 480) recommending that Senate Bill No. 468 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 468, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on

Economic Development, presented a report (Stand. Com. Rep. No. 481) recommending that Senate Bill No. 968, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 968, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 482) recommending that Senate Bill No. 96, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 96, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 483) recommending that Senate Bill No. 1231, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 484) recommending that Senate Bill No. 399, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 484 and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 485) recommending that Senate Bill No. 73, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 485 and S.B. No. 73, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO A PSYCHIATRIC FACILITY," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com.

Rep. No. 486) recommending that Senate Bill No. 746, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 486 and S.B. No. 746, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF PERSONS QUALIFIED TO TAKE BLOOD SPECIMENS," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 487) recommending that Senate Bill No. 843 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 487 and S.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO REFUSAL TO SUBMIT TO A BREATH OR BLOOD TEST," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 488) recommending that Senate Bill No. 1409 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 488 and S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 489) recommending that Senate Bill No. 1096, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1096, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 490) recommending that Senate Bill No. 1182, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Holt, for the Committee on

Higher Education, presented a report (Stand. Com. Rep. No. 491) recommending that Senate Bill No. 1290, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 492) recommending that Senate Bill No. 179 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 179, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 493) recommending that Senate Bill No. 191 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 494) recommending that Senate Bill No. 192 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 192, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 495) recommending that Senate Bill No. 193 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 496) recommending that Senate Bill No. 194, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 497) recommending that Senate Bill No. 196 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 498) recommending that Senate Bill No. 560 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 499) recommending that Senate Bill No. 1114, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report

of the Committee was adopted and S.B. No. 1114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 500) recommending that Senate Bill No. 1122, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 501) recommending that Senate Bill No. 1126, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 502) recommending that Senate Bill No. 1127, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 503) recommending that Senate Bill No. 1402, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No.

1402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 504) recommending that Senate Bill No. 249, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 505) recommending that Senate Bill No. 1213, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 1213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 506) recommending that Senate Bill No. 272 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 272, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 507) recommending that Senate Bill No. 1214, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1214, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third

Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 508) recommending that Senate Bill No. 1218, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 509) recommending that Senate Bill No. 1310, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.B. No. 1310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 510) recommending that Senate Bill No. 1151 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.B. No. 1151, entitled: "A BILL FOR AN ACT RELATING TO PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO CHANGE THE QUALIFICATIONS OF MEMBERS OF THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 511) recommending that Senate Bill No. 1358, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 512) recommending that Senate Bill No. 156, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 512 and S.B. No. 156, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," was deferred until Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 513) recommending that Senate Bill No. 663, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 513 and S.B. No. 663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 514) recommending that Senate Bill No. 83, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 514 and S.B. No. 83, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 515) recommending that Senate Bill No. 1397, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 515 and S.B. No. 1397, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 516) recommending that Senate Bill No. 57 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 516 and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 517) recommending that Senate Bill No. 82, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 517 and S.B. No. 82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING

TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 518) recommending that Senate Bill No. 151, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 518 and S.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 519) recommending that Senate Bill No. 470, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 519 and S.B. No. 470, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 520) recommending that Senate Bill No. 884, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 521) recommending that Senate Bill No. 1193, S.D. 1, as amended S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 521 and S.B. No. 1193, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 522) recommending that Senate Bill No. 1195, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 522 and S.B. No. 1195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," was

deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 523) recommending that Senate Bill No. 913, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 523 and S.B. No. 913, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 524) recommending that Senate Bill No. 1286, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 524 and S.B. No. 1286, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 525) recommending that Senate Bill No. 1287, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 525 and S.B. No. 1287, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 526) recommending that Senate Bill No. 100 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 526 and S.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 527) recommending that Senate Bill No. 154, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 527 and S.B. No. 154, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 528) recommending that Senate Bill No. 155, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 528 and S.B. No. 155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 529) recommending that Senate Bill No. 1336 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 529 and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 530) recommending that Senate Bill No. 36, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 530 and S.B. No. 36, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 531) recommending that Senate Bill No. 1432, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 531 and S.B. No. 1432, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 532) recommending that Senate Bill No. 474, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 532 and S.B. No. 474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 533) recommending that Senate Bill No. 1443, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 533 and S.B. No. 1443, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY," was deferred until Monday,

March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 534) recommending that Senate Bill No. 64, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 534 and S.B. No. 64, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 535) recommending that Senate Bill No. 702, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 535 and S.B. No. 702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 536) recommending that Senate Bill No. 1436, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 536 and S.B. No. 1436, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S TRUST FUND," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 537) recommending that Senate Bill No. 427, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 537 and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF HEALTH," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 538) recommending that Senate Bill No. 431, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 538 and S.B. No. 431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS AND POST RETIREMENT ALLOWANCE," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 539) recommending that Senate Bill No. 558, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 539 and S.B. No. 558, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 540) recommending that Senate Bill No. 589, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 540 and S.B. No. 589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 541) recommending that Senate Bill No. 680 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 541 and S.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF THE MAUI INTAKE SERVICE CENTER," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 542) recommending that Senate Bill No. 1360, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 542 and S.B. No. 1360, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENERAL AVIATION RELIEVER AIRPORT ON OAHU AT DILLINGHAM FIELD," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 543) recommending that Senate Bill No. 115, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 544) recommending that Senate Bill No. 1077, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1077, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO THE LEGISLATURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 545) recommending that Senate Bill No. 125, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 545 and S.B. No. 125, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred until Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 546) recommending that Senate Bill No. 98, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 98, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 547) recommending that Senate Bill No. 70, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 70, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 548) recommending that Senate Bill No. 94 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 94, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 549) recommending

that Senate Bill No. 90, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 90, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 550) recommending that Senate Bill No. 166, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 551) recommending that Senate Bill No. 152, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 552) recommending that Senate Bill No. 280, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 280, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 553) recommending that Senate Bill No. 1386, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No.

1386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 554) recommending that Senate Bill No. 95 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 95, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 555) recommending that Senate Bill No. 86, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 555 and S.B. No. 86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY," was deferred until Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 556) recommending that Senate Bill No. 1376, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 556 and S.B. No. 1376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN INDIVIDUALS AND ORGANIZATIONS IN AN ACTION RELATING TO THE NATIVE HAWAIIAN PUBLIC TRUSTS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 557) recommending that Senate Bill No. 885, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 885, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 558) recommending that Senate Bill No.

1196, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 1196, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 559) recommending that Senate Bill No. 169, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 560) recommending that Senate Bill No. 171 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 171, entitled: "A BILL FOR AN ACT RELATING TO INSURERS' SUPERVISION, REHABILITATION AND LIQUIDATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 561) recommending that Senate Bill No. 173, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 562) recommending that Senate Bill No. 175, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 563) recommending that Senate Bill No. 180, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 564) recommending that Senate Bill No. 182, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 565) recommending that Senate Bill No. 190 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 190, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 566) recommending that Senate Bill No. 201, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 201, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO PSYCHOLOGISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 567) recommending that Senate Bill No. 327, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 568) recommending that Senate Bill No. 449, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY IN DESIGNATED AREAS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 569) recommending that Senate Bill No. 454, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 570) recommending that Senate Bill No. 456, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 456, S.D. 12, entitled: "A BILL FOR AN ACT RELATING TO BEAUTY CULTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday,

March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 571) recommending that Senate Bill No. 588, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 572) recommending that Senate Bill No. 661, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 573) recommending that Senate Bill No. 668 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 574) recommending that Senate Bill No. 662 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 662, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com.

Rep. No. 575) recommending that Senate Bill No. 669, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 669, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 576) recommending that Senate Bill No. 926, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETAIL SALE OF GASOLINE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 577) recommending that Senate Bill No. 730, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 578) recommending that Senate Bill No. 932, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 932, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 579) recommending that Senate Bill No. 961, S.D. 1, pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 580) recommending that Senate Bill No. 1124, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 581) recommending that Senate Bill No. 1136 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1136, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 582) recommending that Senate Bill No. 1138, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 583) recommending that Senate Bill No. 1178, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by

Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 584) recommending that Senate Bill No. 7, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 7, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 585) recommending that Senate Bill No. 688, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 586) recommending that Senate Bill No. 1171, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 587) recommending that Senate Bill No. 78, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 588) recommending that Senate Bill No. 484, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 589) recommending that Senate Bill No. 489, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES NOT COVERED BY CHAPTER 89," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 590) recommending that Senate Bill No. 653, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 653, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 591) recommending that Senate Bill No. 861, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 861, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 592) recommending that Senate Bill No. 882, as amended in S.D. 1, pass Second Reading and be placed on the

calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 882, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 593) recommending that Senate Bill No. 1101 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1101, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 594) recommending that Senate Bill No. 1102, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 595) recommending that Senate Bill No. 1335 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO SERVICE-CONNECTED OCCUPATIONAL DISABILITY RETIREMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 596) recommending that Senate Bill No. 195 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 195, entitled: "A BILL FOR AN ACT

RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 597) recommending that Senate Bill No. 197 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 598) recommending that Senate Bill No. 202 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 599) recommending that Senate Bill No. 1175, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 600) recommending that Senate Bill No. 1239 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1239, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," passed Second Reading and was placed on the calendar for Third Reading on Monday,

March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 601) recommending that Senate Bill No. 1270, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 602) recommending that Senate Bill No. 1271, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 603) recommending that Senate Bill No. 1274, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 604) recommending that Senate Bill No. 1366, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Solomon, for the Committee on

Agriculture, presented a report (Stand. Com. Rep. No. 605) recommending that Senate Bill No. 344, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRESH FRUITS AND VEGETABLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 606) recommending that Senate Bill No. 14, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Machida, for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 607) recommending that Senate Bill No. 292, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 608) recommending that Senate Bill No. 732, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 609) recommending that Senate Bill No. 775, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 610) recommending that Senate Bill No. 1118 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 611) recommending that Senate Bill No. 1337, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AND EMERGENCY ACT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 612) recommending that Senate Bill No. 160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 613) recommending that Senate Bill No. 9 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR

GOODS AND SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 614) recommending that Senate Bill No. 1179 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 615) recommending that Senate Bill No. 1299, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 616) recommending that Senate Bill No. 1381, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 617) recommending that Senate Bill No. 131, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on

Government Operations, presented a report (Stand. Com. Rep. No. 618) recommending that Senate Bill No. 1304, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLULU GOVERNMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the majority of the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 619) recommending that Senate Bill No. 1423 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the majority of the Committee was adopted and S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO THE VICE DIRECTOR OF CIVIL DEFENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 620) recommending that Senate Bill No. 568, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 568, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 621) recommending that Senate Bill No. 298, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the majority of the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 622) recommending that Senate Bill No. 891, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third

Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the majority of the Committee was adopted and S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSERS' LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 623) recommending that Senate Bill No. 1132 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 1132, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 624) recommending that Senate Bill No. 12 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 625) recommending that Senate Bill No. 1221 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 626) recommending that Senate Bill No. 613, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of

the Committee was adopted and S.B. No. 613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 627) recommending that Senate Bill No. 592, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 628) recommending that Senate Bill No. 807, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 629) recommending that Senate Bill No. 291 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 291, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 630) recommending that Senate Bill No. 29 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR CHILDREN AND YOUTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee

on Human Services, presented a report (Stand. Com. Rep. No. 631) recommending that Senate Bill No. 99 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 99, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 632) recommending that Senate Bill No. 102 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 102, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 633) recommending that Senate Bill No. 1240, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 634) recommending that Senate Bill No. 1354, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1354, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 635) recommending that Senate Bill No. 1361, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 636) recommending that Senate Bill No. 1434, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 637) recommending that Senate Bill No. 133, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 638) recommending that Senate Bill No. 379, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER SAFETY LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 639) recommending that Senate Bill No. 826, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 826, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDICABS," passed Second

Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 640) recommending that Senate Bill No. 1155, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 641) recommending that Senate Bill No. 1312 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1312, entitled: "A BILL FOR AN ACT RELATING TO JUNKED VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 642) recommending that Senate Bill No. 377, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 643) recommending that Senate Bill No. 251, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTIONAL DISPOSITION OF TRAFFIC CHARGES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 644) recommending that

Senate Bill No. 909, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 909, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 645) recommending that Senate Bill No. 127, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 646) recommending that Senate Bill No. 128, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SHORES AND SHORELINE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 647) recommending that Senate Bill No. 163 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 648) recommending that Senate Bill No. 828, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RACING ON HIGHWAYS,"

passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 649) recommending that Senate Bill No. 236, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 650) recommending that Senate Bill No. 873, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 650 and S.B. No. 873, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL PROVISIONS ON PUBLIC SERVICE," was deferred until Monday, March 11, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 651) recommending that Senate Bill No. 642, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.B. No. 642, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 652) recommending that Senate Bill No. 149, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.B. No. 149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 653) recommending that Senate Bill No. 1394, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 653 and S.B. No. 1394, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 654) recommending that Senate Bill No. 1198, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 654 and S.B. No. 1198, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 655) recommending that Senate Bill No. 472, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 655 and S.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII FILM INDUSTRY AUTHORITY," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 656) recommending that Senate Bill No. 564, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 656 and S.B. No. 564, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 657) recommending that Senate Bill No. 1233, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 657 and S.B. No. 1233, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 658) recommending that Senate Bill No. 1186, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 658 and S.B. No. 1186, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on

Ways and Means, presented a report (Stand. Com. Rep. No. 659) recommending that Senate Bill No. 113, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 659 and S.B. No. 113, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE SERVICES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 660) recommending that Senate Bill No. 496, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 660 and S.B. No. 496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BINGO," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 661) recommending that Senate Bill No. 258, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 661 and S.B. No. 258, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEERS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 662) recommending that Senate Bill No. 471, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 471, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 663) recommending that Senate Bill No. 774, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 663 and S.B. No. 774, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 664) recommending that

Senate Bill No. 1075, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1075, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 665) recommending that Senate Bill No. 1416, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 665 and S.B. No. 1416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 666) recommending that Senate Bill No. 495, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 495, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE-OPERATED LOTTERY SYSTEM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 667) recommending that Senate Bill No. 1190, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 667 and S.B. No. 1190, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 668) recommending that Senate Bill No. 237, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 668 and S.B. No. 237, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 669) recommending that Senate Bill No. 1185, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand.

Com. Rep. No. 669 and S.B. No. 1185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 670) recommending that Senate Bill No. 656, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 670 and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE HOME OPERATORS," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 671) recommending that Senate Bill No. 239, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 671 and S.B. No. 239, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 672) recommending that Senate Bill No. 1152, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON MERCHANTS ASSOCIATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 673) recommending that Senate Bill No. 697, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 674) recommending that Senate Bill No. 241, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 674 and S.B. No. 241, S.D. 1,

entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 675) recommending that Senate Bill No. 701, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 675 and S.B. No. 701, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 676) recommending that Senate Bill No. 246, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 676 and S.B. No. 246, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, March 11, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 677) recommending that Senate Bill No. 1353, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.B. No. 1353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 678) recommending that Senate Bill No. 174 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 174, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 679) recommending that Senate Bill No. 177, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No.

177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 680) recommending that Senate Bill No. 204, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 681) recommending that Senate Bill No. 198, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 682) recommending that Senate Bill No. 199, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 683) recommending that Senate Bill No. 213, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS," passed Second Reading and was

placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 684) recommending that Senate Bill No. 217, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 217, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 685) recommending that Senate Bill No. 218, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 686) recommending that Senate Bill No. 220, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 687) recommending that Senate Bill No. 230, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 230, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on

Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 688) recommending that Senate Bill No. 309, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 689) recommending that Senate Bill No. 389, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 690) recommending that Senate Bill No. 457, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 691) recommending that Senate Bill No. 539, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No.

692) recommending that Senate Bill No. 556, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 693) recommending that Senate Bill No. 665, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 694) recommending that Senate Bill No. 1130, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 695) recommending that Senate Bill No. 1144, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 696) recommending that Senate Bill No. 1334, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.B. No. 1334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 697) recommending that Senate Bill No. 110, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 698) recommending that Senate Bill No. 112 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 699) recommending that Senate Bill No. 234, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 234, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 700) recommending that Senate Bill No. 235, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 701) recommending that Senate Bill No. 287, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.B. No. 287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 702) recommending that Senate Bill No. 132, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 132, as amended in S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 703) recommending that Senate Bill No. 854, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 704) recommending that Senate Bill No. 1318, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand.

Com. Rep. No. 705) recommending that Senate Bill No. 1400, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 706) recommending that Senate Bill No. 129, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIENS ON AIRCRAFT," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 707) recommending that Senate Bill No. 255 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 255, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 708) recommending that Senate Bill No. 1356, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 709) recommending that Senate Bill No. 1264, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report

of the Committee was adopted and S.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 710) recommending that Senate Bill No. 644, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 644, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 711) recommending that Senate Bill No. 1365, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.B. No. 1365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 712) recommending that Senate Bill No. 615, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713) recommending that Senate Bill No. 742, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 742, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 714) recommending that Senate Bill No. 1413, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1413, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985.

At 11:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 466 (S.B. No. 1095, S.D. 1):

Senator Chang moved that Stand. Com. Rep. No. 466 be adopted and S.B. No. 1095, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Cayetano.

Senator Abercrombie then offered the following amendment:

"SECTION 1. Senate Bill No. 1095, S.D. 1, is amended by adding four new sections 11, 12, 13, and 14, and by renumbering sections 11 and 12 of the original bill to read as follows:

'SECTION 11. Section 11-61, Hawaii Revised Statutes, is amended to read as follows:

"Section 11-61 'Political party' defined.

[(a)] The term "political party" [shall mean any party which was on the ballot at the last general election which has not been disqualified by this section and] means any political group which shall hereafter undertake to [form a political party] qualify in the manner provided for in sections 11-62 to 11-64. A political party shall be an association of voters united for the purpose of promoting a common political end or carrying out a particular line of political policy and which maintains a general organization throughout the State, including a regularly constituted central committee and county committees in each county other than Kalawao.

[(b) Any party which does not meet the following requirements shall be subject to disqualification:

(1) A party must have had candidates running for election at the last general election for any of the offices listed in paragraphs (2) to (5) whose terms had

expired. This does not include those offices which were vacant because the incumbent had died or resigned before the end of the incumbent's term;

- (2) The party received at least ten per cent of all votes cast for any of the offices voted upon by all the voters in the State;
- (3) The party received at least ten per cent of all the votes cast in at least fifty per cent of the congressional districts;
- (4) The party received at least ten per cent of all the votes cast in at least the six senatorial districts with the lowest votes cast for the office of state senator; or
- (5) The party received at least ten per cent of all the votes cast in at least fifty per cent of the representative districts for the office of state representative.]"

"SECTION 12. Section 11-62, Hawaii Revised Statutes, is amended to read as follows:

"Section 11-62 [Formation] Qualification of [new] political parties; petition. (a) Any group of persons hereafter desiring to [form a new] qualify as a political party for election ballot purposes in the State shall file with the chief election officer a petition as hereinafter provided. The petition for the [formation of a new] qualification as a political party shall:

- (1) Be filed not later than 4:30 p.m. on the one hundred fiftieth day prior to the next primary;
 - (2) Declare as concisely as may be the intention of signers thereof to [form such new] qualify as a statewide political party in the State and state the name of the new party;
 - (3) Contain the signatures of currently registered voters comprising not less than one per cent of the total registered voters of the State as of the last preceding general election;
 - (4) Be accompanied by the names and addresses of the officers of the central committee and of the respective county committee, where they exist, of the [new] political party and by the party rules; and
 - (5) Be upon the form prescribed and provided by the chief election officer.
- (b) The petition shall be subject to hearing under chapter 91, if any objections are raised by the chief election officer or any other political party. All objections shall be made not later than 4:30 p.m. on the tenth day after the petition has been filed. If no objections are raised by 4:30 p.m. on the tenth day, the petition shall be approved. If an objection is raised, a decision shall be rendered not later than 4:30 p.m. on the thirtieth day after filing of the petition or not later than 4:30 p.m. on the one hundredth day prior to the primary, whichever shall first occur.

(c) The chief election officer may check the names of any persons on the petition to see that they are registered voters and may check the validity of their signatures. The petition shall be public information upon filing.

(d) Each group of persons desiring to qualify as a political party shall qualify under this section for three general elections, after which the group shall be deemed a political party for the following ten-year period. After each ten-year period, each political party shall requalify under this section before the general election next succeeding the expiration of the ten-year period, to be deemed a political party for another ten-year period.

(e) Each political party previously qualified under section 11-61 shall qualify under this section after the effective date of this Act."

"SECTION 13. Section 11-63, Hawaii Revised Statutes, is amended to read as follows:

"Section 11-63 Party rules, amendments to be filed. All [existing] parties must file their rules with the chief election officer not later than 4:30 p.m. on the one hundred fiftieth day prior to the next primary. All amendments shall be filed with the chief election officer not later than 4:30 p.m. on the thirtieth day after their adoption. The rules and amendments shall be duly certified to by an authorized officer of the party and upon filing, the rules and amendments thereto shall be a public record."

"SECTION 14. Section 11-65, Hawaii Revised Statutes, is repealed.

"[Section 11-65 Determination of party disqualification; notice of disqualification. Not later than 4:30 p.m. on the one hundred twentieth day after a general election, the chief election officer shall determine which parties were qualified to participate in the last general election, but which have become disqualified to participate in the forthcoming elections. Notice of intention to disqualify shall be served by certified or registered mail on the chairman of the state central committee or in the absence of the chairman, any officer of the central committee of the party, as shown by the records of the chief election officer. In addition, notice of intention to disqualify shall also be given by publication in a newspaper of general circulation.

If an officer of the party whose name is on file with the chief election officer desires a hearing on the notice of intention to disqualify, he shall, not later than 4:30 p.m. on the tenth day after service by mail or not later than 4:30 p.m. on the tenth day after the last day upon which the notice is published in any county, whichever is later, file an affidavit with the chief election officer setting forth facts showing the reasons why the party should not be disqualified. The chief election officer shall call a hearing not later than twenty days following receipt of the affidavit. He shall notify by certified or registered mail the

officer of the party who filed the affidavit of the date, time and place of the hearing. In addition, notice of the hearing shall be published in a newspaper of general circulation not later than five days prior to the day of the hearing. The chief election officer shall render his decision not later than 4:30 p.m. on the seventh day following the hearing. If the party does not file the affidavit within the time specified, the notice of intention to disqualify shall constitute final disqualification. A party thus disqualified shall have the right to requalify as a new party by following the procedures of section 11-62."]

'SECTION 15. Statutory material to be repealed is bracketed. New statutory material is underscored.'

'SECTION 16. This Act shall take effect upon its approval.'"

Senator Abercrombie moved that the amendment be adopted, seconded by Senator Cobb.

Senator Abercrombie explained the amendment as follows:

"Thank you very much, Mr. President. If the members will refer to Standing Committee Report No. 466, which is in the second supplement, Senate Bill No. 1095, they will find the results of the Judiciary Committee's work with respect to elections. Mr. President, I commend the Chairman of the Judiciary Committee and the members for their work with respect to this bill and I don't propose to go into all the various sections and items that are enumerated in the bill, but you will notice on the committee report a considerable number of WR's which I think probably reflects some reservation on the part of some of the members with respect to one or more of those sections. This is, in fact, an omnibus bill.

"As I said, I appreciate the work that has been put into this bill by the chairman and the committee. My amendment is merely to deal with an item which is not addressed in the bill, as opposed to trying to change anything that does exist in the bill. And, what that is, Mr. President, if the members will take a look at the amendment, and I can summarize for them. A digest has also been provided to the members. The essence of the amendment is this, Mr. President and fellow Senators. It's to allow for a new definition of political party. Political parties shall now be any political group which qualifies under the sections outlined. The essence of the amendment is to encourage any group of people who form a political party to be able to get on the ballot.

"In years past, I introduced this bill and we have succeeded in passing it to the House and it was known as the Libertarian

Party bill. As I indicated to you, Mr. President, that probably means that if the Libertarians were happy with this bill that I might receive the accolades of 12 or 13 people, 14 people, perhaps a hundred, two hundred, who are formerly members of that party.

"That is not the object of this amendment. Under this amendment and because of the situation in the last election, the Libertarian Party would have to requalify, so this is not an amendment to try to accommodate the Libertarian Party or any other party. What it is, very simply, is an opportunity for us to attempt to give the widest possible expression to people's desire to have political parties on the ballot. It also requires us, very frankly, Mr. President, as Democrats and Republicans to qualify, as well. There is no reason why in a democracy the party spectrum should be dominated by any particular group, simply because of tradition or historical domination, and we should encourage, it seems to me, as a matter of fidelity to the democratic process, those people who take the time and the energy to challenge, if you will, the established structure and to seek adherence to form a political party. It keeps all of us on our toes. It makes us all a little bit more sharp, I think, with respect to understanding that it is not a closed shop.

"So, I urge everyone to vote for this amendment, at least to add it to the consideration of the other sections of the bill. As I said, there are a good many WR's and I know that there's reservations on the part of most of the members of the Judiciary Committee about one or more aspects of the bill and I think it's only fair that we give the opportunity here for the qualification of political parties as an addition to this omnibus bill. Thank you."

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

The Senate reconvened at 11:28 o'clock p.m.

At this time, Senator Abercrombie requested that action on the floor amendment be deferred to the end of the calendar and the President, noting that there were no objections, so ordered.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 475 (S.B. No. 557):

Senator Yamasaki moved that Stand. Com. Rep. No. 475 be adopted and S.B. No. 557 be placed on the calendar for Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki then offered the following amendment (Amendment No. 1 to

S.B. No. 557):

"SECTION 1. Senate Bill No. 557, Section 2, is amended by amending lines 13 to 15 on page 1 to read:

'1. Wahiawa General Hospital,
Oahu \$3,000,000

2. G.N. Wilcox Memorial Hospital,
Kauai \$3,000,000"

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Fernandes Salling.

Senator Kawasaki explained the amendment as follows:

"Mr. President, the amendment simply removes the \$5 million allocation to Queen's Hospital to enable Wahiawa General Hospital and Wilcox Hospital to get their allocation of special revenue bonds. The staff's and the President's explanation to me was that there were no two vehicles that they could use to accomplish this. As a consequence, they had to again resubmit this bill on the floor here. This amendment takes care of our desire to exclude Queen's Hospital from this \$5 million allocation. This is what it accomplishes.

"And the reason for my trying to exclude Queen's Hospital is on the grounds that Queen's Hospital has been the beneficiary of over a \$100 million of these special purpose revenue bonds that are not taxable, which saves the hospital by their own testimony some \$97 million over the life span of these bonds. It just seems to me this hospital getting an additional \$5 million is perhaps allocating to one hospital too much of this benefit, and further, we do not see, contrary to what was claimed when these bills first were introduced four years ago, we do not see any savings passed on to the patients who use the facilities of the hospital.

"As a matter of fact, as I pointed out, the intensive care daily rates, in the case of Queen's Hospital, is \$740 a day, so what family, other than Mr. Weinberg's family, could afford this. Ward rate, along with that, is also about the highest of the state hospitals, and my point here is that notwithstanding in four years' time we gave them a benefit of \$100 million worth of special purpose revenue bonds which denies revenue to the Federal Government and to the State Government, and this is made up for by other taxpayers.

"We don't see the savings. Queen's Hospital should not get this \$5 million, and the exclusion of this hospital from the original bill is intended in this amendment."

The motion to adopt the amendment was put by the Chair and failed to carry.

Senator Kawasaki then offered the following amendment (Amendment No. 2 to S.B. No. 557):

"SECTION 1. Senate Bill No. 557, Section 2, is amended by amending lines 13 to 15 on page 1 to read:

'1. Wahiawa General Hospital,
Oahu \$3,000,000

2. G.N. Wilcox Memorial Hospital,
Kauai \$3,000,000

3. Queen's Medical Center,
Oahu \$5,000,000

provided that none of the funds are to be released to Queen's Medical Center until the information requested relative to data on salaries of administrative staff which exceeds \$25,000 a year is provided to the Legislature."

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Cobb.

"Failing that amendment, I have a more sensible amendment here, then. The amendment merely provides that the Queen's Hospital will not get this \$5 million allocation unless it furnishes to the Ways and Means Committee, or in effect the Senate, information that we requested relative to a salary schedule that they have established there for the administrative positions, salaries in excess of \$25,000 per year. Again, I think it is the responsibility of this body to examine the financial operations, the administrative costs included, of the hospital to see that we are justified in providing Queen's Hospital another \$5 million of special purpose revenue bonds under which bondholders do not have to pay income taxes both to the Federal Government and to the State Government. The request, it seems to me, is perfectly justifiable for us to examine, to see whether the hospital's financial operations are in order.

"And you will note also that we introduced and passed in this Senate resolutions asking for a competent, independent audit of the financial operations of both Queen's Hospital and Kuakini Hospital to see whether the high room cost, that the average family pays in this state, whether these daily room rates are justified. This is the reason why the request was made to give us information relative to the financial operations.

"Now this is a requirement that we have for everyone of the 110 to 115 institutions that come for grants-in-aid from us, and if we require this kind of information from these organizations that come under the grants-in-aids beneficiaries, then I think it

is only proper that we ask Queen's Hospital to provide us that information the Ways and Means Committee needs to determine whether their request for additional funding is justified.

"Unfortunately, when a request was submitted to them, the board of directors met and they decided not to provide us with this information; in effect, telling us it's none of your business. If it's none of our business to examine their financial operations, I don't think we are justified in providing them with additional funding in excess of the \$100 million we already gave them in special purpose revenue bonds."

Senator Cobb rose to speak in favor of the amendment as follows:

"Mr. President, I think it is entirely a reasonable one and I think any legislature and any legislative body has a right to insist on accounting of funds before state monies are granted, whether it be bond, whether it be cash, whether it be CIP. And I would urge that the members of the Senate here will adopt this amendment. Thank you."

Senator Kuroda queried as follows:

"Mr. President, I would like to have the movant answer a question. Mr. President, I would like to know from the movant, to what extent he can justify the statement that Queen's Hospital has ignored you to a point where you say it's none of the Senate's business to find out. Could he please elaborate on that? I agree with Senator Cobb's opinion as far as the amendment being meritorious for support, but still, I'd like to know the extent to which the hospital has shown a cavalier attitude."

Senator Kawasaki answered as follows:

"First of all, I would like to remind you, Senator Kuroda, that in a passing of a resolution by this body asking for a legislative audit of the financial operations of Queen's Hospital, they sent a lobbyist to lobby against it. You should know this because I know the lobbyist must have visited you.

"That's one indication of the attitude of the hospital, but as I said previously, in a meeting of the board of directors of Queen's Hospital, it was decided they shall not accede to our request, a reasonable request that they submit to us a list of salary schedules for those salaries paid in excess of \$25,000 for the administrative staff. This is a request we make to each and everyone of the grants-in-aid recipients by the Ways and Means Committee. And when they decided in a board meeting not to accede to our request, in my simple understanding, it's telling us it's none of our business."

Senator Mizuguchi rose to speak against the amendment:

"Mr. President, I certainly can understand the Senator who offered this amendment's frustration in terms of seeking information about operating expenses of Queen's Hospital. I think his quest for information is proper because whenever private funds are involved, as in Chapter 42, we do ask private agencies for a financial statement before we appropriate public funds for specific purposes.

"But I don't think that this bill, Senate Bill 557, Senate Draft 1, is the proper place to address the problem or the question of financial information to make proper decisions in the appropriation of public monies. I think that we should introduce another bill that addresses this problem and ask all hospitals, not only Queen's, for a financial statement before we appropriate monies to these institutions. For this reason, I ask the members to vote down his amendment. Thank you."

Senator Yamasaki also spoke against the amendment as follows:

"Mr. President, I would like to clear a point raised by the proponent of this amendment that the Ways and Means Committee requested for the information on the salaries of the administrative staff of the Queen's Hospital. It was not the case. The proponent of the amendment requested this information. It wasn't the Ways and Means Committee."

Senator Kawasaki responded as follows:

"Yes, I think I stand corrected. The request was made at the Ways and Means Committee hearing, which I attended, and at that time, indication from the lobbyist, who's been very effective around here, incidentally, was that she was very concerned about this request, but in any case information did come back to me to say that in a duly constituted meeting of the board of directors of Queen's Hospital, they said that they would not accede to this request.

"And in response to Senator Mizuguchi, if he has any solution as to how we can get legitimate information to make decisions involving literally millions of dollars, millions of dollars denied the State Tax Office and the Federal Government, I would certainly be very happy to have him introduce to us some mechanism that provides us this information."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to carry on the following showing of Ayes and Noes:

Ayes, 9. Noes, 15 (Aki, Chang, George, Hagino, Henderson, Holt, A. Kobayashi, B. Kobayashi, Machida, Matsuura, Mizuguchi, Solomon, Yamasaki, Young, and Wong). Excused, 1 (Soares).

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Stand. Com. Rep. No. 475 was adopted and S.B. No. 557 entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," was placed on the calendar for Third Reading on Monday, March 11, 1985.

At 11:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock p.m.

Senator Cayetano then rose on a point of personal privilege and stated as follows:

"Mr. President, we just voted on the amendment, and the amendment was defeated. However, I think the point raised by Senator Kawasaki is a good one, as well as the points raised by Senator Mizuguchi, I think, are valid also. I would like, through you, Mr. President, to request the Ways and Means chairman to request the information sought by Senator Kawasaki and have Queen's Hospital provide that information to the Ways and Means Committee. Thank you."

Senator Cayetano then asked the Chair as follows:

"Excuse me, Mr. President, that was a request. I'd like to have an answer."

The Chair replied: "You requested it of the chairman?"

Senator Cayetano replied: "Yes."

The Chair asked: "Senator Yamasaki, will you yield to the question?"

Senator Yamasaki replied as follows:

"Mr. President, I don't think that I shall yield to that request because I believe that such information are confidential. Such information can be used for the purpose of competition between the hospitals. I think they vie for personnel between the various hospitals. I think that is a good reason why we should not request for such information."

Senator Kawasaki then asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Kawasaki inquired as follows:

"We'll assume then that Queen's Hospital, notwithstanding the fact that they have received over \$100 million of benefits by the good graces of this body and the body across the rotunda here are not willing to...they do not have the confidence which they should request of you as chairman of the Ways and Means Committee that you keep this matter confidential for your use, confidential so far as public dissemination is concerned. You're telling me that Queen's Hospital does not have that confidence that you're able to keep confidence requested of you?"

Senator Yamasaki answered as follows:

"I think that we have, Mr. President, worked on the subject of confidentiality, and anything that we receive on our desks, testimony, are all public records as far as I'm concerned. So, therefore, if the hospital believes that those information are confidential they do not need to submit it to me."

Senator Kawasaki responded as follows:

"Mr. President, then, the literally one hundred organizations that come to us for grants-in-aid requests, the human services organizations...they provide information to us at our request on forms, as a matter of fact, public forms. They too have this problem of their top executive personnel competing for jobs and other like organizations asking for information, trying to get these personnel people, so they have the same problem as Queen's Hospital. I think Queen's Hospital's refusal to provide this information is not realistic."

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 466 (S.B. No. 1095, S.D. 1):

At this time, Senator Abercrombie rose to continue to speak on the amendment to S.B. No. 1095, S.D. 1, as follows:

"Mr. President, for the illumination of the members I explain the problem presented to me, aside from the clock, is as follows: that there is a section of the bill 1095, which many members here on the floor do not approve of, at least one of the sections, which indicates that the bill may not make it past the caucus. However, it is possible that the bill will make it past the caucus and make it past the floor and pass. If that is the case, I request the members' indulgence in including a good part of the bill, inasmuch as it is an omnibus bill. I would like to have this amendment included because I believe it is a worthy one, and if a bill that I don't necessarily approve of in part is going to pass anyway, I ask the members to include another good part in

that bill, and that's what this amendment is for.

"If it passes and people still are upset with it and it comes back from the House, at that time an amendment can be made on the part of the bill that people do not like this evening and for which no amendment exists.

"So, I ask you, please fellow Senators, do not make a judgment on this amendment on the basis of your ill will towards another section of the bill which you do not like.

"I believe it is fair, Mr. President, to ask that this be judged on its own merit. Very simply, as things now stand in the language of the law, it is virtually impossible for a new political party to get on the ballot because of the qualification that exists with respect to a high percentage—10 percent—in order to stay on the ballot. What this would allow is for parties to get on by petition and receive one percent in three consecutive elections, and then it would be listed for 10 years. It'll let struggling new parties to at least get on the ballot and make their presence felt. I think it's only fair and I ask the members to at least take this up for consideration by adding it to Senate Bill 1095 before we take up the bill as a whole on Sunday in caucus. Thank you."

Senator Chang rose to speak against the amendment as follows:

"Mr. President, with all due respect to the proponent of this suggestion, your

Committee on Judiciary has not had time to fully consider the merits of the proposal and it would be an appropriate subject for carryover in the next session. Thank you."

The motion to adopt the amendment was then put by the Chair and failed to carry.

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

"Mr. President, the section which includes the qualification on the day of election is so repugnant...the day of the primary is so repugnant to me, I believe that there's no sense in taking this bill further. I believe it should be defeated."

On motion by Senator Chang, seconded by Senator Cayetano and carried, and Roll Call vote having been requested, Stand. Com. Rep. No. 466 was adopted and S.B. No. 1095, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 11, 1985 on the following showing of Ayes and Noes:

Ayes, 14. Noes, 10 (Abercrombie, Cayetano, Fernandes Salling, George, Hee, Henderson, Kawasaki, A. Kobayashi, McMurdo and Toguchi). Excused, 1 (Soares).

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Monday, March 11, 1985.

THIRTY-THIRD DAY

Monday, March 11, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 10:20 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Elise Baer of the Christian Science Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Second Day.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 29 and 30) were read by the Clerk and were disposed of as follows:

S.C.R. No. 29, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING 1985 AS THE INTERNATIONAL YOUTH YEAR (IYY) IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS," was offered by Senator Wong, by request.

By unanimous consent, action on S.C.R. No. 29 was deferred until Tuesday, March 12, 1985.

S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUAUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS," was offered by Senator Wong, by request.

By unanimous consent, action on S.C.R. No. 30 was deferred until Tuesday, March 12, 1985.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 715) recommending that Senate Bill No. 1057, as amended in S.D. 1, pass First Reading and be placed on the calendar for Second and Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL

IMPROVEMENT PROJECTS," passed First Reading and was placed on the calendar for Second Reading on Tuesday, March 12, 1985 and for Third Reading on Wednesday, March 13, 1985.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM
FRIDAY, MARCH 8, 1985

Senate Bill No. 1209, S.D. 1:

By unanimous consent, S.B. No. 1209, S.D. 1, was deferred to the end of the calendar.

THIRD READING

Stand. Com. Rep. No. 347 (S.B. No. 108, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 347 and S.B. No. 108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," were recommitted to the Committee on Judiciary.

Senate Bill No. 260, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 260, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Kawasaki).

Senate Bill No. 498, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 498, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO REQUIRE THE CONSENT OF THE SENATE FOR RETENTION OF JUSTICES AND JUDGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 610, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 610, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 189, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 224:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 224, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 203:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 205, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 205, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 462, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 462, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 735, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 735, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 1158:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1158, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 68, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 68, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 65, S.D. 1:

By unanimous consent, S.B. No. 65, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health.

Senate Bill No. 60, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 60, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 67, S.D. 1:

By unanimous consent, S.B. No. 67, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS," was recommitted to the Committee on Health.

Senate Bill No. 76, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 76, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 59, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 59, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 10:

On motion by Cobb, seconded by Senator Soares and carried, S.B. No. 10, entitled: "A BILL FOR AN ACT RELATING TO STATE WARRANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 11:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

Senate Bill No. 13:

By unanimous consent, S.B. No. 13, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACT," was recommitted to the Committee on Government Operations.

Senate Bill No. 1404:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1404, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2
(Abercrombie and Kawasaki).

At 10:34 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:41 o'clock a.m.

At this time, Senators Kuroda and Kawasaki introduced to the members of the Senate Mr. Ryokichi Sasakawa, a world-reknown philanthropist, of Blue Sea and Green Land Foundation (B & G Foundation) of Japan, who was accompanied by Mr. Nakakita, managing director of B & G Foundation, Mr. Ogata, secretary to Mr. Sasakawa, and Mr. Milton Yanagawa of KITV, Honolulu.

Senator Kawasaki introduced Mr. Sasakawa as follows:

"The World is One Family; All Mankind are Brothers and Sisters' ... this is the credo of a great humanitarian in our midst whose philanthropy has had a great effect on many peoples' lives.

"An example of this is the eradication of smallpox throughout the world. Mr. Sasakawa has donated enormous sums to this particular program.

"In 1980 alone, he has given over \$7 million to overseas causes. In 1979, he gave nearly \$200 million in loans and subsidies to the shipbuilding industry for development of shipbuilding technology. He gave \$45 million to social welfare projects and \$5 million for promotion of physical training.

"This gentleman has amassed a fortune for one single purpose — global philanthropy.

"He feels that peace needs a foundation of universal well-being. By curing basic social ills such as malnutrition and disease, we take a step towards peace.

"He has made huge donations to the World Health Organization and other United Nations agencies as a path toward peace and well-being for humanity.

"Being the largest single donor in the world to the United Nations, Mr. Sasakawa is demonstrating what a single individual can do, putting his personal beliefs into action with stunning results.

"His hope is that his life's work will inspire others in the world community.

"Recently, he has donated several electric wheelchairs costing several thousand dollars each to the patients of Hale Mohalu, after learning of their needs.

"It is my distinct pleasure to introduce to this body a man whose generosity is benefiting peace and humanity on a worldwide basis.

"A man, it is said, who has donated more toward humanitarian causes than even the Ford Foundation. A man whose generosity has given the world in need more than \$12 billion.

"Ladies and gentlemen, I am delighted to introduce the great, world-reknown philanthropist, the legendary Mr. Ryokichi Sasakawa."

The honoree rose to be recognized and was presented with the congratulatory certificate by Senator Kuroda and leis by Senators Young and A. Kobayashi.

At 10:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:51 o'clock a.m.

THIRD READING

Senate Bill No. 1350, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 1350, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

House Bill No. 269:

On motion by Senator Young, seconded by Senator Hee and carried, H.B. No. 269, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 271:

On motion by Senator Young, seconded by Senator Hee and carried, H.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 376 (S.B. No. 20, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 376 was adopted and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 377 (S.B. No. 87, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 377 was adopted and S.B. No. 87, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 378 (S.B. No. 168, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 378 was adopted and S.B. No. 168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 379 (S.B. No. 170, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 379 was adopted and S.B. No. 170, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 380 (S.B. No. 726, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 380 was adopted and S.B. No. 726, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 381 (S.B. No. 165):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 381 was adopted and S.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George)

Stand. Com. Rep. No. 382 (S.B. No. 383, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 382 was adopted and S.B. No. 383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL SUMMER SCHOOL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 383 (S.B. No. 150, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 383 and S.B. No. 150, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCENTIVES FOR SOLAR AND WIND ENERGY DEVICES AND HEAT PUMPS," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 384 (S.B. No. 159, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 384 was adopted and S.B. No. 159, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THIRD-PARTY FINANCING ARRANGEMENTS FOR PUBLIC FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 385 (S.B. No. 319):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 385 was adopted and S.B. No. 319, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 237, HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 386 (S.B. No. 937, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 386 was adopted and S.B. No. 937, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 387 (S.B. No. 27, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 387 was adopted and S.B. No. 27, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE STATE FIRE COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 388 (S.B. No. 936):

By unanimous consent, action on Stand. Com. Rep. No. 388 and S.B. No. 936 was deferred to the end of the calendar.

Stand. Com. Rep. No. 389 (S.B. No. 135):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 389 was adopted and S.B. No. 135, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII AT MANOA MALPRACTICE SELF-INSURANCE SPECIAL FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 390 (S.B. No. 136):

By unanimous consent, action on Stand. Com. Rep. No. 390 and S.B. No. 136 was deferred to the end of the calendar.

Stand. Com. Rep. No. 391 (S.B. No. 137, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 391 and S.B. No. 137, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 392 (S.B. No. 138):

By unanimous consent, action on Stand. Com. Rep. No. 392 and S.B. No. 138 was deferred to the end of the calendar.

Stand. Com. Rep. No. 393 (S.B. No. 139):

By unanimous consent, action on Stand. Com. Rep. No. 393 and S.B. No. 139 was deferred to the end of the calendar.

Stand. Com. Rep. No. 394 (S.B. No. 140):

By unanimous consent, action on Stand. Com. Rep. No. 394 and S.B. No. 140 was deferred to the end of the calendar.

Stand. Com. Rep. No. 395 (S.B. No. 141, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 395 and S.B. No. 141, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 396 (S.B. No. 313, S.D. 1):

On motion by Senator Yamasaki, seconded

by Senator Mizuguchi and carried, Stand. Com. Rep. No. 396 was adopted and S.B. No. 313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN INTERSTATE COMMISSION FOR HIGHER EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 397 (S.B. No. 1289, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 397 and S.B. No. 1289, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 398 (S.B. No. 61, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 398 was adopted and S.B. No. 61, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 399 (S.B. No. 69, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 399 was adopted and S.B. No. 69, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 400 (S.B. No. 342, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 400 was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Stand. Com. Rep. No. 401 (S.B. No. 1188):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 401 was adopted and S.B. No. 1188, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 402 (S.B. No. 103):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 402 was adopted and S.B. No. 103, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 403 (S.B. No. 245):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 403 was adopted and S.B. No. 245, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 404 (S.B. No. 252, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 404 was adopted and S.B. No. 252, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 405 (S.B. No. 881, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 405 was adopted and S.B. No. 881, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES IN CIVIL AND CRIMINAL CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 406 (S.B. No. 934, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 406 was adopted and S.B. No. 934, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT REGISTRATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 407 (S.B. No. 6, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 407 and S.B. No. 6, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 408 (S.B. No. 37, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 408 was adopted and S.B. No. 37, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 409 (S.B. No. 38, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 409 was adopted and S.B. No. 38, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 410 (S.B. No. 39, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 410 was adopted and S.B. No. 39, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 411 (S.B. No. 40, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 411 was adopted and S.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 412 (S.B. No. 41, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 412 was adopted and S.B. No.

41, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 413 (S.B. No. 42, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 413 was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 414 (S.B. No. 43, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 414 was adopted and S.B. No. 43, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 415 (S.B. No. 44, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 415 was adopted and S.B. No. 44, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 416 (S.B. No. 45, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 416 was adopted and S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 417 (S.B. No. 46, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 417 was adopted and S.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 418 (S.B. No. 47, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 418 was adopted and S.B. No. 47, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 419 (S.B. No. 48, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 419 was adopted and S.B. No. 48, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 420 (S.B. No. 49, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 420 was adopted and S.B. No. 49, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 421 (S.B. No. 50, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 421 was adopted and S.B. No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 422 (S.B. No. 51):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 422 was adopted and S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 423 (S.B. No. 52, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 423 and S.B. No. 52, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 424 (S.B. No. 77, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 424 was adopted and S.B. No. 77, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 425 (S.B. No. 257, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 425 was adopted and S.B. No. 257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 426 (S.B. No. 381):

By unanimous consent, action on Stand. Com. Rep. No. 426 and S.B. No. 381 was deferred to the end of the calendar.

Stand. Com. Rep. No. 427 (S.B. No. 426, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 427 was adopted and S.B. No. 426, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 428 (S.B. No. 1487,

S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 428 was adopted and S.B. No. 1487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 429 (S.B. No. 135, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 429 was adopted and S.B. No. 135, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 430 (S.B. No. 350, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 430 and S.B. No. 350, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SAFETY," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 431 (S.B. No. 397, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 431 was adopted and S.B. No. 397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 432 (S.B. No. 481, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 432 was adopted and S.B. No. 481, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 433 (S.B. No. 485, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 433 was adopted and S.B. No. 485, S.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 434 (S.B. No. 685, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 434 was adopted and S.B. No. 685, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 435 (S.B. No. 893):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 435 was adopted and S.B. No. 893, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 436 (S.B. No. 1170):

By unanimous consent, action on Stand. Com. Rep. No. 436 and S.B. No. 1170 was deferred to the end of the calendar.

Stand. Com. Rep. No. 437 (S.B. No. 1374, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 437 was adopted and S.B. No. 1374, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 438 (S.B. No. 384):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 438 was adopted and S.B. No. 384, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 439 (S.B. No. 459, S.D. 2):

On motion by Senator Yamasaki, seconded

by Senator Mizuguchi and carried, Stand. Com. Rep. No. 439 was adopted and S.B. No. 459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 440 (S.B. No. 460, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 440 was adopted and S.B. No. 460, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 441 (S.B. No. 463, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 441 was adopted and S.B. No. 463, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 442 (S.B. No. 1089, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 442 was adopted and S.B. No. 1089, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Kawasaki and McMurdo).

Stand. Com. Rep. No. 443 (S.B. No. 1192, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 443 was adopted and S.B. No. 1192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CONVENTION CENTER AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (George).

Stand. Com. Rep. No. 444 (S.B. No. 1288, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 444 was adopted and S.B. No. 1288, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 445 (S.B. No. 1346, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 445 was adopted and S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TREE FARMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Stand. Com. Rep. No. 446 (S.B. No. 1408, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 446 was adopted and S.B. No. 1408, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 15:

By unanimous consent, S.B. No. 15, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," was recommitted to the Committee on Agriculture.

Senate Bill No. 351:

On motion by Senator Solomon, seconded by Senator Hagino and carried, S.B. No. 351, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING AND MARKETING OF FRUITS, VEGETABLES, AND COFFEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 935, S.D. 1:

By unanimous consent, S.B. No. 935, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS," was recommitted to the Committee on

Agriculture.

Senate Bill No. 980, S.D. 1:

By unanimous consent, S.B. No. 980, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was recommitted to the Committee on Energy.

Senate Bill No. 651, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 651, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1216:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 1216, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1220, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 1220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HISTORIC PRESERVATION PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 63, S.D. 1:

By unanimous consent, S.B. No. 63, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," was recommitted to the Committee on Health.

Senate Bill No. 162:

On motion by Senator Matsuura, seconded by Senator Aki and carried, S.B. No. 162, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 456 (S.B. No. 153, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 456 and S.B. No. 153, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 264, S.D. 1:

By unanimous consent, S.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," was recommitted to the Committee on Energy.

Senate Bill No. 461, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 461, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 55:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, S.B. No. 55, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 634, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER LAW VIOLATION PENALTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1329, S.D. 3:

By unanimous consent, action on S.B. No. 1329, S.D. 3, was deferred to the end of the calendar.

Senate Bill No. 331, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 331, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III OF THE HAWAII CONSTITUTION TO MAKE THE LEGISLATIVE PROCESS ENACTING STATUTES MORE EFFICIENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 463 (S.B. No. 74, S.D. 2):

By unanimous consent, Stand. Com. Rep. No. 463 and S.B. No. 74, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO

MENTAL HEALTH," were recommitted to the Committee on Judiciary.

Senate Bill No. 1157, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 563, S.D. 1:

By unanimous consent, action on S.B. No. 563, S.D. 1, was deferred to the end of the calendar.

At 11:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:21 o'clock a.m.

Senate Bill No. 1095, S.D. 1:

By unanimous consent, action on S.B. No. 1095, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 92, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 92, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE DEALERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1224, S.D. 1:

By unanimous consent, action on S.B. No. 1224, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1377, S.D. 1:

By unanimous consent, S.B. No. 1377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY," was recommitted to the Committee on Economic Development.

Senate Bill No. 279:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 279, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 404:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1485, S.D. 1:

By unanimous consent, action on S.B. No. 1485, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1223:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 1223, 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, 24. Noes, none. Excused, 1 (George).

Senate Bill No. 906, S.D. 1:

By unanimous consent, action on S.B. No. 906, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 475 (S.B. No. 557):

By unanimous consent, action on Stand. Com. Rep. No. 475 and S.B. No. 557 was deferred to the end of the calendar.

Senate Bill No. 93:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 93, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 469:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 469, 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.

Senate Bill No. 967, S.D. 1:

By unanimous consent, S.B. No. 967, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," was recommitted to the Committee on Economic Development.

Senate Bill No. 157:

By unanimous consent, S.B. No. 157, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," was recommitted to the Committee on Economic Development.

Senate Bill No. 468:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 468, 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.

Senate Bill No. 968, S.D. 1:

By unanimous consent, S.B. No. 968, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," was recommitted to the Committee on Economic Development.

Senate Bill No. 96, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 96, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1231, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 1231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 484 (S.B. No. 399, S.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 484 was adopted and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 485 (S.B. No. 73, S.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 485 was adopted and S.B. No. 73, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMISSION TO A PSYCHIATRIC FACILITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 486 (S.B. No. 746, S.D. 2):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 486 was adopted and S.B. No. 746, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDEMNIFICATION OF PERSONS QUALIFIED TO TAKE BLOOD SPECIMENS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 487 (S.B. No. 843):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 487 was adopted and S.B. No. 843, entitled: "A BILL FOR AN ACT RELATING TO REFUSAL TO SUBMIT TO A BREATH OR BLOOD TEST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 488 (S.B. No. 1409):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 488 was adopted and S.B. No. 1409, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EASEMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1096, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1096, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1182, S.D. 1:

On motion by Senator Aki, seconded by

Senator Matsuura and carried, S.B. No. 1182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1290, S.D. 1:

By unanimous consent, action on S.B. No. 1290, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 179:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 179, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 191:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 192:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 192, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 193:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 194, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 196:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 196, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 560:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 560, entitled: "A BILL FOR AN ACT RELATING TO TRUST COMPANIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1114, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1114, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1122, S.D. 1:

By unanimous consent, action on S.B. No. 1122, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1126, S.D. 1:

By unanimous consent, action on S.B. No. 1126, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1127, S.D. 1:

By unanimous consent, action on S.B. No. 1127, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1402, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 249, S.D. 1:

By unanimous consent, action on S.B. No. 249, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1213, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 1213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 272:

By unanimous consent, S.B. No. 272, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was recommitted to the Committee on Tourism and Recreation.

Senate Bill No. 1214, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 1214, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1218, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 1218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1310, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, S.B. No. 1310, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1151:

By unanimous consent, S.B. No. 1151, entitled: "A BILL FOR AN ACT RELATING TO PROPOSING AN AMENDMENT TO

ARTICLE III, SECTION 6, OF THE HAWAII STATE CONSTITUTION, TO CHANGE THE QUALIFICATIONS OF MEMBERS OF THE LEGISLATURE," was recommitted to the Committee on Judiciary.

Senate Bill No. 1358, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1358, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and B. Kobayashi).

Senate Bill No. 156:

By unanimous consent, S.B. No. 156, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," was recommitted to the Committee on Judiciary.

Stand. Com. Rep. No. 513 (S.B. No. 663, S.D. 2):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 513 was adopted and S.B. No. 663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 514 (S.B. No. 83, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 514 and S.B. No. 83, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 515 (S.B. No. 1397, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 515 was adopted and S.B. No. 1397, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND EVALUATION AND SITE ASSESSMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 516 (S.B. No. 57):

By unanimous consent, Stand. Com. Rep. No. 516 and S.B. No. 57, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," were recommitted to the Committee on Ways and Means.

Stand. Com. Rep. No. 517 (S.B. No. 82, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 517 was adopted and S.B. No. 82, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 518 (S.B. No. 151, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 518 was adopted and S.B. No. 151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 519 (S.B. No. 470, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 519 was adopted and S.B. No. 470, S.D. 2, 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.

Senate Bill No. 884, S.D. 1:

By unanimous consent, action on S.B. No. 884, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 521 (S.B. No. 1193, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 521 and S.B. No. 1193, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 522 (S.B. No. 1195, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 522 and S.B. No. 1195, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 523 (S.B. No. 913, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 523 was adopted and S.B. No.

913, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 524 (S.B. No. 1286, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 524 was adopted and S.B. No. 1286, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 525 (S.B. No. 1287, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 525 and S.B. No. 1287, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 526 (S.B. No. 100):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 526 was adopted and S.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 527 (S.B. No. 154, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 527 was adopted and S.B. No. 154, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George and Kawasaki).

Stand. Com. Rep. No. 528 (S.B. No. 155, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 528 was adopted and S.B. No. 155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (McMurdo).

Stand. Com. Rep. No. 529 (S.B. No. 1336):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 529 was adopted and S.B. No. 1336, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 530 (S.B. No. 36, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 530 was adopted and S.B. No. 36, S.D. 1, 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 Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 531 (S.B. No. 1432, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 531 was adopted and S.B. No. 1432, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 532 (S.B. No. 474, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 532 was adopted and S.B. No. 474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 533 (S.B. No. 1443, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 533 was adopted and S.B. No. 1443, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE, PSYCHOLOGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 534 (S.B. No. 64, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 534 was adopted and S.B. No. 64, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 535 (S.B. No. 702, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 535 was adopted and S.B. No. 702, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 536 (S.B. No. 1436, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 536 and S.B. No. 1436, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 537 (S.B. No. 427, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 537 was adopted and S.B. No. 427, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A JOB-SHARING PILOT PROJECT IN THE DEPARTMENT OF HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 538 (S.B. No. 431, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 538 was adopted and S.B. No. 431, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS AND POST RETIREMENT ALLOWANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 539 (S.B. No. 558, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 539 was adopted and S.B. No. 558, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Cayetano).

Stand. Com. Rep. No. 540 (S.B. No. 589, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 540 was adopted and S.B. No. 589, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 541 (S.B. No. 680):

By unanimous consent, action on Stand. Com. Rep. No. 541 and S.B. No. 680 was deferred to the end of the calendar.

Stand. Com. Rep. No. 542 (S.B. No. 1360, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 542 and S.B. No. 1360, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 115, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1077, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 1077, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 545 (S.B. No. 125, S.D. 2):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 545 was adopted and S.B. No. 125, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE

INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 98, S.D. 1:

By unanimous consent, S.B. No. 98, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was recommitted to the Committee on Economic Development.

Senate Bill No. 70, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 70, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 94:

By unanimous consent, S.B. No. 94, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," was recommitted to the Committee on Economic Development.

Senate Bill No. 90, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 90, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 166:

By unanimous consent, action on S.B. No. 166 was deferred to the end of the calendar.

Senate Bill No. 152:

By unanimous consent, S.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING," was recommitted to the Committee on Economic Development.

Senate Bill No. 280, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 280, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1386, S.D. 1:

By unanimous consent, action on S.B. No. 1386, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 95:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 95, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Stand. Com. Rep. No. 555 (S.B. No. 86, S.D. 1):

On motion by Senator Aki, seconded by Senator Matsuura and carried, Stand. Com. Rep. No. 555 was adopted and S.B. No. 86, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 556 (S.B. No. 1376, S.D. 1):

Senator Chang moved that Stand. Com. Rep. No. 556 be adopted and S.B. No. 1376, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Cayetano then rose to state that his law firm represents the Office of Hawaiian Affairs and requested a ruling of the Chair as to a conflict of interest.

The Chair ruled that Senator Cayetano was in conflict and was excused from voting on the measure.

By unanimous consent, action on Stand. Com. Rep. No. 556 and S.B. No. 1376, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 557 (S.B. No. 885, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 557 and S.B. No. 885, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1196, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 1196, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 169, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 171:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 171, entitled: "A BILL FOR AN ACT RELATING TO INSURERS' SUPERVISION, REHABILITATION AND LIQUIDATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 173, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 173, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 175, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 180, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 180, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 182, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 182, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO TIME SHARING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 190:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 190, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF CONSUMER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 201, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 327, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 327, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 449, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY IN DESIGNATED AREAS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 454, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 456, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 456, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO BEAUTY CULTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 588, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 661, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 661, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 668:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 668, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 662:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 662, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

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

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

Ayes, 23. Noes, none. Excused 2, (Holt and Kuroda).

Senate Bill No. 926, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 926, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETAIL SALE OF GASOLINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Holt and Kuroda).

Senate Bill No. 730, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Fernandes Salling). Excused, 1 (Kuroda).

Senate Bill No. 932, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 932, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 961, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 961, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1124, S.D. 1:

By unanimous consent, S.B. No. 1124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1136:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1136, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1138, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1178, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1178, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 7, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 7, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 688:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 688, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1171, S.D. 1:

By unanimous consent, action on S.B. No. 1171, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 78, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 78, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (McMurdo).

Senate Bill No. 484, S.D. 1:

On motion by Senator Machida, seconded

by Senator Abercrombie and carried, S.B. No. 484, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 489, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 489, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES NOT COVERED BY CHAPTER 89," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 653, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 653, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 861, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 861, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 882, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 882, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1101:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 1101, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1102, S.D. 1:

By unanimous consent, action on S.B. No. 1102, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1335:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, S.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO SERVICE-CONNECTED OCCUPATIONAL DISABILITY RETIREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 195:

By unanimous consent, action on S.B. No. 195 was deferred to the end of the calendar.

Senate Bill No. 197:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 197, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE REPAIR INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 202:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MEDICAL EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1175, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1175, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1239:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1239, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1270, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1271, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1271, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1274, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1366, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROVIDERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 344, S.D. 1:

On motion by Senator Solomon, seconded by Senator Hagino and carried, S.B. No. 344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRESH FRUITS AND VEGETABLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 14, S.D. 1:

By unanimous consent, S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," was recommitted to the Committee on Agriculture.

Senate Bill No. 292, S.D. 1:

By unanimous consent, action on S.B. No.

292, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 732, S.D. 1:

On motion by Senator Toguchi, seconded by Senator Solomon and carried, S.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 775, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, S.B. No. 775, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1118:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1337, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1337, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE AND EMERGENCY ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Cobb, Hagino and McMurdo).

Senate Bill No. 160, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 9:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 9, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES," having been read

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

Ayes, 25. Noes, none.

Senate Bill No. 1179:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1179, entitled: "A BILL FOR AN ACT RELATING TO ANNUAL REPORTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1299, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1299, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1381, S.D. 1:

By unanimous consent, action on S.B. No. 1381, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 131, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 131, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1304, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1304, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLULU GOVERNMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1423:

By unanimous consent, S.B. No. 1423, entitled: "A BILL FOR AN ACT RELATING TO THE VICE DIRECTOR OF CIVIL DEFENSE," was recommitted to the Committee on Government Operations.

Senate Bill No. 568, S.D. 1:

By unanimous consent, S.B. No. 568, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO INTOXICATING LIQUORS," was recommitted to the Committee on Government Operations.

Senate Bill No. 298, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 298, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (George, Henderson, Kuroda, McMurdo and Soares).

Senate Bill No. 891, S.D. 1:

By unanimous consent, action on S.B. No. 891, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1132:

By unanimous consent, action on S.B. No. 1132 was deferred to the end of the calendar.

Senate Bill No. 12:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1221:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1221, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:28 o'clock p.m.

Senate Bill No. 613, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 592, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 592, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING COMMERCIAL EXPLOITATION OF CRIME," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 807, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 807, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMINENT DOMAIN," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 291:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 291, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 29:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COUNCIL FOR CHILDREN AND YOUTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 99:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 99, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 102:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 102, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1240, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1354, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 1354, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1361, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 1361, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1434, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, S.B. No. 1434, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 133, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 133, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF AIRCRAFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 379, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 379, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR CARRIER SAFETY LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 826, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 826, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PEDICABS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1155, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1312:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1312, entitled: "A BILL FOR AN ACT RELATING TO JUNKED VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 377, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 377, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 251, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 251, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTIONAL DISPOSITION OF TRAFFIC CHARGES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 909, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Cayetano and carried, S.B. No. 909, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUS CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 127, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 128, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 128, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SHORES AND SHORELINES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 163:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 828, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 828, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RACING ON HIGHWAYS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chang).

Senate Bill No. 236, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 236, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 650 (S.B. No. 873, S.D. 2):

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, Stand. Com. Rep. No. 650 was adopted and S.B. No. 873, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL PROVISIONS ON PUBLIC SERVICE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 642, S.D. 1:

By unanimous consent, action on S.B. No. 642, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 149, S.D. 1:

Senator Aki moved that S.B. No. 149, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Matsuura then rose to speak in support of the measure as follows:

"Mr. President, the State Land Use Law passed in 1961 has rightly been recognized nationally as the pioneer in land use legislation at the state level.

"More than 20 years later, however, we are in the midst of an economic slowdown. It is not enough to regulate — we must also stimulate appropriate economic development. An important factor in our business climate is our land use permitting process. That process is complicated and duplicative. It is certainly a burden to the small landowner.

"In the last 20 years, the counties have built up their own expertise and ability in land use planning and regulation. The counties now have general plans and development plans. Their positions on land use closely resemble those of the State Land Use Commission. In the last 10 years, the counties and the Land Use Commission have agreed 85% of the time in all petitions.

"Senate Bill 149 attempts to reduce the duplication time and cost of the process, focuses on the areas of state concerns and re-establishes a long-range planning concept into the Land Use Law.

"This bill provides that all petitions for redistricting of lands 15 acres or less in size, except within the conservation district, go directly to the counties. This will reduce the number of petitions by half. The bill would also allow the waiver of a contested case hearing provided all parties are in support of the petition and enter into appropriate stipulations on all issues; and establish decision-making criteria relative to areas of state concern. Finally, it would re-institute a five-year review process.

"I believe that there is still a need for a state land use regulatory body. However, from listening to the various testimonies before the Legislature from all sectors of the community, including the business and development interests, environmental interests, and the county and state agencies, there is a need for change. I believe that this bill is moving in the right direction. The Land Use Commission can examine land

use requests from a more regional and statewide perspective where the cumulative impact and areas of state concerns would be the primary focus. Land use petitions in conservation districts are still covered by the Land Use Commission. So the environment is protected, while small petitions in other districts can bypass the commission and be handled by the counties.

"I am aware, Mr. President, that there is a great deal of lobbying from the private sector to streamline the regulatory process, from the counties for repealing the Land Use Commission, and from the environmental interest to protect and preserve the natural resources of the state. I believe this bill, Senate Bill 149, best responds to the balancing of all concerns and is a step in the right direction.

"Therefore, I urge passage of Senate Bill 149."

The motion was put by the Chair and S.B. No. 149, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hee).

Stand. Com. Rep. No. 653 (S.B. No. 1394, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 653 was adopted and S.B. No. 1394, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 654 (S.B. No. 1198, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 654 and S.B. No. 1198, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 655 (S.B. No. 472, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 655 be adopted and S.B. No. 472, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, I think if you read through the bill, you'll find that it'll be more difficult to have films made here any easier as a result of this bill. We seem to attack every problem by creating authorities and more bureaucracy to deal with it. I don't

think this is the way to handle it."

Senator McMurdo also spoke against the measure as follows:

"Mr. President, I've had numerous calls about this bill from people who are in the entertainment industry and would like to see movies come here. I mean this film bit ... they feel that this bill may discriminate against local people. They may not have a chance to do some of the productions they would like to."

The motion was put by the Chair and Stand. Com. Rep. No. 655 was adopted and S.B. No. 472, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A HAWAII FILM INDUSTRY AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and McMurdo).

Stand. Com. Rep. No. 656 (S.B. No. 564, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 656 and S.B. No. 564, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 657 (S.B. No. 1233, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 657 was adopted and S.B. No. 1233, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO THE DEPARTMENT OF HAWAIIAN HOME LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 658 (S.B. No. 1186, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 658 was adopted and S.B. No. 1186, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Chang).

Stand. Com. Rep. No. 659 (S.B. No. 113, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 659 was adopted and S.B. No. 113, S.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.

Stand. Com. Rep. No. 660 (S.B. No. 496, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 660 be adopted and S.B. No. 496, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Soares inquired as to whether the chairman of the Committee on Tourism and Recreation would yield to a question. The Chair posed the question and Senator Kuroda having answered in the affirmative, Senator Soares asked:

"Mr. President, will the chairman and author of this bill tell this body what the estimated cost is to operate the department's responsibility for bingo?"

Senator Kuroda answered:

"Mr. President, I shall yield to the chairman of Ways and Means Committee inasmuch as this discussion had taken place in the Ways and Means Committee. Some figure had been mentioned. I sat in that committee hearing ... the decision-making hearing. I challenged the figure. I believe the chairman of the Ways and Means Committee could more properly address that question."

Senator Yamasaki responded:

"Mr. President, there is an appropriation of \$64,000."

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

"Mr. President, during hearings on this bill to legalize bingo, and in the decision-making process, it became apparent to me and I believe to others on the committee that public sentiment favors its passage. What I don't believe anyone who favors the bill has given thought to is that passage will cost the taxpayers' money in the form of an appropriation to implement it. Projections are some \$64,000 for the first year and upwards to \$200,000 by the third or fourth year. Clearly there are economic consequences to this bill.

"Further, Mr. President, the administration, Police Department and Department of Consumer Protection all oppose this bill and have so testified. In view of their objections, and particularly the concerns expressed by the Police Department that passage of this bill might well give certain elements of organized crime the 'entree' they have been seeking, I urge all of you to vote 'no.'"

"I do believe that both the departments and the administration came out very

strongly against this form of gambling. Also, of course, the police department.

"In view of these objections by the departments that came before us and the consequences I see down the road with organized crime and the opportunity infiltrating these game, I feel very strongly that this body reject this bill before we find ourselves dealing with any sector of the crime industry that is going to cause havoc in the State of Hawaii. I ask all of you to vote against this bill."

Senator Kuroda spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of this bill and, in rebuttal, state that these figures of \$64,000 for the first year and \$100,000 for the second year are figures on the high side that have been banged around.

"As I mentioned, I was not privy to the discussion when it was conducted in the Ways and Means hearing; however, during the time that decision-making was in progress, I sat in with the committee ... these figures are extremely high.

"With regards to the matter of the crime syndicate and other bad elements involved in the community, taking advantage of bingo as a gambling device and program and having it vulnerable to the infiltration of other gambling activities, I think that this fear is really not one that we should be concerned with."

Senator Abercrombie also rose to speak in support of the measure as follows:

"Mr. President, it would be hypocritical for me to vote against a bill like this when I went with my family as a child to play bingo at various church activities, including the Roman Catholic Church which allowed me in at that time for bingo purposes.

"I went with my mother and father and also did this at the time when the only kind of fire protection we had was from volunteer fire companies and they also utilized bingo as a way of raising funds.

"My trepidation with the bill is all this bureaucracy associated with it. I don't think we need any of it.

"I'm voting for the bill on the basis that if and when it comes back this will all be removed and the department will simply deal with it as a license and actually put people to work to deal with it. And if they show some experience with having a problem with dealing with the licensing with non-profit organizations and so on, then you could consider spending some money on it. But this is supposed to be recreational. We're not supposed to get into another

government business with bingo, and I don't think people were for it.

"I think that Senator Soares is quite correct when he says that people may be under a different perception of what's involved here. And I think the author of the bill wants to keep it simple too.

"So, as I say, I will vote for it on the basis that if and when it comes back, that these problems will be addressed so that we don't mislead people into what we're getting into."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 660 was adopted and, Roll Call vote having been requested, S.B. No. 496, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BINGO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (George, Henderson, Holt, A. Kobayashi, B. Kobayashi, Matsuura, Soares and Young).

Stand. Com. Rep. No. 661 (S.B. No. 258, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 661 was adopted and S.B. No. 258, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 471, S.D. 2:

By unanimous consent, action on S.B. No. 471, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 663 (S.B. No. 774, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 663 was adopted and S.B. No. 774, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1075, S.D. 2:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 1075, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 665 (S.B. No. 1416, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 665 was adopted and S.B. No. 1416, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 666 (S.B. No. 495, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 666 and S.B. No. 495, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 667 (S.B. No. 1190, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 667 and S.B. No. 1190, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 668 (S.B. No. 237, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 668 was adopted and S.B. No. 237, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 669 (S.B. No. 1185, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 669 was adopted and S.B. No. 1185, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 670 (S.B. No. 656, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 670 was adopted and S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE HOME OPERATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 671 (S.B. No. 239, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 671 was adopted and S.B. No. 239, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1152, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 1152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON MERCHANTS ASSOCIATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 697, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 697, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 674 (S.B. No. 241, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 674 was adopted and S.B. No. 241, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 675 (S.B. No. 701, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 675 was adopted and S.B. No. 701, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 676 (S.B. No. 246, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 676 was adopted and S.B. No. 246, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:05 o'clock p.m.

Senate Bill No. 1353, S.D. 1:

Senator Solomon moved that S.B. No. 1353, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hagino.

Senator Hee rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in favor of the bill; however, I would like to point out some statements made in the committee report which do not adequately or completely express the intent of the bill.

"I'd like to thank the chair of the Agriculture Committee for moving the bill out as there is no question in my mind that one of the issues which has taken up much of the news media during the last two years and, particularly, during this session has been the use and abuse of pesticides relative to the monitoring and its enforcement by the Department of Agriculture. I can remember quite clearly Mr. Hector Matsuda coming forward from the DOA pointing out some of the abuses.

"This bill, Mr. President and members of the Senate, is an answer and a step forward to tighten up the Department of Agriculture's ability to enforce the abuse of pesticides. It was done with much hard work and compassion for the farmers and with the consumer in mind.

"Mr. President and members of the Senate, for the record, I call your attention to the second page of the committee report, second to the last paragraph, and I quote, 'Your Committee believes it is in the best interest of the public to provide flexibility in monitoring pesticide use.' That is not true. This bill is not to provide flexibility. Rather, this bill is to provide a tight framework in which '... the chairperson of the board of agriculture, in consultation with the advisory committee on pesticides and also with the approval of the director of health, shall cancel or suspend the use of such pesticide or specific uses of such pesticide when such usage is deemed to have unreasonable adverse effects on the environment. The chairperson of the board of agriculture shall take necessary action to cancel the registration or license of such canceled or suspended pesticide or uses as provided in section 149A-14(b).'

"Mr. President, this is a step in the right direction to provide the Department of Agriculture which has lacked the manpower,

lacked the resources and, perhaps, lacked the direction it needed from the Legislature with that framework and not allow the flexibility that is purported in the committee report.

"Mr. President, as I said, I rise to speak in favor of the bill. I am confident and hopeful that the committee report and the bill will go to the House and be further worked on and, again, I'd like to thank the members of the committee.

"Thank you, Mr. President."

Senator Solomon, in response to the previous speaker, remarked as follows:

"Mr. President, in response to the Senator from the 9th District, as the Committee Chairman of Agriculture, I would just like to clarify the committee report.

"The Senator made reference to the paragraph before the last paragraph (page 2) which says, 'Your Committee believes it is in the best interest of the public to provide flexibility in monitoring pesticide use.' This paragraph was in reference to item (2) of paragraph 2, page 2 of the committee report. If you will look at the items that were enumerated the committee felt very strongly that 'The use of such pesticide may be continued under any special local needs registration; provided that the Department of Agriculture re-evaluate the special local needs registration.'

"I would just like to state for the record that the Agriculture Committee is very much concerned about public health and safety.

"And I would like to commend the previous speaker for his acknowledgment in that this bill was discussed in great length, but I still would like to remind the body that it is the Agriculture Committee's priority to be sure that the farmers and the agriculture community be given some kind of flexibility in terms of dealing with this pesticide situation in the State of Hawaii.

"Thank you."

The motion was put by the Chair and carried and S.B. No. 1353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 174:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 174, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 177, S.D. 1:

By unanimous consent, S.B. No. 177, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 204, S.D. 1:

By unanimous consent, action on S.B. No. 204, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 198, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 198, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 199, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 199, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 213, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 213, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 217, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 217, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 218, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS

AND FITTERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 220, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 220, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 230, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 230, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 309, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 389, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 389, S.D. 1, 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.

Senate Bill No. 457, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 457, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 539, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO ALARM BUSINESSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 556, S.D. 1:

By unanimous consent, action on S.B. No. 556, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 665, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1130, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1130, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1144, S.D. 1:

By unanimous consent, action on S.B. No. 1144, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1334, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 1334, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT VACATION RENTALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 110, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 112:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 112, entitled: "A BILL FOR AN ACT RELATING

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

Ayes, 25. Noes, none.

Senate Bill No. 234, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 234, S.D. 1, 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.

Senate Bill No. 235, S.D. 1:

Senator Young moved that S.B. No. 235, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hee.

Senator Young rose to correct a typographical error in Standing Committee Report No. 700 on the S.B. No. 235, S.D. 1, as follows:

"Mr. President, 'Hawaii Community Redevelopment Agency' should be corrected to read 'Hawaii Community Development Authority.'"

The Chair ordered the correction be made.

The motion was put by the Chair and S.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 287, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, S.B. No. 287, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 132, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 132, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 854, S.D. 1:

By unanimous consent, action on S.B. No. 854, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1318, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1400, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER LICENSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 129, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIENS ON AIRCRAFT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 255:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 255, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1356, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1264, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1264, S.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO MOTOR VEHICLE SAFETY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 644, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 644, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1365, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 1365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 615, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (George and Soares).

Senate Bill No. 742, S.D. 1:

By unanimous consent, action on S.B. No. 742, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1413, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 1413, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Young rose on a point of personal privilege and remarked as follows:

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

"I wish to clarify several points relating

to my proposed lease rent control bill which did not pass your Committee on Housing and Community Development.

"Last session, lessee organizations and their attorneys approached the Legislature requesting relief from the substantial increases in residential lease rents experienced at renegotiation.

"The new rents, they said, were unaffordable.

"They said, lessees have few options, if any, at renegotiation but to accept what the landowner decided the new lease rent to be.

"I emphasize that as it was explained on numerous occasions by lessees, the need for the Legislature to cap lease rent increases is to help those homeowners who cannot afford to purchase their fee titles and who must, therefore, remain under the leasehold system.

"A blue ribbon advisory panel was organized this past interim, which included lessee representatives, to study the problem and find a reasonable resolution. The product of this study, Senate Bill No. 801, which incorporated the panel's recommendations, was introduced this year.

"The issue of unlinking a new lease rent control law and the Land Reform Act was thoroughly discussed throughout the interim. At all times, the lessees and their attorneys agreed that this unlinking should occur.

"The Senate advisory panel is emphatic the unlinking occur, too.

"All along lessees called for rent control ... nothing more. For the past year my committee, the panel, and lessee and lessor representatives worked hard on a rent control measure and, suddenly, rent control is not all the lessees want. It is now obvious a handful of vocal lessees, despite their previous position, have come to feel the answer is defined by the direct benefit to their pocketbooks, not what is fair for all parties.

"The unlinking of the two statutes does not mean there is a trade-off between lowered rents and higher land values. What I had provided for is that legislatively depressed lease rents not affect the land value of the fee title.

"Robert Schieve, chairman of the Hawaii Leaseholders Equity Coalition, is quoted in a Saturday Advertiser article as saying, 'If it's (the bill) going to torpedo the Land Reform Act ... it has to be sacrificed.'

"Senate Bill No. 801 would not adversely affect the Land Reform Act. To the

contrary, if the two statutes were not unlinked, landowners would have challenged the valuation issue.

"But what is extremely disturbing is Mr. Schieve's attitude about 'sacrificing' those lessees who are caught in the moratorium on lease rent increases imposed last year. These lessees will face renegotiation in July, and as current law provides, they will have to pay those new, increased rents for the next fifteen years.

"Please understand we are speaking of lessees who are in tracts already converted to fee simple. In other words, they, quite possibly, are lessees who could not afford to purchase their fee titles -- the ones, I was told by Mr. Schieve, who needed assistance the most.

"As it should be, my committee members freely voted their own conscience. The fate of the bill was fairly decided by the committee. Some voted the way they did because they understood and concurred with the lessees' position on the unlinking of HRS 516 and 519. Others voted 'I do not concur' for significantly different reasons.

"My concern is for those lessees who must renegotiate in this interim. I wonder if they feel represented by the Hawaii Leaseholders Equity Coalition, or whether they have been sacrificed and left to swing in the wind by the Coalition."

At 2:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:47 o'clock p.m.

AFTERNOON SESSION

ORDER OF THE DAY

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

Senate Bill No. 1209, S.D. 1:

Senator Yamasaki moved that S.B. No. 1209, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, just some brief remarks against this bill.

"This bill would give an exemption to travel agents for commission earned on airfares. As far as I'm concerned, this is just another hole in the dike, so to speak, ... further erosion of our general excise tax

base.

"I think there is a lot of confusion about why people who do business in the state pay the general excise tax.

"We don't pay the general excise tax so we can pass it on to people. We pay the general excise tax for the privilege of doing business in the State of Hawaii and the protection and all other services provided by the state.

"We already, some years ago, gave this exemption to insurance people; now we give it to travel agents. A couple of years ago, the real estate agents were in here asking for this, and I'm sure that others will be soon pounding the door.

"I'm opposed to this and I hope we take a strong look at what we're doing when we provide these exemptions, which, by themselves, do not seem to be of great importance but taken together only serve to erode our tax base."

Senator Soares then rose to request a ruling of the chair on a conflict of interest, as president of a travel agency and part owner of another.

The Chair ruled that Senator Soares was in conflict and was excused from voting on the bill.

The motion was put by the Chair and S.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Cayetano and Kawasaki). Excused, 1 (Soares).

Stand. Com. Rep. No. 388 (S.B. No. 936):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 388 was adopted and S.B. No. 936, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REDEVELOPMENT OF THE ALOHA TOWER COMPLEX," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Cayetano, Hee, B. Kobayashi and McMurdo).

Stand. Com. Rep. No. 390 (S.B. No. 136):

Senator Yamasaki moved that Stand. Com. Rep. No. 390 be adopted and S.B. No. 136, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki spoke for the measure as follows:

"Mr. President, I had thought about voting 'no' on all of these revolving fund bills but I understand that the House is coming out with a bill that is a little different from ours, which gives the Legislature a measure of control over the operations of these revolving funds, so I will support this bill so it can go into conference and, hopefully, the conferees come out with a bill that gives the Legislature some semblance of control over the affairs of the university."

Senator Holt also spoke in support of the measure as follows:

"Mr. President, I'd just like to make a brief comment on this bill and the following four or five bills.

"The Senate is backing this legislation as a result of an audit that was taken of the non-general fund structure of the University of Hawaii. We have a letter from the Department of Budget and Finance requesting adoption of the proposals."

Senator Abercrombie also spoke in support of the measure as follows:

"Mr. President, I want to point out to the members that not only is this particular kind of funding going on without authorization legislatively right now, but not everyone pays enough attention to the fact the revolving funds require a report and this will enable us to keep much closer tabs on how this money is being spent. Right now, no one's paying attention.

"Once these bills come into effect, we're going to be able to pay a lot closer attention to what happens with this money and how it works at the university."

The motion was put by the Chair and Stand. Com. Rep. No. 390 was adopted and S.B. No. 136, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF SPECIAL FUNDS FOR THE UNIVERSITY OF HAWAII AT MANOA, THE UNIVERSITY OF HAWAII AT HILO, AND WEST OAHU COLLEGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 391 (S.B. No. 137, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 391 was adopted and S.B. No. 137, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR THE INTERCOLLEGIATE ATHLETIC PROGRAMS OF THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," having

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 392 (S.B. No. 138):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 392 was adopted and S.B. No. 138, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF REVOLVING FUNDS FOR INTERNAL SUPPORT SERVICES AT THE UNIVERSITY OF HAWAII AT MANOA AND THE UNIVERSITY OF HAWAII AT HILO," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 393 (S.B. No. 139):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 393 was adopted and S.B. No. 139, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A UNIVERSITY OF HAWAII STATEWIDE COMPUTER SERVICES REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 394 (S.B. No. 140):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 394 was adopted and S.B. No. 140, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S TRANSCRIPT AND DIPLOMA REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 395 (S.B. No. 141, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 395 was adopted and S.B. No. 141, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 397 (S.B. No. 1289, S.D. 1):

On motion by Senator Yamasaki, seconded

by Senator Mizuguchi and carried, Stand. Com. Rep. No. 397 was adopted and S.B. No. 1289, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESEARCH AND TRAINING REVOLVING FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 407 (S.B. No. 6, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 407 be adopted and S.B. No. 6, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, according to the committee report, 'The purpose of this bill is to grant civil service status to the researcher in the office of collective bargaining.'

"Mr. President, this is a bill for an individual — one person. We would be granting civil service status to that person. In other words, we would be 'grandfathering' him in.

"This bill and the efforts of this person or persons on his behalf has had a long history in the Legislature. I've been here ten years and I think for the good second half of my career as a legislator, I have seen this bill rise from time to time. The reason it's still here, of course, is that past legislatures have had the wisdom to deny the passage of this bill and to deny giving this one individual this privilege which should be thrown out in open competition to the public-at-large. That is the principle of civil service and that is what we should be doing.

"The main concern I have about this bill is that the researcher in the Office of Collective Bargaining works with the state's chief negotiator and the negotiator's deputy is representing the administration in collective bargaining. It would seem to me that since the negotiator and the deputy are patronage positions, so to speak, namely, the governor is given the privilege of choosing his negotiator and selecting his deputy, that this researcher position should be placed in the same category.

"I think the impact of this bill can be better brought home if all of us imagined someone else appointing our committee clerks or our administrative aids. None of us would stand for it. I think our offices would not function as efficiently if we allowed that to happen.

"If we give this person civil service status, what we do is deny, in my view, the future administration, the future governor in 1986, the privilege of choosing his collective bargaining team. The researcher in this case is not just a researcher. This person is a very important part of the collective bargaining team. For that reason, in my view, he should not be in civil service.

"If, however, we insist on making this position civil service, then I say, let's make it truly civil service. Let's open it up and let everybody take the exam and the best man wins.

"We have been doing too much of this 'grandfathering' -- taking care of individuals.

"This is not the only bill which deals with this point. There are others and I will vote against those also.

"Thank you."

The motion was put by the Chair and Stand. Com. Rep. No. 407 was adopted and S.B. No. 6, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Abercrombie, Cayetano, Cobb, Fernandes Salling, George, Hee, Henderson, Kawasaki, McMurdo, Soares and Toguchi).

Stand. Com. Rep. No. 423 (S.B. No. 52, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 423 was adopted and S.B. No. 52, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Fernandes Salling).

Stand. Com. Rep. No. 426 (S.B. No. 381):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 426 was "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Kawasaki and Soares).

Stand. Com. Rep. No. 436 (S.B. No. 1170):

Senator Yamasaki moved that Stand.

Com. Rep. No. 436 be adopted and S.B. No. 1170, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Cayetano spoke against the measure as follows:

"Mr. President, the purpose of this bill is to give the board of trustees of the Public Employees' Retirement System the authority to establish the investment yield rate and other factors for actuarial valuations of the system beginning with the year ending June 30, 1985.

"Mr. President, at the present, the yield rate is capped and I believe the cap is set at 7 percent. This particular subject area is not easy to understand so let me describe it by saying that the earnings which are 7 percent or below go into the Employees' Retirement System; the rest in excess of 7 percent go into the general fund. But, under the existing law, the general fund of the state guarantees the Employees' Retirement System. That is the reason why the cap was set and the law was fashioned in the manner that it exists today.

"This bill would give the board of trustees the authority to establish the investment yield rate as they please and, in my view, this is inconsistent with the way the law is set. If the public employees want to have all of their retirement investment yield earnings, fine. Maybe, we should rethink, reconsider the question as to whether the state should continue to guarantee the Retirement System."

The motion was put by the Chair and carried, Stand. Rep. No. 436 was adopted and S.B. No. 1170, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 456 (S.B. No. 153, S.D. 1):

Senator Matsuura moved that Stand. Com. Rep. No. 456 be adopted and S.B. No. 153, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aki.

Senator Abercrombie rose to speak against the measure as follows:

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

"Mr. President, I ask you and the members to consider what's being done here in the name of economic development,

presumably. This gives the board the right to waive payments for utilization of geothermal resources ... waive royalty payments.

"Mr. President, I have commented previously on this in this session. Unfortunately, it appears that I have to continue to comment.

"The Legislature seems bent upon giving up not only its legislative prerogatives but its responsibilities and obligations. It is one thing for the Legislature to allow the Board of Land and Natural Resources to exercise certain rules and regulations with respect to the day-to-day affairs of geothermal resources or any other activity that comes under the board's jurisdiction. It is quite another when we are talking about royalty payments from energy sources to abdicate our responsibility, authority, and obligations to a board appointed by the executive. If we do that, what we're saying is that this particular source of revenue will not be under the control or observation, will not be under the jurisdiction of the Legislature. To a priori before the circumstances of revenue generation are known to us, give that prerogative to the Board of Land and Natural Resources, runs entirely against the course of events that any good legislature should follow.

"It says that we don't know what's going to happen. We're not sure what we want to do with it; we want to wash our hands of it and allow an appointed board at some time in the future to have complete and utter control over the royalty payment. That's not what the people of this state expect from any legislature worthy of the name and we should turn this bill down.

"There is no compelling reason to do this in terms of what the Legislature needs to do at this time. And in the absence of such a compelling reason to waive royalties, we should not do it.

"I would like to hear an argument that has any semblance of legislative reason attached to it as to why the Legislature should opt out of its responsibilities in this area."

Senator Solomon also rose to speak against the bill as follows:

"Mr. President, I'd like to speak in support of the previous speaker and speak against this legislation.

"If you are to read the committee report, it says here, the last paragraph: 'Upon further consideration, your Committee has amended the bill by providing that the Board shall submit a report of its geothermal royalty dispositions to the legislature in accordance with section 171-29, Hawaii

Revised Statutes. Your Committee believes that this will help assure that the State will receive the full measure of royalty payments to which it is entitled.'

"If you would turn to the statute and if you would look at part (b), it says here, 'Whenever in this chapter any sale, lease, easement, license, executive order, quitclaim, exchange, or other disposition is made subject to disapproval of the legislature, a written report thereof containing the information required in subsection (a)'

"If you would look at subsection (a), they have identified the following areas and may I, for the record, go to the different areas. It's commercial, industrial, and other business uses, sale and fee, hotel and resort, land exchange, exchanges for conversion of leasehold land to fee simple ownership, quitclaim, reclamation and disposition of submerged lands or reclaimed public lands, mineral and water rights lease disposition, and disposition to government agencies and utilities.

"If you would look at Section 171-58 which talks about mineral and water rights, you will see that there is no mention of the word 'royalties' and, again, Mr. President, I would like this body to consider the serious implications of this legislation in giving this prerogative to DLNR to waive the royalty rights.

"I feel that that definitely is the prerogative of the Legislature as well as the people of the State of Hawaii. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 456 was adopted and S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Chang, Cobb, Hagino, Kawasaki, McMurdo, Solomon and Young).

At 4:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:08 o'clock p.m.

Senate Bill No. 1329, S.D. 3:

Senator Cobb moved that S.B. No. 1329, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak in support of the measure as follows:

"Mr. President, I understand the

possibility of getting 13 votes is tenuous, to say the least, but I think the reason for the police department and the counties advocating this bill perhaps should be discussed.

"It is the position, for example, of the City and County of Honolulu that, in their estimate, it actually costs the police department some 1700 man-hours to provide for the funeral escort service, which today is provided by on-duty policemen providing this service to the mortuaries.

"In terms of cost to the City and County, it is estimated that the cost is about \$41,000. We ask them to tighten their belt and I think this is one of the measures in which they attempt to at least get some \$41,000.

"I found out from the spokesman of the mortuary association that the average cost charged to the bereaved family in this city is about \$3,000 to \$3,500 per family. I was shocked to hear this.

"I also inquired as to the average cost of caskets. The answer I got was \$1,000 to \$1,500.

"It seems to me the profit margin for the mortuaries is adequate to enable them to absorb the cost of the escort service, which, according to this bill, is going to be a \$20 per hour fee charged to the mortuaries.

"It is my observation too that because we enact this bill, which will cause the mortuaries to have to pay the \$20 an hour for police escort service, I don't know that the mortuaries are going to add this to the bill, as is claimed by the opponents of this measure.

"As I said, it just seems to me that the profit margin enjoyed by the mortuaries today could adequately enable them to absorb this cost. For this reason, I vote in favor of this bill."

Senator Abercrombie spoke against the measure as follows:

"Mr. President, my remarks will be brief, as I hope my ride will be brief when my time has come. Of course, I won't know if it's going to be brief or not but I certainly don't want to leave any more grief to my survivors or survivor, or perhaps Senator Soares who offered to be my guardian at the end.

"In all seriousness, Mr. President, this service is not provided to the mortuary. It is provided to the deceased and the family of the deceased. The mortuaries do not need to have the motorcycle service. If people want to take their chances getting through lights in following car processions

and so on to a cemetery or memorial service or whatever it might be, they can do that. So, it is not for the mortuaries that this is done. This is done for the bereaved people. They are in circumstances in which their concentration is on the deceased and that's why it's important to have, I think, the motorcycle escorts.

"I think that because the service is in fact to the deceased and to the grieving family that it is well within the purview of public policy to have on-duty officers escorting the procession. Thank you."

Senator Kuroda, against the measure, remarked:

"Mr. President, I will be voting against this bill and I just want the previous speaker to know that of all the times that he has gotten up to speak on the floor, we are listening and we are with you."

Senator B. Kobayashi also spoke against the bill as follows:

"Mr. President, in committee, we discussed the fact that \$41,000 and 1700 man-hours necessary to provide the escort in the City and County of Honolulu is approximately one man-year. That's not an extraordinary amount of money, it seems, compared to what would have to be spent under this Senate Draft 3, which probably would be more expensive when totalled up for everyone because now your hourly charge could be as much as \$20 an hour.

"The other thing discussed in committee was that people pay taxes all their lives and you only get one of these escorted rides free. We thought we had great control over runaway costs and we think that it is not an unreasonable amount and, certainly, a traditional service provided by the police."

Senator Cobb also spoke against the measure as follows:

"Mr. President, very briefly. I will be voting 'no' on the premise that I've always been philosophically opposed to this bill. As the previous speaker mentioned, we're all entitled to at least one free ride. Thank you."

The motion was put by the Chair and carried and, Roll Call vote having been requested, S.B. No. 1329, S.D. 3, entitled: A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS," having been read throughout, failed to carry on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Abercrombie, Aki, Chang, Cobb, Fernandes Salling, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Mizuguchi, Soares, Solomon, Yamasaki and Wong).

Senate Bill No. 563, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 563, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUSTEES' POWERS ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1095, S.D. 1:

By unanimous consent, S.B. No. 1095, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was recommitted to the Committee on Judiciary.

Senate Bill No. 1224, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 1224, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Abercrombie, Cayetano, Chang, George, Kawasaki, A. Kobayashi, B. Kobayashi and McMurdo).

Senate Bill No. 1485, S.D. 1:

Senator Aki moved that S.B. No. 1485, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aki.

Senator Kuroda inquired as to whether the chairman of the Economic Development Committee would yield to a question; the Chair posed the question, and Senator Aki having replied in the affirmative, Senator Kuroda asked:

"Mr. President, is this the bill that was originally a short form, introduced with the intention of attaching a senate draft for the Hale Mohalu Land?"

Senator Aki replied: "That is correct, Mr. President."

Senator Kuroda continued:

"Mr. President, I will vote for this bill, but I'd like to enter into the Journal some statements with regard to this bill.

"As the chairman just stated, there was a short form senate bill introduced to propose a senate draft to utilize this Hale Mohalu land for residential housing for the elderly and the handicapped. I spoke to the chairman with regards to the Senate's action last year, a resolution requesting the Land Board to lease this land for athletic purposes. He said that he had conducted meetings with the two groups, the athletic group and the housing group, much to the

credit of the chairman. He then redrafted the senate bill and put it in the form that we now see before us, which is to amend Section 171-43.1 to include the possibility of the use of this public land, in addition to organization for charitable, religious, or educational purpose, including recreation.

"Now, this bill proposes to permit the use of public lands for residential use for the elderly and the handicapped. This is a bill that is acceptable to the proponents who have the lease for the Hale Mohalu land for athletic purposes. That particular group does not oppose the joint use of this land. However, with this amended version, if it becomes law, the Land Board must be approached for the joint use. It is in the purview of the Land Board.

"The athletic group, which is in the Pearl City community, wishes to use the entire land for athletic purposes; however, it would cooperate should there be any change in thinking at the state level. Thank you."

Senator Abercrombie rose to speak in support of the measure as follows:

"Mr. President, I had put forward the draft that the previous speaker mentioned. I had consulted with him and other people who are associated with this issue about the idea of possible joint use and attended the meetings under the auspices of the chairman of the Economic Development Committee, Senator Aki, where the individuals involved in the Pearl City youth athletic complex and the coalition for the housing for the elderly and the handicapped were able to meet and discuss this issue.

"I'm grateful to the previous speaker for his conciliatory remarks and the willingness of the group including the previous speaker to entertain the possibility of shared use and joint use if we are able to work this out.

"Mr. President, for the edification of the members, those of us who would like to see joint use or alternative use are doing our best to secure other property with the idea of a possible exchange, or to be able to make a presentation to the group presently holding the lease, who, nonetheless, will incur certain expenses in the future they may not be able to handle, hoping to do our best to present a plan which will satisfy all sides and bring this tragic issue, I might say, an issue which began in tragedy, bring it to a successful, peaceful and mutually beneficial conclusion. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1485, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 906, S.D. 1:

Senator B. Kobayashi moved that S.B. No. 906, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Machida.

Senator Hee spoke in support of the measure as follows:

"Mr. President, this bill, Senate Bill 906, like 1353, addresses the use and abuse of pesticides and is meant to create a stricter framework upon which the chairman of the Department of Agriculture and the director of the Department of Health would operate in.

"This bill, Mr. President, is specifically written to address pesticides which have been found in potable water, both at the EPA level of the Federal Government and at the local level. It is drafted because of the need and the apparent lack of common sense regarding human health and welfare by large corporations, with respect to carcinogenic and otherwise very harmful and deadly chemicals.

"Mr. President, as you know, there are some hearings which will be taking place shortly to extend the use of the chemical EDCP on pineapple fields in West Maui, and this legislation would sharply curtail any thought of allowing further abuse to human life by chemicals.

"The state has been grappling with the abuse of EDCP, EDB, TCP, and other chemicals which are now polluting our groundwater source.

"Mr. President and members of the Senate, as in Senate Bill 1353, this legislation would direct the director of health to ban the use of certain pesticides which have been deemed to have unreasonable adverse effects on the environment and on public health and safety. I hope that the House will act favorably on this legislation as it will demonstrate to the media and the public that the welfare of our constituents and the consumer have been placed at a very high priority.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 906, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 475 (S.B. No. 557):

Senator Yamasaki moved that Stand. Com. Rep. 475 be adopted and S.B. No. 557, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, the other day I attempted to amend this bill so that of the three hospitals receiving the benefit of these nontaxable revenue bonds, Queen's Hospital would be eliminated from that. And the reason, of course, as I have stated on the floor time and again is that Queen's Hospital, through the good graces of this Legislature, has in the last four years received a total of \$100 million of these nontaxable bonds, and the estimated savings that they anticipate as a result of our actions here is calculated to amount to some \$96 million. This to me is enough of a largess that we have already accorded the Queen's Hospital.

"It just seems to me, if we're going to grant these types of nontaxable bonds, perhaps, we should consider the plight of some of the other hospitals.

"The proposed amendment was intended to remove Queen's Hospital from the list because I felt that Wahiawa General Hospital who's come in for a \$3 million floatation and Wilcox Memorial Hospital for another \$3 million, perhaps, justified their request. In the case of Wilcox, I found out that the million dollars allocated to them has not been used, for one reason or another. In the case of Wahiawa General Hospital, an allocation of \$3 million in a prior authorization was given to them and \$1.9 million of that amount has been used and they have remaining to be used \$1,100,000. In view of these two facts, I felt that our not passing this bill would not work any undue hardship on these hospitals.

"It just galls me to think that Queen's Hospital, after getting \$100 million worth of benefit, refuses to provide the Ways and Means Committee with information, which I think is very relevant, very pertinent to our determination as to whether we should give them another \$5 million. The information, of course, was a request that they send us a schedule of the administrative salaries in excess of \$25,000. They met in a board meeting and refused to divulge that information to us.

"And, as you know, I offered another amendment to require this information to be submitted to us as we require some one hundred organizations that come for grants-in-aid benefits that we allocate under the grant-in-aid spectrum of appropriations.

"And where the hospital is impudent

enough or arrogant enough to say 'you shall not have this information even if you requested it legitimately,' I think, perhaps, it's time that we draw the line and tell the hospitals that information that we request is information that we need if we are to make responsible decisions on behalf of the people. And for that reason, I speak against passage of this bill."

Senator Fernandes Salling then rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in support of this bill although I share the concerns of my fellow Senator with regard to Queen's Hospital, especially in light of the fact that I believe very strongly that when a legislative request is made for information, that institution should provide that information to this body so that we would be in a better position to make a decision on whether or not to fund them."

"In this case, however, as you can see from the bill, there are three hospitals coming in for a request and, just very briefly, I believe that Wilcox Hospital's request is reasonable. This is the main hospital on our island and they will be using these funds to refinance equipment loans on their one CT scanner and for other necessary laboratory, radiology and dietary equipment."

"For this body's information, the savings that this would yield to this hospital amounts to \$350,000 and, as was mentioned to us in the Ways and Means Committee, they hope to pass the savings on to their patients in approximately a dollar off their rate per day. For these reasons I urge the members to consider very carefully the passage of this bill."

Senator B. Kobayashi also rose to speak in support of the bill as follows:

"Mr. President, as some of you know, I have been associated with Queen's Hospital in one way or another for several years. I have filed all the proper papers before the State Ethics Commission. I have, beyond that, had bills not referred to my committee by my written request to the Senate President. This particular bill did not appear before the Senate Health Committee. In addition to that, by written request, bills relating to the State Health Planning Development Agency have not been referred to the Senate Health Committee."

"Nonetheless, I would like to ask if there is a conflict in my speaking or voting on this matter."

The Chair responded: "No conflict, Senator Kobayashi."

Senator B. Kobayashi continued:

"Thank you."

"Mr. President, in committee there was some discussion about how savings could be passed on. There was indication that the costs at Queen's were extraordinarily high, citing specifically \$740 a day for intensive care unit beds at Queen's Hospital. That's a very large amount of money."

"Also cited at the hearing was the cost of a bed for intensive care at Wilcox Hospital. That was \$695; again, a very large amount of money."

"But you have to understand that a bed is not a bed in a hospital. A bed comes with support equipment and support personnel. Take for instance an intensive care bed for neo natus ... small little babies ... at Kapiolani Children's Hospital. Those beds are priced at \$1,140 a day, \$400 more than at Queen's. Now, that's a lot of money, but there is only one place in the State of Hawaii where babies that weigh less than two pounds at birth have a reasonable chance to survive and that is at Kapiolani Children's Hospital. Now, at Queen's that bed might be considered cheap by Wilcox standards. Let me explain."

"At Queen's, you have behind that bed supporting it, radiology. You have at all times, two x-ray technicians on premises, 24 hours a day, 7 days a week. Those two technicians are capable of running all the x-ray equipment at Queen's Hospital and, in addition, CAT scan. CAT scan is an expensive but very sophisticated computerized x-ray machine that can show you soft tissue. Wilcox probably does not have that. In addition to that, there is on premises, 24 hours a day, 7 days a week, a surgery team because the people at Queen's and the trauma cases at Queen's cannot wait for people to come in 30 minutes and 40 minutes. A surgery team is on premises every hour of the day. This consists of at least an operating room nurse, a scrub technician, an anesthesia technologist, and I'm not sure who else."

"In addition to this, if you go on the medical intensive care unit at Queen's, you will find a physician on duty, on premises, 24 hours a day. That guy is right there. He's not down the hall, in the next room, in the next wing. There is also 24 hours a day, 7 days a week, respiratory therapists. Respiratory therapists, as we have heard in another committee, are extraordinarily important, especially for people who are in intensive care because lung capacity, breathing, the whole resuscitation process, ventilators, are now extremely sophisticated equipment and, of course, spell the difference between life and death."

"Also on duty, 24 hours a day, are I.V. therapists. Now, I.V. therapists today do things that we thought not possible just a few years ago. It's not just a matter of sticking a needle in a person's arm and finding a vein. If you get someone who's old, whose muscle tone is like jello, who is small, finding a vein with a needle is like dropping a 'BB' into a straw without hitting the sides in the dark. If you go through that vein, it's a hemorrhage. A person's vein can be really threadlike and moving because they're in a jello mass. But, we have those people on board 24 hours a day at Queen's.

"Recently, a woman who was at Queen's Hospital came up to me and said that she was glad that she finally found someone who was able to put a needle for an I.V. into her on the first try. And that's because the person who does that at Queen's is highly skilled.

"I've been giving blood fairly regularly for the last several years, and I've had a nurse miss my vein and my veins are probably much more prominent than those of a 60- or 70- or 80-year old person.

"Also on board at Queen's, 24 hours a day, are RN's, registered nurses on the intensive care unit. These nurses are highly trained. In fact, nurses who come from other hospitals to Queen's get special, intensive training at Queen's at the expense of Queen's. Many of their nurses are cross-trained to take care of a wide variety of cases. For instance, the cardiac cases are cross-trained between adults and pediatrics cases. The trauma cases are cross-trained between adults and pediatrics.

"Going into equipment ... every one of the intensive care unit beds at Queen's is equipped with ventilators because at Queen's Hospital the average person lying in an intensive care bed is much, much sicker than you will find at most hospitals. In fact, there are many people at Queen's who are lying in regular hospital beds who would, under other circumstances at other hospitals, be in an intensive care bed.

"Now, in addition, each of these beds is equipped with electronic transducers, which can measure blood pressure at several places in the body, including venous or heart blood pressure, chest cavity blood pressure and intracranial blood pressure. I doubt that you will find that kind of monitoring equipment at a place like Wilcox which has an intensive care rate quite comparable at \$695 a day.

"Now, in addition to this, you have a great number of causes for why medical costs, particularly hospital costs, are high. Some of these costs relate to what we do here every day. For instance, we do not have in this state or at least on this island the

equivalent of a municipal hospital where indigents can go. So, indigents end up at our nonprofit hospitals. Queen's takes a very large share of that, and if the state would like to take care of indigent care at Queen's, probably it would cost around \$5 million a year.

"In addition, there is the University Medical School. The University Medical School is not entirely self-supporting. All the hospitals chip in and provide services so that residents can really get trained. It's estimated, for instance, about \$2 million a year is spent by Queen's to provide support for the future doctors coming out of our University Medical School and for residents.

"Beyond that, Queen's has been providing training to people coming out of the School of Nursing and the School of Social Work. Also, we have emergency medical ambulance people. We call them MICT, mobile intensive care technicians. Those people are trained at Queen's and for many years, they used the facilities at Queen's free-of-charge. These people don't have broad medical backgrounds and they get hands-on experience in the emergency room at Queen's or in the intensive care unit at Queen's that is backed up by virtually one-on-one supervision because these people are, at least when they enter, not at all familiar with this kind of serious medical trauma.

"There are other areas in which the Legislature has also impacted high costs. Last year we passed a bill that abolished the patients' compensation fund having to do with malpractice. As a result, there are a number of people in the insurance industry that were happy. A number of doctors were very happy. The major organizations that took the brunt of this were hospitals because hospitals have the deep pocket. At Queen's approximately \$3.5 million was recommended for a set-aside to cover the so called 'hail' or the remaining cases that might pop up in the future for medical malpractice.

"We are also considering extending, this year, the prospective pay system in medicaid. That will probably cost Queen's Hospital alone over \$2 million.

"If we are very serious about having lower medical costs, we can start right here now and I've begun this shopping list.

"Now, the thing about medical care is that the whole business is changing and the emphasis on high technology is and probably will not continue. We will see lower costs in hospital, at least proportionate to previous experience, as well as in relation to the cost of living.

"This past year was the first year in which

we saw medicaid costs for the State of Hawaii lower than the prior year. At places like Queen's, there has been extremely drastic cost-cutting measures. Personnel, for instance, last year as opposed to two years ago was \$2 million less. And so there is a trend changing the formerly if rapidly escalating prices in medical care. It's not going to come about quickly, but you can't abandon the system that the community has grown to be accustomed of.

"Queen's in many cases provides the only kind of support for backup that many people have between here and the West Coast. Where else would you go if you had a complex open heart surgery for children? Kapiolani Children's and Tripler send their patients over to Queen's.

"Where do police take people who are psychiatric cases in the middle of the night and think themselves Napoleon or Jesus Christ or Mohammed? They take them to Queen's because Queen's has, again, a 24-hour psychiatric resident and locked wards, locked for psych patients.

"These are all costs that could be done away with, but when you do without these you might lose a few lives. And up to now, there has been an attempt to carefully balance and weigh available finances with high quality medical care. High quality medical care will not be known to most of us until we really need it, but when you really need it many of those services are here at Queen's Hospital. At least some of them are here at Queen's Hospital and nowhere else in the State of Hawaii.

"I'm not trying to belittle Wilcox Hospital or to compare costs between any hospital, including Kapiolani Children's Hospital, because, as I say, they do a fine job. But it is a matter of fact that these revenue bonds have been used by Queen's, basically to put up the equivalent of a brand new hospital at Queen's because for years and years and years the hospital scrimped along with old, old rooms. The building that was demolished to put up the new structure there was over 60 years old and was unusable for medical purposes. It literally took a support column big enough for you to sit on and moved it a foot or two in order to get the corridor eight feet wide and you can only do that in this particular case on one floor. Every other floor in that unit was not usable.

"The unit right next to the new building that's coming up on the grounds at Queen's is over 70 years old, and the one fronting the new building is equally old. These represent the former Queen's. The new Queen's will be equipped to go into the next century and it is this that the State of Hawaii has enabled Queen's Hospital to do, and I think that the people at Queen's and

possibly people who understand what is involved in medicine appreciate that.

"Thank you very much."

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, in all the years I've been in the Legislature and for all the time that these kinds of bonds were authorized by our Constitution I've never voted against them. I think these bonds provide a good way to finance much needed hospital facilities and service, and I want to thank Senator Kobayashi for giving us that very interesting, detailed explanation of what goes into the cost of medical care, at least at Queen's Hospital.

"I'm going to vote against this bill because I believe that the information requested by Senator Kawasaki, and my belief is compounded by the remarks by Senator Kobayashi, make it imperative on the hospital to provide us with such information. There is no way we can develop a history to determine whether or not savings have, in fact, been passed on to the patients.

"I grant Senator Kobayashi that the new technology that he spoke about, the new facilities, all will add to the high cost of medical care. But I recall some years ago when then Senator Dante Carpenter was heading the Health Committee and I was a member of the Health Committee and also chairman of the Ways and Means Committee, that the Senator once came up to me and expressed great surprise about the little things which added to the patients' high cost of medical care.

"For example, Q-tips and cotton balls which you can buy in a package at drug stores for say \$1.50 or \$2.00, when they start charging you by the Q-tip and start charging you by the cotton ball, these things cost much more than they actually cost. Kind of sounds like the Pentagon, doesn't it?

"I recall the time Senator Carpenter related to me a story about a conversation that he had with someone who was complaining about the high cost of medical care at a certain hospital, and I shall not name the hospital, and the hospital went so far as to charge this patient for a glass of water, I think it was, in which he kept his dentures overnight.

"While I agree that high technology may add to the high cost of medical care, there are some other factors, and maybe it's a proper subject for the Legislature to look into.

"Certainly, the physicians are not hurting in terms of their salaries and the income

that they derive from their practices. I suggest you go to the Queen's Hospital parking lot. Occasionally, when I want to dream, I drive around in the parking lot and I see the 928 S Porsches and many of these other cars that sometimes we all think about owning. In any event, that's not the point. The point is, are we going to be able to receive the kind of information which will help us determine whether or not these bonds are fulfilling their primary purpose and that is, namely, to reduce the cost of medical care. As long as the hospitals take the obstinate attitude that they will not provide such information, then really we're walking in the dark. We can't make any such determination.

"I hold no malice to anybody in the hospital. I suggest that perhaps, prior to the end of the session, we look to coming up with some budget proviso which will require all hospitals, so we don't discriminate against Queen's or any specific hospital, that come to us for some kind of financial help, require them to provide us with information that we deem important for our determination as it relates to cost savings. Thank you."

Senator Kawasaki then remarked as follows:

"Mr. President, I would like to respond to the presentation provided us by Senator Kobayashi. I thank him for his rather detailed recitation of contemporary medical techniques.

"I would hope that a charge of \$740 a day to the average family, and most families can't afford it ... a one week's confinement in an intensive care unit for the average family is simply catastrophic for that kind of a daily charge the services described by Senator Kobayashi is available to patients. But, in any case, to be fair to the hospital, and first of all I'd like to remind Senator Kobayashi that comparing Wilcox Hospital who has not used even \$1 million of these nontaxable bonds, not at all up to this point, to compare charges of their \$695 for intensive care unit charges with Queen's Hospital's \$740 when Queen's Hospital has been the lucky beneficiary of having had \$100 million of these kinds of nontaxable bond benefits, which in their own testimony they claim is going to save them, over the life span of those bonds, some \$96 million, I think is unfair. This comparison is not quite valid in my judgment.

"In any case, to be fair to Queen's Hospital, as you recall, last year, I introduced a resolution which was adopted by this Senate asking for a competent, independent Legislative Auditor's audit of what goes into room charges. This is the only fair way we can see whether the charges charged to the average family, which I said is catastrophic for the average

family, so we can see whether these charges are justified.

"And the resolution asked for a legislative audit of two hospitals — Queen's Hospital and Kuakini Hospital — primarily because they are the two large hospitals that are representative of the private hospitals in this city.

"Now, if we had the money, if the legislative expenses bill provided us the money to have an audit of all the hospitals, that will be fine. But because of the limitation and constraints of our financial resources at this level, the legislative level, we picked on these two hospitals. What appalled me was the fact that the spokeswoman for Queen's Hospital contacted every Senator she could to try to dissuade us from having this independent audit.

"Now, what have they got to hide? It would seem to me, if I was the director of that hospital, I'd be delighted that the Legislature is willing, at their expense, to conduct an audit that we should be doing as hospital administrators ourselves.

"You know, all big corporate entities have an internal audit and they have an external audit. In this case, the legislative audit would have been an external audit, paid for by us, or the taxpayers. I would think they would welcome this because a good audit would show us exactly where the costs go. But, no, they oppose it.

"Again, I have a rather jaundiced view of this kind of attitude. I think it is quite consonant with this attitude in saying, you shall not have the information you requested, however valid it may be, it's none of your business.

"But, it is our business when we are going to accord them another \$5 million of nontaxable bond benefits when they have already gotten over a hundred million dollars. What appalls me most is that over the four-year period, with all the benefits Queen's Hospital has gotten, I haven't seen room rates come down one dollar, not an iota. And this is what appalls me. This is what prompts me to continue to badger these two big hospitals and say, 'Hey, show us. We've helped you people at the taxpayers' expense, show us what is the benefit that these people at the taxpayer level are getting.'

"I have not seen that benefit and until I do, and the only way to do it is to find out what goes into hospital expense charges ... and the only way we can find this out is having an audit or having them provide information to us, so we can, to a reasonable degree, ascertain whether the help we're giving them is trickling down to the patient level or the consumer level.

"This is the only reason for my concern and this is the reason I speak against granting one hospital which has been very lucky up to this point ... this one hospital ... another \$5 million.

"Wilcox Hospital will be delighted to have us give them the kind of money we gave Queen's so they can replace their old structures. I'm sure they'd be delighted to have this kind of help. We haven't given them that help. Queen's has been the lucky beneficiary. So let us pass the largess, as I said, equally to all hospitals before we give what in my judgement is unjustified help to one hospital in the fashion we've been doing up to now."

Senator Hagino requested a conflict of interest ruling by Chair as he is a member of the board of directors of Wahiawa General Hospital, and the Chair ruled that Senator Hagino was not in conflict.

Senator B. Kobayashi, in response to Senator Kawasaki, remarked:

"Mr. President, I would assist an effort for an audit of Queen's Hospital and support such a measure.

"I would have to tell you that it would be very complex and costly. An audit of an organization as large as Queen's Hospital could easily cost over \$100,000 and that would be only a financial audit. That is done yearly and if the State of Hawaii would like to pick up that expense, I think they would be more than appreciated.

"In addition to that, however, a good audit to find out why costs are so high, you would probably have to do a management audit and then, perhaps, a comparative audit. Last year we appropriated \$216,000 to the State Health Planning and Development Agency (SHPDA). That agency contracted with Peat, Marwick and Mitchell, an international consulting firm, who came up with a matrix for a study. The recommendation from Peat, Marwick and Mitchell was also, however, that this study which costs perhaps as much as \$216,000 have to be followed up by three further phases of unknown costs before they would be able to assist SHPDA. The original purpose of our \$216,000 appropriation was to help SHPDA come up with recommendations to change the direction of health care costs. So I think that the problem of an audit really is one of whether the state has the money and the willingness to pour public resources in fairly large numbers into what might be considered a private business activity.

"Nonetheless, I think it is perhaps justified and, certainly, I think the State of Hawaii has the right to know as much about internal finances, particularly if they are

not used publicly to unfairly disadvantage competitors. I think we can probably work toward a goal of some sort of audit or study."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 475 was adopted and S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," having been read throughout, passed Third Reading, by not less than two-thirds vote of all members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Kawasaki).

At 5:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:13 o'clock p.m.

Senate Bill No. 1290, S.D. 1:

On motion by Senator Holt, seconded by Senator Chang and carried, S.B. No. 1290, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1122, S.D. 1:

Senator Cobb moved that S.B. No. 1122, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Matsuura rose to speak against the measure as follows:

"Mr. President and members of the Senate, I rise to speak against this measure.

"Senate Bill 1122, Senate Draft 1, does not specify who will be members of the corporation. As I read the draft, anyone can form the dental service corporation. This is what really concerns me. How is the consumer going to be protected?

"It is argued that this amendment would provide for more competition. The fact is, presently, there is no law that restricts anyone from marketing dental plans. In fact, those who testified in the committee hearing — the American Dental Plan and Diversified Dental Plan — are now presently operating.

"Mr. President, I'm most reluctant in revising any dental service laws because the dental plan organizations are not regulated

in Hawaii, and I emphasize 'not.' This is what made me to introduce Senate Bill 1241, to regulate all dental plan organizations. This includes larger carriers, as well as the smaller ones, so that the purchaser of this service is protected.

"In closing, Mr. President, I feel that this bill will not accomplish the stated objectives but would only create problems which would not be in the best interest of the consumer. Thank you."

Senator Cobb rose to speak in support of the bill as follows:

"Mr. President, the only change being made in the law is contained on page 2, lines 1 through 3, of the bill with the requirement that one-fourth of all the dentists in the State of Hawaii be members of such a plan is being repealed.

"As to the question of regulation of a non-profit corporation, that is being addressed in the draft of the Hawaii Model Non-profit Corporation Act which is moving in this Legislature. We are expecting a draft from the House and I've been informed that it is coming over. That would be in accordance with the timetable for adoption of the non-profit corporation act on the consensus basis this year to complement the for-profit corporation act which will go into effect on July 1, 1986. Thank you."

The motion was put by the Chair and carried and, Roll Call vote having been requested, S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Aki, George, A. Kobayashi, Kuroda, Matsuura, Mizuguchi, Soares, Yamasaki and Young).

Senate Bill No. 1126, S.D. 1:

Senator Cobb moved that S.B. No. 1126, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Cobb rose to speak in favor of the bill as follows:

"Mr. President, I rise to speak in favor of Senate Bill 1126. In doing so, I recognize, knowing how to count, the probable demise of this bill. But I think it's important to put on the record some very salient facts involved in it. And in so doing, Mr. President, to raise both the conscience and the consciousness of the Senate.

"Later today we're going to be voting on a bill on optometry where eye drops will be allowed under very carefully prescribed

conditions with a mandatory referral system, which we will be discussing in some detail. The optometrists are now where the dental hygienists will be in one or more years, and although the vote today will be largely on the basis of commitments, which I will understand, I would like you to listen to what you have committed against, and perhaps reconsider it next year.

"The general supervision that the dentists are so concerned about has been a fact of life in Hawaii for over sixty years. General supervision takes place in the community. It is done in schools such as Kamehameha Schools, Punahou School, other private schools; it's done in eleemosynary organizations; it's done in senior citizens and old folks homes and retirement homes. It's done every place except in a dentist's office. In fact, Mr. President, the State of Hawaii is so restrictive on its recognition of general supervision that it now finds itself at extreme variance with the official position of the American Dental Association.

"I would like to quote very briefly from the American Dental Association's current policies that are now in force by the ADA. In 1977, by resolution, the American Dental Association adopted a policy on auxiliary status of the dental hygienist ... 'Resolved that the dental hygienist by education and training as an auxiliary of the dental profession; and, be it further resolved that the dental hygienist shall work only under the general or direct supervision of a licensed dentist who is professionally and legally responsible for the total dental care of the patient.'

"In 1980 the American Dental Association by further resolution, 'Resolved that the American Dental Association expresses its grave concern for the quality of dental care to the public in states where by law, rule or regulation dental hygienists are committed to administer inter-oral care procedures in any dental treatment facility not under the general or direct supervision and responsibility of the dentist.'

"Consider those words, Mr. President, because here the ADA is saying, 'general and direct.'

"The terms of the bill very clearly set forth on page 3 says, 'A licensed dental hygienist shall practice under either the direct, indirect, or general supervision of a licensed dentist, as determined by the supervising dentist.' That is where the responsibility properly rests.

"In addition, Mr. President, I have received communications from a number of senior citizens groups. Two of them have been able to get letters to me, in the short time since this bill was decked, in support of the measure. I would like to share them

very briefly with members of the Senate.

"The first is from the Arcadia Retirement Home, 1314 Punahou Street:

'Dear Senator Cobb,

'This letter is in reference to Senate Bill 1126. There is a great need to have dental hygienists come to our facility for routine cleaning. Most of our patients are unable to go out to their dentists and we feel that this will benefit them greatly. Please support this bill.

Sincerely.'

"The other was from the Lanakila senior citizens group, and it says, 'The Senior Citizens Advisory Committee of the Department of Parks and Recreation wishes to go on record as supporting Senate Bill 1126 as being an adequate procedure, carefully safeguarded, enabling dental hygienists to increase our access to preventive services, especially for senior citizens.'

"These, Mr. President, are the primary beneficiaries of this kind of dental care.

"Like the eye drops bill, Mr President, they're fighting not to control the action but merely to share it with their dentists and to work with the dentists because in each and every case, whether it's direct, indirect or general, the law clearly requires that the dentist make a diagnosis, recommend the treatment, put it in writing, and if there is any record in the patient's medical history as to any type of reaction, to note that in writing. Those are just normal, professional safeguards.

"Mr. President, the levels of supervision that this bill addresses are to implement the January 1984 Legislative Auditor's report. I would like to read two recommendations and one finding from that report because it was done during the course of the sunset review process on both the Board of Dental Examiners and the dental hygienists' chapter as they do not have their own board.

"One of the Legislative Auditor's recommendations is that the statute should be amended to allow all dental hygienists to perform routine hygiene services under a dentist's general supervision.

"Another LAD finding was that studies have shown that numerous functions currently performed by dentists such as taking a dental impression for study cast, administering local anesthetics, and completing restorations can be safely delegated to properly trained and supervised hygienists. Such an expansion in allowable functions would result in a significant decrease in costs and increase in efficiency.

"The recommendation of the auditor is that the statute should be amended to allow properly trained, qualified, and supervised dental hygienists to take dental impressions for study cast, administer local anesthetics, and complete restorations. The next bill will deal with that.

"Mr. President, if we were to end general supervision in the State of Hawaii, it would be the end of the dental hygiene program in such institutions as Kamehameha Schools, every eleemosynary organization, every senior citizens home and other private organizations, as well. I don't think we want to do that.

"I think the track record is so crystal clear in this area that hygienists have been performing under general supervision outside of the dentist's office for over sixty years.

"The auditor in his last report pointed out that in the preceding four years there were a total of 54 complaints registered against dentists and not one against a hygienist. Yet, I think it's counterproductive if we ever think of this in terms of a case of hygienist versus dentist. They are people that are supposed to work together as a team.

"The provisions of this bill are designed to implement the recommendations of the Legislative Auditor in his January 1984 legislative audit report on both the Board of Dental Examiners and dental hygiene and to date none of those recommendations have been implemented.

"These hygienists, Mr. President, have been told, next year, by so many people for the last seven years that they've been coming to the Legislature. They have been through two sunset reviews and one Legislative Auditor's report which recommended changes in the law and they have yet to achieve those changes. If they don't make it this year, Mr. President, they will be back and I shall return. Thank you."

Senator Matsuura spoke against the measure as follows:

"Mr. President, I speak in opposition to the bill.

"I appreciate the previous speaker's remarks and whatever he said about general supervision, that is correct. However, I must also mention that certain functions are not allowed. Just like in school, they don't go under the gum. So, the reason why I'm speaking against this bill is that this bill attempts to lessen the supervision of dental hygienists by citing the need for potential patients in convalescent homes, geriatric and handicapped centers.

"The present law allows dental hygienists in the private practice of dentistry to work only under the direct supervision of a dentist. That's the law today. Patients today in these convalescent homes and hospitals are being serviced by licensed dentists and dental hygienists.

"What this bill intends to do is to allow the dental hygienists to service these facilities under general supervision without the dentist present. We have heard testimonies by servicing dentists that the work that needs to be done cannot be handled by a hygienist without the dentist present.

"Dr. Steve Wilhite who practices hospital and geriatric dentistry testified that he believed that this proposal will severely endanger the health of these patients. He quoted Mr. Earl Baxendale, the past president and board trustee of the Hospital Association of Hawaii Skilled Nursing Facilities and head of the hospital administration for the largest skilled nursing facility in Hawaii, and I quote: 'Our care facilities would not allow a hygienist to come in without direct supervision of a dentist, whether the state law allows it or not. We feel this is not in the patients' interest.'

"We cannot allow anything less than the best.

"In closing, Mr. President, I strongly believe that the relaxation of the direct supervision to include general supervision will reduce the quality of care and will seriously increase the risk to all individuals who are in need of dental care.

"I ask that this body defeat this bill."

Senator McMurdo rose to speak in support of the measure as follows:

"Mr. President, I would like to say that I'm in full support of this bill.

"These people are beautifully trained. They are perfectly capable of doing this; they do it in other states; and I think that we are depriving a great many people of good preventive dentistry by not allowing this to happen because if you have this bill passed, then a dentist can go into a nursing home or one of these hospitals, look at all the patients, write out directions, and he doesn't have to stay there while the hygienist comes in and cleans the teeth. He can go on to another hospital. So, therefore, you are spreading good dental care much further for the same amount of money.

"Thank you very much."

Senator Cobb then added as follows:

"Mr. President, very briefly, the distinguished Senator from the Second District spoke about the requirement and need for direct supervision, yet the general supervision criteria that I read and quoted and was agreed to from the American Dental Association is what is being practiced, (1) in many other states, and (2) is the current policy of the American Dental Association, the national organization of dentists.

"I am utterly amazed that Hawaii is not caught up with the American Dental Association and is still lagging so far behind. That recommendation of the Legislative Auditor, sooner or later, has got to be addressed."

Senator A. Kobayashi then rose to speak against the measure as follows:

"Mr. President, I'm speaking against the bill.

"I'd just like to say that because these problems have come up nationally and the chairman did quote from the American Dental Association letters of 1977 and 1980, in March of 1985, there was another letter and the ADA is now looking into the problems and they are contemplating revising their policy. Thank you."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 1126, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 10. Noes, 15 (Aki, Chang, George, Hagino, Hee, A. Kobayashi, Kuroda, Machida, Matsuura, Mizuguchi, Soares, Toguchi, Yamasaki, Young and Wong).

Senate Bill No. 1127, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, and Roll Call vote having been requested, S.B. No. 1127, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Aki, Hee, Kawasaki, Kuroda, Matsuura, Mizuguchi, Toguchi and Yamasaki).

Senate Bill No. 249, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 249, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS," having been read throughout, passed Third Reading

on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Hee, Kawasaki and McMurdo).

Stand. Com. Rep. No. 514 (S.B. No. 83, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 514 was adopted and S.B. No. 83, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 520 (S.B. No. 884, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 520 be adopted and S.B. No. 884, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, the bill will create an industrial development authority having the power to issue special purpose revenue bonds up to \$10 million.

"Mr. President, I have risen on this floor previous to today and already today speaking against the Legislature abdicating its authority, its responsibility and its obligations. This bill will add a new chapter, creating an authority outside of this body to issue special purpose revenue bonds for \$10 million for industrial processing and manufacturing enterprises.

"Mr. President, we have just witnessed a lengthy debate over the bond issues for the hospitals that involved one Senator giving us a detailed exposition of what was involved; other Senators requesting information. So, we know how important this is. Senators have stated that we need more information, yet, here we are now saying that we are going to set up an authority outside ourselves over which we have no control, and that that authority is going to give away these \$10 million in bonds. The authority will be known as the Hawaii Industrial Development Bond Authority.

"If you look at the establishment of the authority, you will find that the board of directors consisting of two members appointed by the Governor and the directors of DPED, Taxation, Commerce and Consumer Affairs. That's what we're talking about. We're giving it away to the executive, away to department members, department leaders. Department directors

are going to make, essentially, legislative decisions.

"It is beyond me how anyone on this floor can stand up and defend such a process.

"If there is any utility to any of these industrial bonds or anything that this authority could do, there's absolutely no reason why the entities involved should not come to the Legislature for approval. This is another example of the failure of the Legislature to direct its own activities in a way that we can truly go before the public and say we are protecting the public interest.

"It is another reason for the executive to be contemptuous of us. It is no wonder that the executive takes the attitude that he does with the Legislature, when we constantly put ourselves into the position of saying that we don't want the responsibility; we want to exercise only the superficial, surface aspect of authority and that we acquiesce to the executive on such a fundamental process as deciding where millions and millions and millions of dollars of such bonds should go.

"In whose interest is this going to be? We are now in the last phases of an administration. The Governor cannot return again into office. This is nothing against the incumbent in terms of personality, in terms of my relationship with him or your relationship with him or anybody else's. It's not good legislative policy to create an authority with people who are in a lame duck administration in the last half of that administration to give away millions upon millions of dollars worth of bond issue. There is no legislative reason that is compelling in any sense, and as I have asked earlier in the session and I have asked earlier today, I would like someone to stand up and tell me how it is that we have a rationale that is defensible with respect to doing this kind of activity ... to giving away our responsibility and our authority.

"Mr. President, could you see to it that whoever is competing with me would be asked to stop doing it. Mr. President, obviously, I am holding the floor spellbound but not the media. They are under a deadline and I know we are too. My point has been made.

"I would ask the members to reconsider what they are doing on the following basis. Nothing that I am suggesting by way of holding this back will prevent us from putting these bonds forward to the institutions or entities that might come and request them of us if we defeat this bill. No one is harmed. What is harmed is our responsibility and our authority and I think that they should remain with us.

"Thank you very much, Mr President."

Senator Henderson spoke in support of the measure as follows:

"Mr. President, this bill was brought to the Senate by me through the initiative of Quinten Taylor, who's head of the Hawaii Island Economic Development Authority.

"This particular legislation is aimed at helping small business. In Alaska, they have the Alaskan Industrial Development Authority which has been a very effective way of getting these sorts of special purpose revenue bonds to small business entities.

"This particular measure would allow for an authority that would be working all year long to make loans to small businesses. What in effect would happen would be that the small businessman and his banker would come to the authority with a project. The authority would process it, make sure that it complied with the federal laws, and then stamp approval of it, and you would in effect have a small businessman with a tax free note to his banker.

"The small businessman would benefit because of lower interest rates. The banker would benefit because of the tax free interest loan. So, really, it's designed specifically for small businessmen and I think it would be important that we pass this legislation in order to promote that issue. Thank you."

Senator Kawasaki spoke against the measure as follows:

"Mr. President, I will cut my presentation short. I am in full support of the very logical position taken by Senator Abercrombie. I think he has made a good case against passage of this bill.

"If the administration's departments want to help small business, and I take it that's the reason they testified in favor of the bill, then I challenge the administration to really help small business and bring about some reforms in the abuses in the workmen's compensation law instead of just standing aside. And the first thing they should do in that regard is to fire the director of the Department of Labor."

Senator Abercrombie added as follows:

"Mr. President, I'm so pleased to have had that last bit of help. Thank you.

"I don't want to bring up the Department of Labor at this time, but I do want to indicate to my good friend Senator Henderson that I am in complete sympathy with what his aims are. This bill was not the way to accomplish it. There is absolutely not a single word in here about small business. On the contrary, it is much

more likely, given the makeup of this authority and all the attendant material which I shall not read but I hope the members would take my word, that it is quite likely that the exact opposite would happen. There is nothing in here mandating small business assistance."

Senator Yamasaki then spoke in support of the measure and remarked:

"Mr. President, in the committee report on page 1, there are already 21 states that have such authorities similar to the one proposed in this bill, and the purpose of it is to induce and stimulate business activity. And I believe that this is one of the reasons why we have allowed exemptions in several bills that we have already passed. This is primarily to stimulate our economic activity so that there will be more jobs and I know that there was real concern expressed by members of this body on the amount of exemptions that we are allowing this session.

"I would like to repeat, this is primarily to stimulate economic activity ... and that a bill such as the room tax ... these kinds of measures provide for the stimulation of the economy and that the general funds that we use to pay for such programs would be replaced by additional revenue generated out of this type of legislation. I'd like to urge members of this body to consider this as an economic stimulation activity, and I'd like to urge your vote."

Senator Hee spoke against the bill as follows:

"Mr. President, that is precisely why the Legislature should be the body to stimulate that activity; therefore, I will be voting against the bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 520 was adopted and S.B. No. 884, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Cayetano, Chang, Hagino, Hee, Kawasaki and McMurdo).

At 5:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:51 o'clock p.m.

Stand. Com. Rep. No. 521 (S.B. No. 1193, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 521 was adopted and S.B. No.

1193, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENTERPRISE ZONES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Hee and McMurdo). Excused, 1 (Kawasaki).

Stand. Com. Rep. No. 522 (S.B. No. 1195, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 522 was adopted and S.B. No. 1195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, (Kawasaki).

Stand. Com. Rep. No. 525 (S.B. No. 1287, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 525 be adopted and S.B. No. 1287, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against the measure as follows:

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

"Mr. President, there are lots of bills to come up this evening that have had attended publicity and presumably have impact on the community economically and otherwise. We've heard some of them already. This bill may not, in many people's mind, fall into such a notorious category, but I hope by the end of my remarks, and they will not be long, that it will take on a measure of importance in your mind and in the members' minds that will allow us to defeat this bill.

"Mr. President, I ask the members' attention, all of the members' attention on this issue as follows.

"This is, as the chairman no doubt will indicate in his remarks and as he has indicated so far, a fundamental policy issue for this Legislature. Mr. President, this bill is running in the exact opposite direction of every kind of discussion that has taken place in these legislative halls since the advent of the Constitutional Convention in 1978.

"They may ask, why are you taking such an apocalyptic kind of attitude? It's very

simple. We are going to establish an institute by law here in the Legislature in the area of something which will have a great deal of appeal on the surface to everyone. And I want to indicate I am not addressing the subject matter in my opposition. I have nothing against research and training at the University with respect to travel and industry management. I have consistently supported the TIM at the University. I have been chairman of this committee in the past; I think I understand completely what is involved in the arguments over the internal managerial jurisdiction of the University. And I'm sure the chairman will tell you that the vice chancellor for research opposes this bill on sound grounds that if the Legislature is going to come in and act for the regents, and here we've been passing one bill after another saying we don't want the authority; we don't want the responsibility; give it to somebody else, now we're saying that the Regents and every professor, every student who has an interest in a particular area, all of the deans, all of the chairs of the various departments, all of the various faculties in arts and science and in engineering, all of the schools, all of the institutes, all of the colleges that make up the university system, all of the community college programs, all of the various programs within the University-wide system on every island, all of whom have to go through a procedure of peer review, department review, faculty review, college review, review by deans, reviews by the campuses, reviews by the Board of Regents, by the President's office, by the various chancellors, will now be bypassed and the Legislature, on its own, is going to set up this specific area, Tourist Industry Research and Training Institute.

"We've just passed a bill on a revolving fund in the area of research and training. In that revolving fund, the reason we have is that we have to have an accounting as to what is involved with research and training. We have an overhead recovery fund that requires a report made in detail, right down to postage stamps, as to expenditures with respect to seed grants, with respect to trying to get new grants for research and training funds in the University. We have established these systems. We have looked to the University for leadership in this area. We demand it of the University and now we turn around and say that legislatively we are going to establish this. For what particular reason, I know not.

"It also indicates in this bill that we are going to establish positions; we are going to expend money. And, Mr. President, you know and I know and members of this body know, I have seen people on their knees begging for \$1,000, \$2,000, \$3,000. I can recall instances when the President of the University, when the Director of Research, when members of the Board of Regents were down, when the Vice President for

Administration was down here with all their hundreds of thousands of dollars of salary, arguing against a \$3,000 appropriation to send our students, to pay for their air fare and their food and their lodging for the astronomy facility on the Big Island. They spent a whole afternoon beating the graduate students down into the ground, so that they couldn't have a lousy \$3,000 appropriation. That's what we've gotten out of the University in the past. That's why we've been upset with them. And now, we are going to take the position that we are legislatively going to create an institute without going through any of the procedures that everybody else at the University has to abide by.

"The effect of it is going to be that anybody can come in here to the Legislature and I'll be the first ... I'll tell you that right now ... I wanted to be the president of the University anyway, I know I can run it ... I'll come in here and I'll give you all the institutes that you should have in and have out, so we can pass that.

"There is absolutely no justification for doing things in this manner. I'm willing to give Dr. Mackey the chance that he needs to provide the leadership that's necessary in this University. We've had discussions on this floor about salaries and everything else in wanting to have a top university. How is it possible for us to bring in a new leader to the University, and I was the first one to go up and put my hand out to him and say I want to be helpful.

"Nobody wants to bring a man down before he gets a chance. He's going to be here on July 1st and we're coming in, before he's even had a chance to get started, and say we're going to create a whole new institute for you; we're going to put the money into it; we're going to put positions into it; we're going to tell you what to do, without even so much as a by your leave from the regents, the chancellors, the President of the University or anybody else.

"This is not the way to do it. No harm will come to the University nor to the Travel Industry Management School if this institute is not set up right this very moment.

"Great harm will come to the process of what goes on within the University in terms of its internal managerial jurisdiction and great harm will come to us as a legislature because we will have asserted ourselves in an inappropriate time and in an inappropriate manner. This goes far beyond the individual elements that are involved in travel industry research and training.

"I will be happy to support appropriations in that area. I would be happy to do anything to enable us to better prepare our

students and to deal more with the world around us, whether it's the Pacific Basin or Asia, or anywhere else in terms of tourism and the University ... happy to do that, provided that we do it in a proper manner.

"This is a fundamental question and I ask your kokua on this, not because I'm against the chairman, not because I'm against his leadership in the committee. On the contrary, I think we work well together. I've supported him in virtually every area that I can think of. We've been mutually supportive of one another.

"This is bad policy, the wrong thing to do at the wrong time and in the wrong place. And, I ask that this bill be defeated on that basis."

Senator Holt, in response to the previous speaker, remarked:

"Mr. President, just to clarify some of the points made by the previous speaker, and I don't think it's necessary to get into the merits or demerits of a tourism institute, but to speak on his point that this is a fundamental policy issue of this Legislature and that it would be bad policy to go ahead.

"I would just like to take this body back one year, to last session, when we had a bill before us with respect to tuition waivers for the National Guard and other types of reserve people. It was not an item presented to this Legislature by the University. In fact, they themselves came out in opposition to that measure, but the Legislature went ahead and as a matter of state policy and as a matter of statewide concern enacted that provision. And this, I think, would be similar if we were to go ahead and vote for this bill. Thank you."

Senator Abercrombie responded as follows:

"Mr. President, I appreciate the previous speaker's remarks. I really do, but if that is going to be the best defense we can come up with ... that had to do with public policy entirely outside the curriculum, entirely outside the internal policy, vis a vis the faculty and the presentation to the students and what is done in terms of managing the faculty. That had to do with tuition as to what students might come in or might not come it with respect to the National Guard. It had absolutely nothing to do with the core curriculum, nothing to do with the management of any of the entities within the University in terms of institutes, colleges, departments, classes, etc.

"We are setting ourselves up as curriculum experts and in fact passing on something that the University Regents should do; that is to say, the establishment of a curriculum, a staff, and a program as embodied in an institute in the University

with virtually no expression of support from within the University nor any knowledge on our part as legislators as to what that curriculum, faculty, and program, etc, will constitute."

Senator Holt then responded:

"Mr. President, just to clarify again, to point out to the members that the previous speaker is correct ... in fact, there is a system set up at the University. I might agree that if it were working as we had hoped it would work then there would not be a lot of items in the University's budget which hasn't really met the procedures as set forth by the regents.

"There seems to be many items that come forward to the Legislature, and I have received many requests, which are not in the regents' budget, yet, permission is given by authorities at the University for those requests to come forward.

"And I submit that it is a concern of a situation that we have to contend with but I ask the members to support this bill. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 525 was adopted and S.B. No. 1287, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Cayetano, Fernandes Salling, Hee, Kawasaki, Kuroda, McMurdo, Solomon and Toguchi).

At 5:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:55 o'clock p.m.

At this time, Senator Abercrombie rose on a point of personal privilege and remarked as follows:

"Mr. President, I won't delay proceedings but I feel, as a result of the vote, I must speak on a point of personal privilege.

"Mr. President, there is no doubt in my mind that we have established a precedent tonight that is going to be a program for disaster for the University and the message is very clear, as a result of this vote, to every professor, every entity within the University that there are no governance procedures inside the University that need have attention paid to them provided there is some legislative impetus anywhere; that from now on they will be well advised not to pay any attention to what is inside the University in terms of procedures but to

come directly to the Legislature because that's where we're going to be doing the University's business. This is a very, very unfortunate vote."

Stand. Com. Rep. No. 536 (S.B. No. 1436, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 536 was adopted and S.B. No. 1436, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S TRUST FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and Henderson). Excused, 1 (Hee).

Stand. Com. Rep. No. 541 (S.B. No. 680):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 541 was adopted and S.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF THE MAUI INTAKE SERVICE CENTER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (George, Henderson, Kawasaki and Soares). Excused, 1 (Hee).

Stand. Com. Rep. No. 542 (S.B. No. 1360, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 542 was adopted and S.B. No. 1360, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GENERAL AVIATION RELIEVER AIRPORT ON OAHU AT DILLINGHAM FIELD," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (George, Henderson, A. Kobayashi and Soares). Excused, 1 (Hee).

Senate Bill No. 166:

Senator Aki moved that S.B. No. 166, having been read throughout, pass Third Reading, seconded by Senator Matsuura.

Senator Cayetano spoke against the bill as follows:

"Mr. President, very briefly. It is my understanding that this bill proposes to remove the requirement that the commission members who are nominated and appointed by the Governor be subjected to advice and consent by the Senate. I am opposed to that.

"I believe that advice and consent in this Senate has been eroded enough by this particular administration. Two years ago

we passed a bill which all but emasculated the advice and consent authority that we had granted to us by the Constitution. We should not be going further in eroding that authority even further.

"Thank you."

Senator Aki spoke in support of the measure as follows:

"Mr. President, in speaking in favor of this bill, I just want to point out that we are talking about the advisory members on the boards and commissions and we are exempting these people only.

"There is also the State Policy Council and we are not exempting those positions.

"Thank you."

The motion was put by the Chair and carried and S.B. No. 166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 11 (Abercrombie, Cayetano, Cobb, Fernandes Salling, Hagino, Henderson, Kawasaki, B. Kobayashi, McMurdo, Solomon and Young). Excused, 1 (Hee).

At 6:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:03 o'clock p.m.

Senate Bill No. 1386, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, S.B. No. 1386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Hee).

Stand. Com. Rep. No. 556 (S.B. No. 1376, S.D. 1):

On motion by Senator Chang, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 556 was adopted and S.B. No. 1376, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHT TO SUE BY NATIVE HAWAIIAN INDIVIDUALS AND ORGANIZATIONS IN AN ACTION RELATING TO THE NATIVE HAWAIIAN PUBLIC TRUSTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (B. Kobayashi). Excused, 3 (Abercrombie, Cayetano and Hee).

Stand. Com. Rep. No. 557 (S.B. No. 885, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 557 was adopted and S.B. No. 885, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL DEVELOPMENT BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (Cayetano, Hagino, Kawasaki and McMurdo). Excused, 2 (Abercrombie and Hee).

Senate Bill No. 1171, S.D. 1:

Senator Machida moved that S.B. No. 1171, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Fernandes Salling rose to speak against the measure as follows:

"Mr. President, what this bill is trying to do is to make uniform between the state and counties the administration and interpretation of the civil service statute. On its face this may appear to be a good idea; however, I think one should look at how you would go about accomplishing this. And looking at the bill itself, you will see that the present law states that if there is a dispute between the county and the state that the matter shall be submitted to the circuit court to make a decision. However, a change in this statute that is before you today is to delete that section of the law, and to replace it with a provision that says the opinion of the Attorney General of the State of Hawaii shall take precedence and he shall rule in a case where there is conflict over these questions between the state and counties.

"Mr. President, I believe that the counties and the state agencies, both by nature and their scope of responsibility, differ on matters, and we expect them to do this. Yet, this is what this bill would do. If you represent the counties, you can't help but wonder if by allowing the AG to be the final arbiter that the deck is stacked in favor of the state. I urge my fellow members to consider this question of uniformity and also the means by which we will accomplish it and how it would infringe upon, I believe, the differences that perhaps we should maintain between the counties and state in areas such as this. Thank you."

Senator Machida supported the measure and stated:

"Mr. President, a few remarks in support of the measure.

"I'd like to point to the existing language in Sections 76-2 and 76-3. In 76-2, under 'Uniform interpretation,' the language presently says, 'It is the intent of the legislature that the construction and interpretation of any of the provisions of this chapter and of chapter 77 be uniform for the State and the several counties.'

"In 76-3, under 'Uniform administration,' the present statute reads, 'It is the intent of the legislature that the system of personnel administration established by this chapter and chapter 77 shall be as uniformly administered as is practicable.'

"But as is the case, Mr. President, it really is not uniform among the jurisdictions.

"What this bill tries to do is to clarify the intent of the Legislature. Let me just point out what this bill would do.

"First, uniform personnel regulations in the state and its political subdivisions would reduce the development of inconsistent provisions and more importantly reduce inconsistent application of these rules and regulations.

"Secondly, uniform administration, the uniform development in terms of having common effective dates of the affected rules and regulations with the additional benefit which would reduce the current lag time between one jurisdiction in the adoption of a particular rule from another jurisdiction. The current lag in adopting common rules among the jurisdictions averages a few months to a year.

"Third, uniform rules would lead to uniform format which would aid in locating common rules, rather than require a complete search of each jurisdiction's personnel manual to assure a consistent language and method of application.

"Fourth, uniform rules could result in cost savings for all jurisdictions if each jurisdiction shared in the cost of publishing the new personnel rules and regulations and subsequent amendments thereto.

"Additionally, Mr. President, we have a uniform classification system; we have a uniform pricing system; we have a uniform retirement system; we have a uniform health benefits program; and we also have, as much as possible, a uniform personnel system.

"So, it would be more logical to try to carry out the intent of the existing statute and make it clear that the personnel rules and regulations should be uniform in all jurisdictions. Thank you."

Senator Fernandes Salling responded as follows:

"Mr. President, very briefly, even if we were to agree that we should have uniformity, the question still remains, are we going to allow for the interpretation to be made by the Attorney General's office, which has a self interest in this? It is a state agency. Or, should we not let the matter be decided by the courts as it is presently done under this law?

"Now, the change would make it so that, if we should have questions arising as to differences with uniformity, it would be submitted to the AG and I don't think it would be binding."

Senator Machida then remarked:

"Mr. President, I understand the concern of the previous speaker, and although the Attorney General's opinion takes precedence over the corporation counsel's opinions, I don't see where the county doesn't have the right still to ask for a judicial review if they disagree with the Attorney General's opinion."

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

"Mr. President, the current law indicates that conflicts are to be resolved by the circuit court. This is to be eliminated. I am a layperson, just as the previous speaker is in this area and I don't know what attorneys will tell us, but my guess is that the legal authorities looking at the question would say, well, the Legislature has stated that the Attorney General's view is to have primacy, and so you can't come here. If you disagree with the Attorney General, that's tough luck to you because the Legislature said that's where it's supposed to end.

"Now the only way that someone could come and argue with that, as I understand this bill, is to say that that in itself, what the Legislature does, is unconstitutional. I'm not sufficiently well versed in law to know whether that's the case or not, or even to venture a guess as to whether it's unconstitutional other than to say I imagine that it is not.

"This is probably another one of those policy matters that's within the purview of the Legislature to make, and I think the argument of the Senator from Kauai is that we hear about home rule here, we hear about respecting the counties, and what we're saying here is that the county attorneys or the corporation counsel of the counties simply does not have the capacity to withstand the opinion of the Attorney General which, looking at the record of corporation counsels, county councils and the Attorney General in this state, is laughable on its face.

"The attitude that there should be uniform administration is not at odds with the position taken by those of us who oppose this bill.

"Yes, you uniformly administer the law, but the policies are up to the counties. There is a big difference between policies and between administration of those policies. Whatever the civil service policies are, how often do we have to hear about how unique each island is, or each county is, or different islands within each county. So, the civil service requirements are no doubt county specific. The administration of those policies has to be uniform but policies need not be.

"This is another example of centralizing a bureaucracy at the expense of the county governments that does not have a compelling reason associated with it. Those words, I'm sure, seem to be almost a cliché by this time but they are not meant to be that. They are, simply, one time after another, law after law, and issue after issue that comes up in this Legislature in which I am compelled to say that we do not have a good reason for doing what we're doing. And in the absence of good reasons, we shouldn't do it. Now, that seems to me a sound legislative philosophy that can be adopted regardless of policy, regardless of party, regardless of preferences one way or another.

"In the absence of a good reason to do it, there is no reason to go ahead with legislation."

The motion was put by the Chair and carried and S.B. No. 1171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 10 (Abercrombie, Cayetano, Fernandes Salling, George, Henderson, Kawasaki, McMurdo, Soares, Solomon and Toguchi). Excused, 1 (Hee).

Senate Bill No. 1102, S.D. 1:

Senator Machida moved that S.B. No. 1102, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chang.

Senator Kawasaki spoke against the measure as follows:

"Mr. President, of all the bills that are on the desks tonight, this is the one bill that I am vehemently opposed to. I think this is one of those bills where on occasion machinations seem to fool a lot of us. If you are to read the bill very carefully, the bill appears to be a rather innocent

bill to direct the appeals of an employee, a government employee, asking for a review of his case directly to the courts.

"I'd like, first of all, to direct a question to the chairman of the Labor Committee as to the qualifications of the members serving on the Industrial Relations Appeals Board. Do these people have any qualifications in regard to their ability to judge medical cases that may come before them?"

The Chair asked the chairman of the Committee on Labor and Employment if he would yield to the question and Senator Machida replied:

"Mr. President, I'll try to answer the question as best as I can.

"The Labor and Industrial Relations Appeals Board is made up of three members. The chairman of the appeals board is an attorney and the other two are laypeople.

"In terms of whether they have the ability to render medical decisions, I think, it would be similar to a judicial review. If you go to the circuit court for an appeal, I don't believe that the judge has to have a medical background to render decisions on medical cases. So, I would say it's similar to a judicial process, that they're able to make those decisions that are necessary to resolve the case."

Senator Kawasaki continued:

"Mr. President, then the answer is that since the Industrial Relations Appeals Board membership of three people constitute a lawyer and two lay people, in the event they have to decide on medical judgments they will have to hire the services or contract for the service of a physician or a group of physicians. That question has been answered.

"When I read this report, Mr. President, as others I'm sure had the same experience ... let me read the language, 'Your Committee received testimony by the secretary of the Employees' Retirement System, the Hawaii Government Employees Association, the Department of Civil Service of the City and County of Honolulu, and James A. King, a private attorney, (Mr. King, I must say, is an attorney who generally has practices representing employees before bodies such as this. He, I think, is the prime mover for the introduction of this bill.), and finds that this bill will place disability retirement appeals before a board which is well qualified to do such work and, to a significant extent, will reduce the workload of the circuit courts.'

"The language gives me the impression, at first view, that these people — the HGEA, Mr. James King, the City and County of

Honolulu Civil Service representative and the spokesman for the Retirement System Board of Trustees — that they are generally in favor of this bill.

"Now, let me direct another question to the chairman of the Labor Committee.

"Were the spokesmen for the City and County Civil Service bureau and the Retirement System Board of Trustees (the board, as you know, is comprised of seven members, two of which are people directly representing the employees' organization) did these two people testify in favor of the bill or against the bill?"

Senator Machida answered:

"Mr. President, as far as I can recollect, the person representing the Retirement System did not go along with this proposal. As far as the testimony for the Civil Service Director of the City and County, I don't recall what her testimony was."

Senator Kawasaki then continued:

"Mr. President, I took the trouble to find out because it just didn't seem possible to me that these four spokesmen who testified during the hearing were all unanimously in agreement that this bill should pass. Quite to the contrary, and contrary to the reading of this bill by the average person reading this bill, not only did the spokesman for the Retirement System testify against it, the spokesman for the City and County Civil Service Department testified vigorously against it.

"I can understand the HGEA spokesman being for it, and I can understand Mr. James King, the principal mover of this bill, testifying for it.

"I think this bill misleads us and I resent this deeply. If you were to examine the language very carefully, you could not help but come to the conclusion that anyone would come to.

"The fact remains that two out of the four people who testified during the hearing of these bills testified vigorously against it, and particularly with regard to the spokesman for the Retirement System and the board of trustees of that organization. And, as I said, two representatives of the employees serve on the board. Notwithstanding that fact, there were objectives enough as a body, to testify against passage of this bill.

"One of the reasons private attorneys representing representatives before this board would like to have this channeled to the Industrial Relations Board is because by practice, and our experience and our observation show, that this appeals board

generally has tended to favor the appeals in favor of the employee making these appeals.

"The Medical Board ... let me just briefly give you the system in which this works. If a government employee feels that he is injured and he wants to retire on an injury that he can claim to be work-connected, connected with his work, he presents documentation to this effect, documentation attested to by his supervisor in whatever department he works, etc. If this documentation is valid and if beyond a doubt ... generally, I think the Retirement System Board who's given the authority to make judgments ... grants a work-connected disability, and the pension benefits, of course, are much more generous in this category than the retired pensioner.

"However, if the trustees feel that there is a question of whether a work-connected disability is involved here, then by law, (law that goes back six decades, back to 1925, where the Legislature at that time wisely said the Retirement System Trustees are given the authority to decide whether an appeal before them shall be granted) an appeal to say he is going to retire on a work-connected disability is reviewed by a medical board.

"The Medical Board that is required under the statute is a board appointed by the Retirement System Board of Trustees, and what does the board consist of today? It consists of three licensed medical doctors who have to pass judgment and in the event they need specialized knowledge beyond their scope of ability to judge a case, then they can contract for the fourth licensed physician.

"Now, if this Medical Board that's been in existence for many years, and they've turned down many a request, unjustified requests, to have people retired on a disability pension, saved the taxpayers literally millions of dollars over the years ... if this board decides that the case before them is not valid, that this employee is not entitled to retire under a medical retirement, work-connected, then there is another body that is known as the Medical Review Board.

"What this bill is trying to do is to completely wipe out the Medical Board. This is what I resent because on the face of the first page of the report, you don't get this indication. Read the bill very carefully in the inner pages and this is the fact that is evident. This is a bad bill. This only circumvents what was intended by legislatures of the past.

"And, incidentally, this bill has been introduced time and again, and it hasn't passed. Sometimes I wonder if there is not a conflict of interest situation here of the

introducers of this bill, both of whom are employees of labor organizations connected with government employees. That in itself is bad enough, but when a bill's language is so designed to mislead us, I resent this deeply. I ask that this body turn this bill down."

Senator Machida responded as follows:

"Mr. President, just a comment in rebuttal.

"I think the previous speaker said that the representative from the Employees' Retirement System testified vigorously against it. That's stretching it a bit. That wasn't the case at all. He did indicate that they wanted to maintain the present system, but it wasn't in a very vigorous manner, as indicated by the previous speaker."

Senator Kawasaki responded:

"Mr. President, the bottom line question is, how did he testify, for or against?"

Senator Abercrombie then remarked as follows:

"Mr. President, I must admit to Senator Kawasaki that I misread the bill, and must eat my humble pie now on the bill.

"The reason I'm taking a moment or two is I'm trying to swallow that pie right at the moment. Now that I've got it down, I must say that I did not contemplate at the time that the bill was signed that the Medical Board would be removed for all intents and purposes and the substitution made by the Labor and Industrial Relations Appeals Board.

"My impression was that the decision was more in line with what Senator Kawasaki indicated with respect to streamlining the procedure with respect to the legal side of it, as opposed to having the board make medical decisions.

"And I want to reiterate for everyone if others were of the same mind as myself, do you really, seriously want to pass this bill and say that disability should be judged by those we are going to affirm for the Labor and Industrial Appeals Board? That's ludicrous. There is no possible way for that Medical Board's expertise to be substituted for, no possible way, if we are in fact trying to maintain the integrity of this system of decision-making. There can be absolutely no justification for it.

"I shudder to think that we would actually say that decisions of the medical people in this respect are of no import whatsoever, and that political appointees to the Appeals Board will make medical decisions. That is so blatantly against the public interest

and against the interest, by the way, of the pensioner.

"I hope nobody is going to assume that the person making the application is always automatically going to get to it and be able to have it. What this does set up is the possibility of political entry, political logrolling, the size of which and the import of which has been the basis for scandal I expect all across the country with respect to giving any board this kind of power to make medical decisions. That's asking for trouble.

"I cannot believe the public will not recognize this for what it is when the full impact of it becomes clear. We should be indebted to Senator Kawasaki for pointing it out.

"The bottom line, Mr. President, is that for all intents and purposes the Labor and Industrial Appeals Board will now become de facto licensed physicians making medical decisions and rendering opinions that are clearly medical in nature. That's what this vote means, and I defy anybody to stand before a body of taxpayers and justify that."

Senator Machida responded as follows:

"Mr. President, as the discussion goes on it seems to be getting muddier and muddier. I would like to point out that the present process provides that the Medical Board initially sends their recommendation of a case to the Board of Trustees of the Retirement System. The board of trustees renders a decision whether in fact the person is disabled or not. If the employee is unhappy with the decision, the present law says that he can appeal it to the circuit court.

"What this bill does is, if the employee is not happy with the decision of the board of trustees, he now appeals it to the Labor and Industrial Relations Appeals Board. That's what it does. The Labor and Industrial Relations Appeals Board does not take the place of the Medical Board. The present process up to the board of trustees remains intact, and the reason why we have it going to the Labor and Industrial Relations Appeals Board is that, ultimately, it is less costly for the person that's filing the appeal to go to the Labor and Industrial Relations Appeals Board. That's what this bill does."

Senator Kawasaki then inquired:

"Mr. President, a question directed to the chairman of the Labor Committee. If as intended in this bill the appeal goes to the Industrial Relations Appeals Board, then we take it that the Medical Board set up to do a medical review of his appeal, that board is in effect useless. What does the board do then? Does this bill not eliminate the board

completely?"

Senator Machida replied:

"Mr. President, not to my knowledge. It doesn't do that."

Senator Kawasaki continued:

"Mr. President, it seems to me then that we are paying huge amounts of taxpayers' money to the members of the Medical Board who are not there to do a job that they were put in to do to begin with, as I said, six decades ago back in 1925.

"Again, there's no particular reason to debate the merits of this particular bill.

"As I said, I regret the committee report is so misleading so far as the merits go. I think this is very bad. It's against general public interest. I ask this body to defeat this bill."

Senator Chang then requested a conflict of interest ruling of the Chair as a representative of a party in a matter before the Labor and Industrial Relations Appeals Board, and the Chair ruled that Senator Chang was not in conflict.

Senator B. Kobayashi, against the measure, remarked:

"Mr. President, I have a concern on the bill on the last page, page 3, in which they talk about a bill being subject to procedural requirements of chapter 91. Chapter 91, as you know, is the 'sunshine' public records chapter, and I'm not sure that it really has procedural requirements sufficient to review a medical case by a non-medical organization.

"It seems that going on on that last page, you then have an appeal from the board to the State Supreme Court and I think this is another matter of concern. Thank you."

The motion was put by the Chair and carried, and Roll Call vote having requested, S.B. No. 1102, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 8 (Abercrombie, Cobb, Fernandes Salling, George, Kawasaki, B. Kobayashi, McMurdo and Soares). Excused, 2 (Hee and Young).

At 6:33 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:42 o'clock p.m.

Senate Bill No. 195.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hee and Holt).

Senate Bill No. 292, S.D. 1:

On motion by Senator Machida, seconded by Senator Chang and carried, S.B. No. 292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 6 (Aki, Cobb, B. Kobayashi, Matsuura, Mizuguchi and Soares). Excused, 2 (Hee and Holt).

Senate Bill No. 1381, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1381, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hee and Holt).

Senate Bill No. 891, S.D. 1:

Senator Kawasaki moved that S.B. No. 891, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fernandes Salling.

Senator McMurdo rose to speak in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. As you know, I represent Waikiki, at least part of it, and that's an area in which residents' concerns and those concerns of the tourist industry are often at odds. However, in this particular instance they are united.

"This bill will simply give the Liquor Commission the discretion to decide whether it is proper for a bar or cabaret to have nudity, nude dancers, and that sort of thing. It does not forbid it; it just says that they would have the discretion to decide where it is appropriate and where it is not appropriate.

"Waikiki is becoming overrun with sleazy bars. Everyday one hears concerns about the drug pushers, the prostitutes, and the noise from these cabaret type bars, which

are the ones which are allowed to have nude dancers. They are also able to stay open till 4:00 a.m.

"The clientele who patronize these bars are for the most part not the kind any of you would want in your own residential area and neither do the residents of Waikiki, some 20,000 of them, and they too have the right to quiet enjoyment.

"We're all interested in helping tourism and the tourist industry. They will tell you that we must start by cleaning up Waikiki. The Legislature is very willing to help the industry with all sorts of money, but if you pass this bill you will only be hurting and compounding the problem.

"I ask for your support on this bill. Thank you."

At 6:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:47 o'clock p.m.

Senator Kuroda spoke against the measure as follows:

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

"I don't live in Waikiki. I do have interest in Waikiki. And, I don't frequent bars; I don't drink; but I have friends who do and they enjoy art. They also enjoy singing called 'karaoke.' Art and 'karaoke' go together, and for the sake of these people who enjoy 'karaoke' and art, special kind of art I feel that this bill should be defeated."

Senator B. Kobayashi spoke in support of the measure as follows:

"Mr. President, several years ago in the middle of night I authored this bill or part of this original chapter that talked about different kinds of bars, other than the standard bar. The problem arose then, which still exists now.

"There are bars which are good for many people involved and which do not adversely affect the community. But, there are other bars that do adversely affect the community. This legislation simply allows by the words 'may prohibit nude or unclothed entertainment' the discretion of the county liquor commissions to prohibit what they would consider what is not in the best public interest. I urge support of the measure."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSERS' LICENSES," having been read

throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 11. Noes, 13 (Cayetano, Chang, Cobb, Hagino, Holt, A. Kobayashi, Kuroda, Machida, Matsuura, Mizuguchi, Soares, Solomon and Yamasaki). Excused, 1 (Hee).

At 6:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:51 o'clock p.m.

Senate Bill No. 1132:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, S.B. No. 1132, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, George, A. Kobayashi and Soares). Excused, 1 (Hee).

Senate Bill No. 642, S.D. 1:

Senator Kawasaki moved that S.B. No. 642, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Fernandes Salling.

Senator A. Kobayashi rose to speak against the measure as follows:

"Mr. President, it is with great reluctance that I stand to speak against this bill.

"When I introduced the bill, the intent was to help the small property owner, especially those who buy into residential zones in hopes of building a house someday, and then the land gets downzoned to preservation, and they are stuck with this land. They are not able to build their house. No one will buy the lot because it's zoned preservation; and they have received no compensation. That was the intent of the bill; however, a section was added that would do the reverse, and if you upgrade your land a fee would be assessed.

"When land is upgraded, there is already a fee which is a higher property tax. And the small landowner will suffer in this case.

"Also, I think it will inhibit large scale housing projects to be zoned from agriculture to housing.

"So, it is with great reluctance that I ask for a 'no' vote on this bill. Thank you."

Senator Kawasaki spoke in support of the bill as follows:

"Mr. President, I am at loss to understand the reasoning of the previous speaker. I

agreed with her and I've been introducing bills identical to the language of this bill for many years now.

"So often a property owner has purchased a property and his purchase may go back years. He may have purchased property and at the time of the purchase that may have been zoned urban or residential, apartment zone, or whatever, business. Then comes the government entities, the City and County in this case and decides to put a portion of that property or even the entire property into preservation, which in effect is almost condemnation because the owner can't do what he wanted to do with the property ... do exactly what he wanted to do with it, and that's the reason for his purchase.

"In the case of downzoning by government action, I think it's only proper and equitable that the government compensate the property owner for losses incurred because of government action.

"Conversely, there are many cases where property owners' properties have been greatly enhanced and particularly with regard to large parcels, I could think of, off hand, the very good case of Makaha Valley. Mr. Chinn Ho owned Makaha Valley that was zoned agriculture, and the Board of Supervisors, at that time, zoned it, some 500 acres or in excess thereof, to hotel resort. What this did was to enhance Mr. Chinn Ho's assets tremendously from agriculture zone to hotel resort.

"In a case like that, because of government action which enhanced the assets of a private owner in such a dramatic fashion, it just seems to me logical that the government is entitled to some portion, some kind of compensation because, without doubt, the property owner benefits. As a matter of fact, Chinn Ho got to be a multimillionaire as a result, I think.

"There is another case, Gentry. Mililani was prime agricultural land. Assessed valuation was low as a consequence; property tax was low as a consequence. But along came government action, in this case, the State Land Use Commission, which upgraded that to urban zoning, etc., so we have this beautiful subdivision called Mililani. But, again, Mr. Gentry was the beneficiary of a tremendous increase in the value of his land. That's great for the guy, but don't you think the government ... when I say government, that's the rest of the taxpayers ... it is because of government action that Mr. Gentry's property was enhanced, that put a lot of millions of bucks in his pocket ... is entitled to something?

"So this bill is intended to bring equity both ways. When a government downgrade

incurs a loss to the property owner, then the government should compensate for that loss incurred on the property. Conversely, if by government action a property owner's property is enhanced greatly, adding great value to it, then, I think the government is entitled to some reasonable compensation thereof.

"This is the intent of this bill. I'd say that this bill is badly needed if we are to show people in this state that government, at least our form of government, a democracy, we treat everybody fairly."

Senator Henderson spoke against the measure as follows:

"Mr. President, I fear this bill will have a tremendous impact on housing. What it would mean is, if we took some ag land and upzoned it to urban, that they will be assessed a premium against the land that would have to be paid to the counties.

"Now, in my book, that is just going to be added into the price of the cost of the house, and the poor new homeowner is going to have to bear the burden.

"Secondly, this is a strictly anti-business bill.

"Under the bill, the counties will get windfall profits. Not only would they be paid a premium, but then they would assess their real property taxes on an upgraded value. So in my book, this is a bad bill. To me, it's anti-development; it's anti-housing. It's a situation where there is no justice or equity to the homeowner or to the citizens of the State of Hawaii.

"Thank you very much."

Senator Kawasaki then responded:

"Mr. President, I'm compelled to respond to Senator Henderson's remarks. I just happen to be a developer of sorts, an amateur one, if you will, but I think Senator Henderson is being unrealistic to assume that because an agriculture zoned land was upgraded that that developer when he develops this into finished, residential lots, he's going to keep the prices of these lots or a package deal if he puts a house on it, he's going to keep his price reasonable.

"The fact of the matter is, market reality dictates that that developer charge whatever he thinks he can get away with in a price that ultimately is charged to the consumer or the home buyer. Because agriculture zone was upgraded the cost to the developer was low, because he bought it as an agriculture zoned land. The fact that government action upgraded it add tremendous value to it.

"Don't for a moment think that the developer is not going to take advantage of that fact and, ultimately, he will retail that same lot, after he develops it with improvements, sidewalks, roads, sewers, and electrical posts, etc., don't think he's going to keep the price down as a great altruistic movement. He will charge whatever he thinks he can get away with on the market. This is the nature of the beast. This is the development business. Unfortunately, it doesn't work as Senator Henderson anticipates. The cost is going to be charged to the consumer, a price that the developer or the real estate people, whatever they think they can get away with, this is what they are going to charge, so there's no savings that accrues to the ultimate lot buyer, the consumer."

Senator Henderson responded:

"Mr. President, I agree with Senator Kawasaki. All the costs are going to be passed on to the consumer. What this does is restrict, in a way, the supply of land that's going to be available for development."

"In my opinion, if you want to lower the cost of housing in the State of Hawaii, you have to increase the supply. I would say supply and demand plays an important part."

"What you say is correct, but by making it more difficult to put lots on the market, you are in effect restricting the supply and not satisfying the demand and that just allows what you talk about."

"This bill is anti-development. It restricts the supply of property that's going to go on the market, and it's a bad bill. Thank you."

Senator A. Kobayashi then added:

"Mr. President, may I just reiterate that the intent of this bill was to encourage housing, especially for the small property owner, and this will affect them also because if someone has a lot that is now zoned preservation or conservation and it is upgraded to residential and he is able to buy a house he would be assessed a fee, and so it affects not only the large owner who would like to develop more housing, but it affects the small property owner, as well. So, I do urge a 'no' vote. Thank you."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 642, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING," having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 6. Noes, 18 (Aki, Cobb, George, Hagino, Henderson, Holt, A. Kobayashi, B. Kobayashi, Kuroda, Machida, Matsuura, McMurdo, Mizuguchi, Soares, Solomon,

Toguchi, Yamasaki and Young). Excused, 1 (Hee).

Stand. Com. Rep. No. 654 (S.B. No. 1198, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 654 be adopted and S.B. No. 1198, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Cayetano spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of this; however, I would like to express some concerns for the record."

"Mr. President, this has been a major problem for us this session. Certainly, it is one of the most serious problems that we have been confronted with and in human terms probably one of the most tragic."

"I'm a bit concerned because I think that from what I've observed, the manner in which the Legislature has been analyzing this problem is conducive to reaching a resolution of the problem which would serve the public interest. Whenever this issue is brought up, I hear often the words 'we have a moral obligation to make sure that the depositors are paid off.'"

"If we look at this problem, Mr. President, in terms of the moral obligation, then our focus will necessarily be very narrow, indeed. It seems to me that it would be more feasible for us to look at this problem with compassion, but also with some objectivity and some vision in terms of the public interest, and by public interest I mean the public at large."

"In order to do that, it seems to me, we have to understand the history of the Thrift Guaranty organization."

"In 1977, the Legislature, in response to a very troubled industrial loan industry, came forth and passed the Thrift Guaranty Act. The act, as I said, was passed in response to the problems of the industry, and let me quote from the committee report: 'The Legislature further finds that the industrial loan industry is presently experiencing difficulties brought about at least in part by economic circumstances beyond the control of the management of these companies. The sharp decline in Hawaii's real estate and construction industries from the boom conditions of the late 1960's and the early 1970's has adversely affected many companies which heavily engage in real estate development and second mortgage lending.'"

"The organization that we set up by law, and it was necessary that the state set it up

by law because the state is the only body which can do so, in essence, is a private guaranty corporation. And, Mr. President, we were very careful, and I recall the debates and discussions on this act when it was up for consideration, we were very careful to make sure that the parties understood that the Thrift Guaranty was not an agency or instrumentality of the State of Hawaii.

"Specifically, in Section 408A-27, we provided and set forth in law the following: 'All advertising by any member with regard to its membership in the guaranty corporation shall include the following statement: "Thrift accounts protected up to \$10,000 by the Thrift Guaranty Corporation of Hawaii, which is not an agency or instrumentality of the State of Hawaii or of the federal government."'

"That, according to the law, that sentence should have accompanied all of the advertising conducted by the members of the Thrift Guaranty.

"As part of the act, we loaned the companies or were prepared to loan them \$20 million. It's important, Mr. President, that we understand, at least this is my understanding, and if I am incorrect I hope somebody would correct me, that the \$20 million that we loaned them was separate and apart from the assessments that they pay into the fund.

"Subsequently, there was another \$7 million or so loaned to the Thrift Guaranty Corporation.

"So, if one were to step back and look at the Thrift Guaranty Corporation, one would find that this organization owes the State of Hawaii \$27 million or thereabouts in loans and also the assessments that they have to periodically make to the fund.

"If one were to look further at the act, one would find that the primary responsibility for investigating, for example, and I quote from Section 408A-6 which speaks to the powers of the board of directors, and I quote in part: '(1) Investigate and inquire into the financial condition and management of any of its members, and have access to examine at reasonable hours, the offices, books, accounts, papers, records, files, safes and vaults thereof.' That is part of the duty of the Thrift Guaranty Corporation and its board of directors.

"In 1971, the bank examiner conducted an examination of the Manoa Finance Company. I have here a copy of that examination dated August 31, 1977 and I want to quote in part from it: 'Apparent violations of laws are detailed in Schedule B of this report. Several apparent violations

involve Act 103, Session Laws of Hawaii, 1976, were also cited at the previous examination. No positive steps appear to have been taken to correct these violations.'

"Turning again to ... the report is quite lengthy ... turning again to an exhibit which is attached to the report, I'd like to share the following with members of this body. These are the findings of the bank examiner in the 1977 report. This exhibit groups loans in A, B, C, etc. Under group A, I quote: 'The following loans are apparent violations of Section 5, Act 103, Session Laws of Hawaii, 1976, which limits the aggregate amount of loans, advances, or extensions of credit to any single, primary obligor. Primary Obligor, Norman Inaba, \$240,000; Hirotooshi Yamamoto, \$13,000,000' ... this is in 1977. Group B, same thing. 'The following loans are apparent violations of Section 4, subsection 6 of Act 103,' Again, the debtor Hirotooshi Yamamoto, \$6.6 million.

"I could go on and on and on in each category. In Group C, the examiner states that there are apparent violations. This information, as I read the law, Mr. President, is shared with the Board of Directors of Thrift Guaranty.

"Later in 1981 the bank examiner conducts another examination and, if one reads the report, one finds that virtually little has changed and in fact the situation has probably grown worse and, again, there are allegations in the bank examiner's report of 'apparent violations of certain sections of the Industrial Loan Act.' Nothing was done.

"May 31, 1982, another report by the bank examiner, and that report basically says that the recommendations made in the two previous reports were not followed up; that the situation regarding insider loans and self-dealing still existed, and again quoting the exhibit: 'There were apparent violations of numerous sections of our state's Industrial Loan Act.'

"All of this information is known to the Board of Directors of the Thrift Guaranty Corporation.

"I raise this issue because I see us heading, I think maybe not objectively, to solutions which have been proposed by the administration, and my own feeling is that the administration in dealing with the problem has not really thought out the proposals which have been submitted.

"For example, members of the body may recall the meeting that we had with the bank examiner and Mr. Dodds and questions were raised as to whether the Dodds' proposal would include an indemnification executed by the depositors which would hold harmless the state against any future

litigation. They had not even thought of it. That was missing.

"So the question I have for the members is, have all of the alternatives been explored? Why should the state give up its priority lien position? We have not done that in this bill, but that is the question that we are going to have to answer when we go to conference with the House on this matter.

"Will it be to the state's advantage, for example, to step back from any of these proposals and hold the Thrift Guaranty Corporation and its members to pay the \$27 million loan and to continue the assessments because, after all, the assessments were set forth in law by us, the Legislature. These are conditions for the industrial loan companies to do business in the State of Hawaii and we can change those conditions, if we so decide.

"We should also remember that the members of the Thrift Guaranty ... there are several very deep pockets ... I hate to use that term but some of these organizations are very, very substantial. GECC is one of the biggest industrial loan companies in the United States. Finance Factors is no small potato. Hawaii Thrift and Loan is backed by First Hawaiian Bank and Bancorp by Bank of Hawaii. If we wanted to collect the \$27 million loan, Mr. President, we could.

"I just raise these issues because I think that we should think about these things as we go into conference with the House.

"There's one other thing that disturbs me, one other observation that I'd like to bring to this body. What we are faced with or one of the problems of consideration we must take into account is whether we place the burden of reimbursing the Manoa Finance depositors, whether we place that burden on the rest of this state. We are talking about a big amount of money.

"If we spend \$27 million or if we spend \$37.5 million as seems to be proposed then what we're talking about is mortgaging the futures of our children and grandchildren. That is something that concerns me very much. But, if we head into that direction at all, it seems to me that we owe them some answers — some answers as to the persons who were engaged in wrongdoing in this matter. I am flabbergasted when I read the bank examiner's report and nothing has happened. I am flabbergasted when I read the bank examiner's report and charges have not been considered or even brought under the Industrial Loan Act, and there is a section in there, incidentally, which provides that if a director or officer of an industrial loan company misapplies the resources of the company then he can be found guilty of a felony and sentenced to 20

years in jail and a \$10,000 fine. But we have not had answers on this.

"When I posed this question to the Director of the Department of Commerce and Consumer Affairs at the hearing, his answer was he did not know.

"The latest media report that I read regarding statements by our very young bank examiner about this matter ... her attitude was, let's not look to the past, let's look to the future.

"Well, the statute of limitations with respect to criminal enforcement of these laws against individuals involved may soon run and if it runs then we have a real problem. And I think that it would undermine confidence in the State Government and the administration, in our Attorney General's office and in this Legislature.

"As we proceed on this bill, and I will vote for this bill, I hope that everyone will keep these things in mind and I hope that the leadership of this Senate, anyway, will make a determined effort to find out those answers, to find out why measures have not been taken to get people to answer for what is obviously wrongdoing.

"Thank you very much."

Senator Abercrombie also spoke in support of the measure as follows:

"Mr. President, I want to thank the previous speaker for covering much of the territory that I feel is necessary. I would like to add just one or two points with respect to obligations.

"Mr. President, I was on this floor and commenting publicly the day that this took place, that is to say, the public collapse. Since that time, Mr. President, my suspicions that I voiced at that time have been proved to be true to my regret, only too true.

"Mr. President, I have been associated with many of the people involved in this from the very beginning because I was one of the people who had the opportunity to be involved with the previous fraud that took place with respect to an industrial loan company, the THC people, and saw what happened there.

"Mr. President, I speak in favor of this bill and for an approach that will come from whatever is ultimately decided in favor of the depositors because I saw what happened to them, and I know what took place. I know what funds were misapplied. I know what misleading statements were made. I know from first hand experience what trauma the people involved had gone through.

"I think the previous speaker is quite correct when he talks about putting the sense of moral obligation to the extent that we feel one in the right place. We do have a moral obligation to the taxpayers to see to it that they are not abused in terms of having to assist the people who were defrauded.

"The real victims of this whole affair have been the people who put their trust in the Inabas and the Yamamotos. Those people walk around free today. I said then, I say now, why hasn't anything been done.

"I can tell you that while there are questions about where the moral obligation might or might not be, there is no question about what the legal obligation of this state is. And I think it's about time that the politics come out of this situation and go where the legal obligation is, which is to say, fullfledged investigation and prosecution were appropriate of the individuals involved in this whole affair. That had not taken place. This whole thing has been hidden.

"There has been a pattern of cover-up, a pattern of deliberate ignoring of the evidence in the bank examiner's reports from the Department of Consumer Affairs, right on through the Attorney General's office.

"And for myself, I want to make it clear that support for this bill, in conjunction with what the previous speaker said, in no way, in no way puts me in the position of saying, 'let's put the past behind us and just look to the future.' On the contrary, we should handle this problem, see that these victims are made whole.

"And we should see to it that the most vigorous and rapid prosecution of those for whom it is appropriate take place, and that the legal system of this state which now remains under a cloud, as far as I am concerned, in terms of its willingness and its commitment to the law, that the legal system of this state be brought into play and into place soon.

"We've had enough of the civil side of this affair. We have to move to the criminal side and see that the people who now walk the streets without apparently the slightest sense of obligation for what they've done be brought to account, and in the criminal court, if that's what is proved to be the appropriate body to handle the situation."

Senator Kawasaki, against the measure, remarked:

"Mr. President, I very reluctantly vote against this bill, primarily because of the provision in this bill that absolves the members of the Thrift Guaranty

Corporation from the assessments that they are obligated to pay, according to the terms of the Thrift Guaranty contractual arrangement.

"As pointed out by Senator Cayetano, some of these entities are quite large and financially sound institutions that could be held accountable for no matter how long it takes to hold them accountable.

"The complete absolvment of them, their obligations, I think, is something that can't be justified. For that reason, I will reluctantly have to vote 'no' on this bill."

Senator McMurdo spoke in support of the measure as follows:

"Mr. President, I still feel that the overriding factor in this is the moral obligation of the state to make restitution to these people. They've waited long enough. Fifty of them have died since this started.

"I urge this body to vote for this and let's get things straightened out so we can start out with a clean slate. Thank you."

Senator Yamasaki also supported the measure and remarked as follows:

"Mr. President, I'd just like to say that the purpose of the bill, with the amendments that have been proposed by the Ways and Means Committee, is to keep this bill alive and, hopefully, in conference with the House, address the problems that we have.

"As you know, the bill provides that the first lien will be with the state. We have changed the effective date to one year hence and, also, the funds will be from the general fund or from general obligation bonds, or both.

"These are things that we have placed in the bill and, hopefully, we can come up with an answer to the whole situation so that everyone can be satisfied that we have done our best to solve this question of the guarantee that we provided through passed to the Thrift Guaranty Corporation.

"I believe this is the way that we ought to address it.

"I want to assure the people who are involved, who are the depositors, that we are attempting to do our best to resolve this situation. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 654 was adopted and S.B. No. 1198, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read

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

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

At 7:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:30 o'clock p.m.

Stand. Com. Rep. No. 656 (S.B. No. 564, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 656 be adopted and S.B. No. 564, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Matsuura spoke in support of the measure as follows:

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

"I really don't know how I'm going to explain the merits without my colors — my green zone, my yellow zone, red and black zones — but in Article XI of Section 7 of the State Constitution, which was adopted in 1978, it provides that the Legislature shall provide for a water resource agency, etc.

"Despite seven years that have passed, we have had two separate water study commission reports, the confirmation of an acute ground water shortage on Oahu and continued increased diversion of surface stream water and the mounting but unsatisfactory results to the judicial remedies to solve these problem, the state still does not have a water code. I think that it's time that we do adopt a state water code and hope that we don't get into the black zone on this island.

"I urge your support of this bill. Thank you."

Senator Fernandes Salling spoke against the measure and remarked:

"Mr. President, I sat on the subject matter committee that reviewed the water code and at the very outset when people came in to testify, it became clear that we did indeed have a problem with water but it appeared that the problem was mainly here on this island. However, we did work very hard to try and address the concerns of all of the people that would be affected, and some of those amendments are reflected in this version of the code.

"As time went on, however, I began to realize that we could be facing problems with the question of whether this code is constitutional because of that recent

Supreme Court decision that was handed down with regard to surface waters in Hanapepe. Because of that and because of the fact I believe that some of the provisions in the code, the permit process, would result in the taking of property without just compensation, my feeling in statements to the committee at that point was that we shouldn't rush into enacting this code, despite the fact that we would do it and have it take effect a year from now.

"I think people out there are looking for us to solve the problem of managing our water resources, especially here on Oahu, and I think that they would rely on this type of gesture made by us passing this code and perhaps we could be causing ourselves more problems in addressing legislation and passing legislation in this manner.

"For those reasons and because of the fact that we do have right now the DNLR's ground water control act which does allow the department to designate threatened ground water zones and to restrict development in the zones that even may threaten the ground water resources, I ask that all of the members here to consider the code seriously because of the constitutional issue and because of what we already have on the books and the fact that there could be some detrimental reliance by people who will be affected by the code, and to not support this measure at this time. Thank you."

Senator B. Kobayashi spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of the bill with reservations.

"The previous speaker spoke of passing the water code. I think that I would favor continuing discussions on the water code.

"We have come a long way since the constitutional mandate of 1978, but we have a long way to go. This is a completely new method of controlling water supply. It designates Oahu and only Oahu, on page 22 of the bill, as a water management area and, indeed, Oahu has major difficulties, much greater than that of the neighbor islands.

"Going on, the bill on page 25 requires that anyone using water within a designated water management area must obtain a permit, and this is a major change that we will see for every user on Oahu.

"I would expect that this process will not be easy because in obtaining a permit one will have to qualify under several criteria. The applicant seeking use of water would have to show reasonable, beneficial use.

"Secondly, would have to show that the

use will not interfere with any existing legal use of water.

And, three, be consistent with public interest.

"Those, as of this time, are vague comments and they deserve further discussion as they will indeed get because the water code proposal before us contains on its last page zero amount for appropriation and has an enactment date of June 30, 1986.

"So, I urge support of the bill with reservations, that in passing the bill we think of this as not a passage of the water code but as a continuing discussion of the water code which, hopefully, will eventually result in our meeting the requirements of our State Constitution. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 656 was adopted and S.B. No. 564, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE WATER CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Abercrombie, Fernandes Salling, George, Henderson, Kawasaki and Soares). Excused, 1 (Hee).

Senate Bill No. 471, S.D. 2:

Senator Yamasaki moved that S.B. No. 471, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, this bill among other things proposes to increase the salaries of the governor, lieutenant governor, superintendent of education, department directors and the deputies, and down the line.

"Mr. President, I am not opposed to pay our public servants just compensation. I strongly believe that one gets what he pays for and in this context I supported the lifting of the ceiling on the president of the university's salary. However, this session has been somewhat confusing when one looks at what we're doing in terms of taxes, in terms of raising taxes, in terms of finances.

"We know and we've been told that the Governor cut \$60 million from the University's budget. We also know that millions of dollars have been cut from the Department of Education's budget. We know that the tuition, for example, at the university would be raised. We also know that the Governor did not ask for a pay raise.

"This bill originated in the Senate and I think the Governor, in terms of all of the factors involved, probably saw the light in not asking for a pay raise, not for himself, because he's never asked for a pay raise for himself, but certainly for his cabinet members.

"This evening and Friday, we passed possibly a dozen tax exemptions, eroding further our general excise tax base. I cannot vote for a bill which would give pay raises to elected officials and appointed officials while we are engaging in this scenario of confusion with respect to our finances. Perhaps when the picture becomes a bit more clear, when we are shown a financial plan that begins to crystallize and makes some sense, then, perhaps, I can consider voting for the Governor's pay raise.

"I might add that the ironic conclusion of this session would be, if we raise the Governor's salary, the salaries of the Lieutenant Governor, Superintendent of Education, and all of those officials, and issue a rebate of \$1.00, which as you know was embodied in one of the bills that we considered, I don't think the public would take that very kindly.

"Thank you."

Senator Abercrombie also spoke against the measure as follows:

"Mr. President, very briefly. I think you will remember the situation some years back, I think it was, virtually, ten years ago, a decade ago, in which those of us who did not oppose, as the previous speaker mentioned, adequate compensation for our department heads or for the governor, unfortunately, got into a situation where we felt that these pay raises for the executive were being tied to collective bargaining.

"And I think you may recall, Mr. President, that I had a firm position at that time, ten years ago. I have the same position today.

"Everything that I can judge indicates that the collective bargaining contracts are key to this pay raise for the executive and I do not think that that is fair either to the taxpayer nor to those who pay their union dues to bargain collectively in good faith. I think that that amounts in effect to piggybacking executive raises on to collective bargaining and the beneficiaries are the very people who are involved in the collective bargaining in the first place with the employees.

"I don't think that's ethical. I don't think that that is something that should be policy for the Legislature and I think we should find a formula, independent of collective

bargaining, independent of any kind of salary structure which may or may not exist, for employees in the state.

"When we're talking about department heads and the governor, I think we should arrive at a formula and conclusions which respect the officers and respect what we want to have involved in the caliber of the individuals in the office, and that we should not involve ourselves in what I consider taking an unfair advantage of the collective bargaining process."

The motion was put by the Chair and carried and S.B. No. 471, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Abercrombie, Cayetano, Fernandes Salling, Kawasaki and McMurdo). Excused, 1 (Hee).

Stand. Com. Rep. No. 666 (S.B. No. 495, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 666 be adopted and S.B. No. 495, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

At this time, Senator Soares rose and stated:

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

"Mr. President, I was able to hear the testimony in the Ways and Means Committee against this bill, both by the administration and the Police Department. I shudder to think of it, but the Police Department, in testifying against this bill, indicated to us that the Director of the Commission of the New York City Gaming Authority was found murdered by the gang interest in New York. The testimony was very strong in saying that we should not be so naive as to think that the numbers people who have followed lottery throughout the country in the various states that approved it, are now infiltrating those various states in their lottery organizations.

"Mr. President, I'm also against this bill because, as far as I can see, it's part of a program to raise taxes or raise money through a lottery when we already have a very fat and healthy surplus and we don't need to raise any funds. This mechanism, Mr. President, where the law enforcement officers pleaded with us in committee not to invite syndicate or organized crime that is now running throughout the country getting involved with other states that have

lotteries. I find it very, very difficult for us to ignore their pleas, and to ignore these law enforcement officers who protect our state from this invasion.

"I also feel very strongly that the makeup of the commission appointed by the governor should be so severely scrutinized by everyone to be absolutely sure that these people are not, and could not be involved in organized crime themselves or be threatened or bought out as in the case of New York.

"I do not feel that this is the time that we should consider this bill. I think it's a very dangerous one, inviting a lot of trouble. I urge everyone to vote against this bill."

Senator Kuroda then rose and replied:

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

"Again, the Republican Floor Leader is waving the red flag and raising a red herring before us, sharing with us scare stories in regard to what might happen should we enact a law that would permit members of our community a little bit of enjoyment.

"Mr. President, this body passed the bingo; hopefully, this body will also pass the lottery.

"A while ago, this body voted on a bill that would have caused the banning of nudes at places where they serve liquor. Following this vote, at recess, I received one of the quickest reactions to a vote that pleased some individuals. These are the kinds of things I know I'm going to face when I go out on the street. If we pass the lottery, I know we are going to get a favorable reaction because we passed the bingo.

"To share with you this reaction, this quick reaction, I got when we voted down this bill that could ban the use of nudes at the liquor establishments, three young ladies (I think that they were staff workers) came up to me and said, 'Senator, thank you very much for stopping that bill. Now, I can go see Butch Williams.'

"Someday, I hope I can see Butch Williams because I don't believe what I hear that he is bigger than Senator Abercrombie.

"Mr. President, this bill before us, the lottery, is an issue which many, many people in the community wish to have become law, and I think it's about time that we take the bull by the horns and place this before the people who will find enjoyment in the recreation. Thank you."

Senator Soares then responded:

"Mr. President, I take exception to the comment made by the Majority Leader. I'm not trying to raise red herrings or provide scare tactics. This is a fact, and I think it is really ridiculous for someone to make a statement about red herrings and red flags when our Police Department Captain, who is involved in organized crime, whose everyday effort is in organized crime, comes to this Capitol building and tells us exactly what we are in for. It's not funny, not funny at all.

"If you want to raise taxes and raise funds to take care of the state's needs, that's your business, but you cannot ignore the efforts of the law enforcement branch of the state and have them come to us when we want them to and call a spade a spade. Call it what you want, Mr. President, the bill is going to cause problems. As far as I'm concerned, the need for the bill is not necessary. Why raise money when we have millions of dollars in surplus already and go this route?"

Senator Abercrombie then rose and stated:

"Mr. President, I signed the original bill with reservations. I want to explain that and I want to additionally illuminate for the members, if possible, what my reservations are with what the bill has come out with.

"Mr. President, it would be hypocritical of me to vote against the bill at this stage because I have, when I visited New York State, gone through this lottery process to see what it was like. I've been a supporter of it in the past, but partially, Mr. President, because of my support in the past, I guess, I have started to receive in the mail a magazine called Public Gaming, and I have read that magazine each time that I have received it; and Mr. President, it scares me more and more, every time I read it.

"I think the people of this state are under the impression that the lottery is going to be a very simple, rather unsophisticated past-time — something akin to what one of the previous speakers mentioned about bingo, something that will be conducted along the idea of a church fair or a casual informal group.

"Mr. President, I think we both know that the lottery business and it is a business in this country, has become far more sophisticated than that rather naive and somewhat tranquil picture that people might have in their minds. As a matter of fact, the manner in which lottery tickets are now sold in some areas amounts to what in my youth was known as the 'slot machine effect' and the sophisticated electronics are now a wonder that if the Pentagon could get a hold of it, I suppose we could virtually bring the rest of the world to its knees.

"This is the kind of sophisticated activity that the lottery business has become, so I fear that. I want to see, Mr. President, if this comes back from the House, a much simpler system, and I think that there should be written into the law, some kinds of protections on the size of the awards and the kind of lottery that it's going to be. That needs a lot more work. The second thing that I do not want to see, and I'm speaking now, as Chairman of your Human Services Committee, I do not want to see in the bill, if and when it comes back from the House, or if and when it comes back on this floor, that the benefit to be derived from the lottery would go to senior citizens, or for education, or for any of what I would consider 'bait' for the passage of the bill.

"Mr. President, we owe it not only to our senior citizens, but to our children, or anybody else, whatever is due them in terms of the services of this state and they should be voted on the merits. I do not want to get us into a situation where it is possible to view that funding for senior citizens becomes dependent upon the kind of revenue that comes out of the lottery, and that if the lottery is not as successful as one hopes, that programs for senior citizens might thereby be jeopardized or any other group of people.

"This is a revenue producing device and the revenue should go into the general fund to be distributed at the wisdom and the discretion of the Legislature, and I do not feel that it is appropriate for us to have any particular group become dependent upon it, or that we sold the lottery to the people on the basis that a particular group might benefit.

"So, with those reservations, Mr. President, I will support the bill and I hope that if and when we get to the final version, that the concerns of the Minority Leader and some of the concerns that I have raised will be addressed."

Senator Soares then queried:

"Mr. President, I'd like to ask the Ways and Means Chairman to yield to a question, please.

"Mr. President, could the chairman tell me what the anticipated revenues raised by the lottery will be?"

The question was posed by the Chair and Senator Yamasaki replied:

"Yes, I have it right here. The Tax Review Commission estimates that the first year earnings will be \$10 million; the second year \$20 million; and the third year, another \$20 million.

"The Department of Taxation is

conservative. They estimate \$3 million in each of the three years. In fact, it is very, very conservative."

Senator Soares then continued:

"My next question will be the, according to the bill, the revenues shall go to the senior citizens. Who decides how to appropriate this money amongst the various programs of senior citizens?"

Senator Yamasaki replied:

"That will be you. You, as a member of the Legislature will decide that."

Senator Soares further queried:

"The bill doesn't say that. Mr. President, may I ask this question then — do the revenues from the lottery go into the general fund or to a special fund called 'the senior citizens fund'?"

Senator Yamasaki responded:

"It could be either one."

Senator Soares then asserted:

"The bill doesn't say that, Mr. President. The bill says...."

Senator Yamasaki interjected:

"The state lottery fund."

Senator Soares continued:

"Yes, the state lottery fund. Is that a special fund, Mr. President?"

Senator Yamasaki replied:

"Yes, that's correct."

Senator Soares then stated:

"Mr. President, I think the intent under Section 1 of the bill is confusing in that the revenues shall go to the benefit of Hawaii's senior citizens. I'm told that the state lottery fund will then control these funds. I still would like to find out from the chairman exactly how the money will be appropriated within this group. I agree with my colleague that to use the senior citizens' use of these funds as a means of having this lottery bill passed, I think, is ludicrous. It's purely 'shibai.'"

"You want to raise \$10 million the first year, \$20 million the second year, and \$20 million the third year, primarily to be used for the general fund, primarily to be used to add to the already surplus funds that we have. According to this bill, all the funds will go to them, no one else. I'd like to ask the chairman again, are you saying that we here will decide how that money will be

spent, or will it be decided by the lottery commission or whatever?"

Senator Yamasaki replied:

"I believe that that would be decided by the statute."

Senator Soares then concluded:

"By statute. Thank you. I urge everyone to vote 'no.'"

Senator Yamasaki then rose and stated:

"Mr. President, speaking in favor of the bill, I would like to state that the revenues derived from the lottery will go to programs for senior citizens. As you know, we are spending millions of dollars to provide services to senior citizens. If we can't channel these lottery revenues to senior citizens programs, then we will have general fund dollars that we are now spending for senior citizens programs to be channeled to other programs. This is the way we hope that we will be able to provide the kind of quality of life that we have been looking for. I think that if we will have that additional new money for such purposes to help our senior citizens and provide better services than we are now."

Senator Abercrombie then rose and queried:

"Mr. President, this is not the time to debate this issue, but I assume that if this is in fact the intent, if and when the bill comes back that my committee will have a say in whether this lottery moves and will be referred to me?"

The President replied:

"We will make that determination if and when the bill returns to us."

Senator Chang then rose and queried:

"Mr. President, will the Minority Floor Leader yield to a question?"

Senator Soares having answered in the affirmative, Senator Chang continued:

"Just for my edification, Mr. President, pages 6 and 10 of the bill appear to discuss the apportionment of the total revenues, both to expenses of conducting the lottery and to the matter of dispensing the net revenues to the senior citizens. After having reviewed pages 6 and 10, does the Minority Floor Leader still believe that the bill does not address the matter of apportionment of revenues?"

Senator Soares replied:

"It does, Mr. President, to a degree, I think, Senator Chang. Again, going back to

page 10, it says that the director of budget and finance shall deposit as he may select himself. It says, 'deposited in such depositories as the director may select' — not the commission, not the director of the lottery, but the director of budget and finance. That's why I was confused as to exactly who makes the decision as to where the money would go."

Senator Cobb then rose and stated:

"Mr. President, I rise to speak in favor of the measure. I note that this bill, as in past lotteries, contains a 'drop dead' clause, terminating July 1, 1991. That six year period is the same period as a 'sunset' review, and I might add the 'sunset' law has worked quite well in most cases in terms of keeping boards and commissions on their toes and restructuring them or reforming them or 'sunsetting' them out of existence, if necessary.

"We are about to come to one now involving the demise of one board concerning our harbors. With a six year 'drop dead' clause, we have built in a legislative safeguard that will force (1) a complete review of how well the laws work, (2) a review of all the experience that we've had with this law, and (3) if the Legislature decides to continue the lottery system, it will have to enact another law affirmatively, passing both houses, because each state, I have found, has had different experiences with the lottery.

"During the last year when I had occasion to pass through Pennsylvania, on Wednesday night at 7:00 o'clock, all activity in the state came to a stop as they had the \$20 million Pennsylvania lottery, and everybody was glued to that television set watching to see who won. It's a tremendous success in the State of Pennsylvania, having raised over \$300 million in the last year.

"But, having a 'drop dead', I have always considered to be a very important and essential safeguard of the bill to give us in the Legislature a chance to look at it and see how it works, and more importantly to have the accountability of that automatic 'sunset'.

"With that provision, Mr. President, I would urge the members to vote 'aye'."

Senator Kuroda then rose and stated:

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

"Mr. President, there was some concern expressed by the chairman of the Human Services Committee with regards to the disposition of the revenues should this bill become law. I think that he suggested that distribution be made according to a body, rather than directed only to senior citizens.

I don't know whether he means that he does not want 'tainted' money. The Republican Floor Leader spoke against this measure and he is in the visitor industry and so am I with regards to my interest in the visitor industry, so should there be some monies left over, Senator Abercrombie, after you get your share, we'd like to have some of it for the promotion of tourism, and Mr. President, don't hold it against the Minority Floor Leader for receiving some of this 'tainted' money. Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, I don't want to prolong this business. I thought I made a rational and reasonable presentation about some concerns that should be considered by anybody that's going to deal with this thing. I never said anything about 'tainted money'. I don't think that's fair. I don't want this to degenerate into that kind of discussion.

"I'm talking about some very serious problems in terms of the distribution and the way and manner in which this program is presented to the people of this state as to why it's in their interest. I'm perfectly capable of taking care of the budget in the DSSH with respect to the elderly or anyone else's. I'm sure the chairman of the Ways and Means Committee will attest. And, as a matter of fact, as a result of the prudent management of our committee has not only come in to Ways and Means Committee under our ceiling, but we have funded every single senior citizens' program for which there is a purchase of service or grant-in-aid at the full amount requested.

"We have done that because we have done a prudent job of reallocation of resources the way we should be doing our job. I don't propose to come before this body saying that we are unable to take care of our senior citizens or any other group unless and until we have a lottery. If that kind of thinking is going to start prevailing, we have built an excuse for inaction; we have built an excuse to try to pretend to people that we cannot take care of our funding necessities with respect to human services or any of the other services that we should be providing from this Legislature.

"I don't think that that is your intent, Mr. President. Every time that I have ever had discussions with you about any idea of a lottery, that kind of contingency, if you will, or idea with respect to expenditures of this state has never entered our conversation. And, I thought I made it clear that the designation of senior citizens as the recipients of the benefits of the lottery was done out of good faith and good intentions, not with respect of trying to deal with 'tainted money' or anything of that kind.

"I merely have made an observation for

the record as chairman of the committee that I do not think that's a good position to take from a policy viewpoint."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 666 was adopted and, Roll Call vote having been requested, S.B. No. 495, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A STATE-OPERATED LOTTERY SYSTEM," having been requested, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 8 (George, Henderson, Holt, A. Kobayashi, Matsuura, Soares, Toguchi and Young). Excused, 1 (Hee).

Stand. Com. Rep. No. 667 (S.B. No. 1190, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 677 be adopted and S.B. No. 1190, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Kawasaki spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of this bill, and I've got to observe again that sometimes it takes a very long time for a basically good idea to be recognized and voted upon favorably.

"You and I have been introducing tourist tax bills for God knows how long. I think perhaps for a decade and a half. I am delighted that this bill, at least in this body, is going to pass. I'm particularly happy because this is our answer to our counterparts across the rotunda here who have been proposing to increase the sales tax by 2 percent and with a very complicated refunding procedure, exemption for certain categories of goods ... drugs and food and all that ... a very complex kind of arrangement in a bill that they propose.

"At least with the imposition of the tourist tax, we are going to impose a tax to those people who do enjoy the benefits of what we are trying to do here — improve our tourist climate, improve the beaches, the parks, try to contain crime that's prevalent in Waikiki. But most importantly, we do not impose an additional burden on the residents of this state by increasing the sales tax. I think that perhaps is the most important feature of this.

"For many years we've had the hotel industry oppose the tourist tax on the grounds that it would hurt tourism. However, they always criticize the Legislature in saying that we do not in this state, at least the Legislature, provide the funding necessary to promote tourism adequately.

"They always neglected to say that in those tourist destination areas that do spend more per capita for the promotion of tourism, without exception, everyone of those destinations has a tourist tax, and that is the reason they have enough revenue to promote tourism adequately.

"And realizing that the proceeds from this bill, if enacted into statute, a good portion of it will go directly to tourist related activities, I think now the peers of the tourist industry are going to be allayed.

"Of course, while we talk about the tourist tax harming the tourist industry, they thought nothing about raising their room rates, especially in one year when they raised it as much as 30 percent. They thought nothing about going into a room rate price fixing arrangement that incurred the wrath of the Justice Department as an anti-trust violation.

"To cut a story short, I think the tourist tax that is going to be imposed, if we enact this statute, is going to provide the kind of funds we need to very adequately promote tourism adequately, efficiently, certainly without imposing a burden on the local taxpayers.

"And I think the hotel industry in a matter of a few years is going to recognize that we did what was wise for the entire state, including the hotels and the tourist industry."

Senator Soares spoke against the measure as follows:

"Mr. President, it's a known fact that I've been against this tourist tax in my years here at the Capitol, more so this year because again I repeat, as I did earlier, that with a healthy surplus of over \$225 million by the end of the next year, I still cannot understand why we have to raise taxes.

"The excuse I've been hearing all along is that the tourist tax is very political — let the outsiders pay. Well, I've got news for you. When we travel interisland we pay. The basketball teams will pay; the senior citizens traveling to Kauai and Maui will pay a hotel room tax when they go to the Naniloa, King Kam or wherever.

"We forget that during the years of the great sugar industry, and thank God for them, they provided jobs for all in their plantations ... we never taxed them. They used our roads; they used our water; they used our air; but they provided jobs.

"When Kilauea on Kauai closed down, a hotel in Princeville picked up the slack as far as employment. Kohala closed down, Kohala Sugar Company, and Mauna Kea, Mauna Lani hotels sprung up and provided good employment for those people. The

same way with Puna in Hilo closing down. Hopefully, there would be some way for the industry to pick them up.

"In a just-released study by economists at the Bank of Hawaii, they have suggested that tourism may well be our only growth industry for the next five to 10 years. Annually, tourism generates \$150 million in excise tax receipts for the state, while the state appropriates less than \$4 million for tourism development and promotion.

"We have the opportunity to promote, develop and make sure the industry is keeping us alive. And we look at it as being someone else paying the tax, someone giving the money to us to be able to finance tourism promotion, parks and what have you.

"I feel very strongly that we should not do anything to hurt the industry.

"We do not have pineapple any longer. Sugar is a dying industry and yet, tonight, we passed a bill providing \$2 million to help them, and rightfully so.

"But I don't understand why, with the money we have ... a great January, February and March that's doing very very well, over \$200 million in surplus, that we have to raise any kind of tax.

"As far as I'm concerned, you've already adopted the Majority package containing the hotel room tax, the state lottery ... so the train is coming and off we're going to go.

"Mr. President, my main concern is that you do not have other industry in this city and state as you have elsewhere. I think it's wrong to say let the outsiders pay when they're carrying us and, fortunately for us, we have tourists coming into town providing all of these jobs.

"I don't know why we have to move as fast as we are to try to provide additional funds for pay raises and other needs that we have looking at us now when the money is already there.

"Mr. President, I do believe that we can take care of all of our needs, all of our services with the \$200 million plus surplus without raising a penny of tax from anyone.

"I urge that you vote against this bill."

Senator Yamasaki spoke in favor of the bill as follows:

"Mr. President, I believe that the previous speaker made reference to the surplus that we will have at the end of this fiscal year. I think that surplus resulted in the past through restrictions made by the administration.

"All of the figures that we have on revenues on the financial plan of the state, we have more expenditures over revenues. Revenues are smaller than our expenditure pattern and, through the restrictions, we have the so-called surplus, and by raising funds and allocating expenditures through this means, we are funding programs through non-recurring funds, and all of the expenditures are recurring expenditures. So we must find additional sources of income, especially for the hotel industry, because we have been bombarded by requests to improve the tourist industry ... to give more money to the industry. This is the only way that we bring more money to the tourist industry for their promotion.

"I think that this is the way we ought to go. As I remember back in 1973 when then Senator Yoshinaga chaired the Ways and Means Committee, he proposed the first tourist tax bill. In that bill that we had, that failed to pass that session, we had a 6 percent tourist tax, room tax, and I know that at that time the tourist industry, the hotel industry vigorously opposed such a measure to increase taxes on the tourists. We told them, twelve years ago or more, that sooner or later the day is going to come when the people are going to ask for a room tax. Today, we have that proposition before us, whether we are going to assess the people of this state through an excise tax or whether we are going to help the tourist industry by assessing room tax here in Hawaii. I think that time has come for us to seriously consider the room tax in this session of the Legislature because we are funding programs through monies that are not recurring.

"I think we ought to take a hard look at it because we are going to be looking at a deficit plan down the line in our six-year financial plan unless something is done during this session of the Legislature. Thank you."

Senator B. Kobayashi also spoke in support of the measure as follows:

"Mr. President, the tourist tax is not without its difficulties. It does single out one industry but that industry has been asking for support to increase tourist promotion to improve infrastructure, to help beautify resort areas, to help provide better police and security, all for the point of increasing the number and, hopefully, the quality of the tourist experience here in Hawaii.

"I think the State of Hawaii recognizes that the tourist industry is our bread and butter. We can't exist without it. We need to support this industry, and I think we need to support this industry by making it grow in a direction in which we can get more

tourists here but preferably of a better quality.

"If we had better infrastructure, if we had safer streets, if we had cleaner beaches, if we had less pollution, I think the overall tourist experience in Hawaii would be better and we can avoid what some people are predicting — the image of 8 million tourists in Hawaii in the year 2000.

"I would like to see the tourist industry continue, but frankly, I don't know what Hawaii would be like with 8 million tourists.

"If we could perhaps do with a slightly fewer tourists, but tourists of a better quality, I probably would be happier. If we can get better quality tourists by better quality facilities and attractions and if these cost money I would support this direction. I think that we can use this hotel room tax to move us in that direction.

"I would note that for the most part we have seen poll after poll over the years showing that the hotel room tax is a popular tax with the general citizenry. It is not popular in all sectors of the tourist industry but a popular tax is a very unusual thing, perhaps unique. Maybe I should not say unique because a lottery is probably a popular tax and also, by the way, voluntary, but a hotel room tax is a tax that people out in the streets accept and even like.

"If we can use this to improve the tourist industry and also, perhaps, to reduce taxes elsewhere in our system, I think this is the measure well worth supporting. Thank you."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 667 was adopted and, Roll Call vote having been requested, S.B. No. 1190, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Henderson, A. Kobayashi, Machida and Soares. Excused, 1 (Hee).

Senate Bill No. 204, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Hee).

At 8:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:25 o'clock p.m.

Senate Bill No. 556, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, S.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Hee and Kuroda).

Senate Bill No. 1144, S.D. 1:

Senator Cobb moved that S.B. No. 1144, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Matsuura rose to remark as follows:

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

"Some of the concerns that I have, risen from the hearings, is that I've asked the optometrist if they needed these drugs to give me a good pair of glasses and the answer was to the negative.

"The reason for these drugs is primarily to diagnose pathology in the eyes. I realize the need of this prescription drug is really not necessary because many of the optometrists would verify that by taking the medical history of the patient, looking at the eyes without the drug, would be similar to a medical doctor whether he is a practicing general practitioner or a pediatrician or an internist, that they'd be able to pick up a pathology that they can refer to the ophthalmologist.

"My main concern here is that there is some risk in using these drugs in the eyes because it is like putting the fluid into the bloodstream because there is the risk of drug reaction.

"Putting this drug into the eyes puts all of the optometrists into a higher level of care which means that they will be subject to malpractice suits. I think that they don't realize that some day they will be faced with the same kind of conditions as the medical doctors, who failed to diagnose some diseases.

"The other reason that I have concern is that if the optometrists were intensively trained for the pathology, I think that I would have lesser reservations.

"Those are some of concerns that I have gathered from the hearing and wanted you to know about them. Thank you."

Senator Cobb spoke in support of the measure as follows:

"Mr. President, this measure perhaps represents a compromise in a democracy functioning and working quite well. Neither party is totally satisfied with it when we find ourselves in the middle in a situation and tells me we're probably doing the right thing.

"But I would like to address some of the concerns just raised, and that is, it's true drugs are not needed just for a simple set of glasses, but in the case of patients who are either very young or old there is a change in the refractory of the eye on a continuous basis, and some of the drugs that are sought can be used to freeze the changing refractory of the eye in order to get an accurate prescription reading. This came out during the course of the testimony.

"One of the witnesses present gave us an analogy. He said without drugs, looking into the eye is like looking into a room through a keyhole of a door. With the drugs, it's like looking into that room with the door open.

"We included in the bill a mandatory, medical referral when there is any diagnosis or even suspicion of a systemic disturbance or disease of the eye. That's not something the optometrists were totally happy with, but it's something we felt very strongly and I did as chairman since my position is that of a layman listening to expert medical opinion on one side and expert, highly educated opinion on the other side.

"We had quite a crowd. If you wanted to make an appointment with your eye doctor on the night of that hearing, you had to come to the Capitol. They were all here.

"But I think there has been some very important safeguards built into the bill. The ophthalmologists have since come in to see me and asked me, is it my position firmly that I'm not going to remove the mandatory medical referral. My answer is, yes. They seemed quite satisfied with that.

"Their major concern is that the House version of the bill does not have the mandatory referral. I said, as far as I am concerned, I would not feel comfortable with the bill that did not have mandatory medical referral to an ophthalmologist for any discovery or suspicion of a systemic condition or disease of the eye.

"With those kinds of safeguards, Mr. President, I feel comfortable with the bill even though neither party who's been an advocate on this issue is totally satisfied. I would urge the member's support. Thank you."

Senator Soares then remarked:

"Mr. President, I must rise to speak against this bill and I'm compelled to spend a few minutes giving this honorable body an experience that I want to share.

"About a year ago, my granddaughter was taken in to the Medical Group to have her eyes examined by the ophthalmologist. She was only about five or six months old. You may not realize how serious the drops in the eyes appear, talking about it here, but my granddaughter had eyedrops put into her eyes by the nurse in the doctor's office. Fortunately, my daughter realized that something was wrong with my granddaughter. She, immediately following the drops in her eyes, went into a coma; began to have 'fits,' if you will.

"My daughter picked her up and ran upstairs to the pediatrician, called the ambulance, rushed my granddaughter from the Medical Group to the Children's Hospital. She had gone into a coma that was almost death, resulting from the drops in her eyes. They were not aware of any history of my daughter having any problem because she did, at a very young age, have a need for glasses.

"My granddaughter, fortunately for us, was in the hands of a qualified group, recognized the need, took care of her immediately, rushed her by ambulance to the hospital and she's still with us today, a year later.

"I feel very strongly that had she not been in that atmosphere, in that climate, we would have lost her. I just had to share that with you, because it's not just putting drops in the baby's eyes. It's a very, very serious situation. And I tell you from my personal experience that I wouldn't want that to happen to anyone of us.

"I think this bill lends to the possibility of that happening, and I urge all to vote against this bill."

Senator Kawasaki spoke in support of the bill and remarked:

"Mr. President, I rise to speak in favor of the bill, and I want to remind Senators here that we are not the only legislature that had to suffer the prolonged discussions for and against ... the witnesses equally vehement about the wrong position of the opponents.

"As a matter of record, 43 states have experienced the same kind of soul searching that we are doing. They have been subjected to the kind of testimony we heard night after night and, in the judgment of 43 of the 50 states, with seven states not as yet enacting this statute, the judgment of 43 states after having gone through exhaustive discussion on this subject, saw fit

to enact legislation quite similar to ours.

"That perhaps to me is the most compelling argument in favor of this bill.

"As to rare incidents of unfortunate results occurring as a result of the application of drugs for dilation of the pupil, these are very rare instances. These kinds of occurrence, the unfortunate results of medicine being administered to a victim, happens in the offices of the most reputable physicians, graduating from the most highly recognized medical institutions of learning.

"So, for people to quote very rare instances of unfortunate circumstances happening, possibly as a result of the application of drugs, I think is not quite fair.

"We have read all the testimonies very studiously; we have listened to the arguments from both sides very seriously. Sometimes, I think, at least for some witnesses that appeared before the committee, it's a matter of protecting their turf. Human beings being what they are, this happens. I suppose some of this takes place in the dental bill we were talking about.

"But, I want the body to rest assured that proponents of the proposition incorporated in this bill have heard long testimony and we are of the judgment that we are doing right by the citizens of this state in following the pattern of 43 other states in the Union ... other states, possibly half a dozen could be wrong, but I can't bring myself to believe that 43 out of 50 states acted erroneously.

"I support this bill and I urge others to do so."

Senator Kuroda also spoke in support of the measure as follows:

"Mr. President, I have been a military pilot for 20 years and during those 20 years I've had an annual physical, and during that physical, the optometrist is the person who checks my eyes and fortunately for many, many years I've never worn any glasses. But the optometrists put the eye drops in my eyes for all those years that I've gone through military physicals.

"I've learned also in those years that the very same optometrists who place those eye drops in my eyes for the purpose of examination is barred from doing so when he goes into the civilian community, he practices the same optometrical medicine.

"When the previous speaker stood up to describe the very unfortunate situation that happened to his granddaughter ... I'm confident that if it happens and it may because of different people's reaction ...

and if it happens when an optometrist does it, that person also has medical training, not the type that is described by those who went to medical school, but I am convinced through my association with optometrists and listening to the testimonies given at the hearings that the optometrist is capable of following up in the same way that not the ophthalmologist followed up, but your wife did, Senator, so, again, it's either the optometrist or someone in whose care the patient is in would immediately take that person for a medical treatment. Thank you."

Senator Cayetano rose to speak against the measure as follows:

"Mr. President, first, let me say that this is one of the more difficult issues that I've had to grapple with in my career here in the Senate. I wish to commend the optometrists and the ophthalmologists for the manner in which they lobbied their respective causes.

"I sincerely believe that if all lobbying groups followed their example the Legislature would be a much more pleasant place to work.

"As a member of the Consumer Protection Committee, one of the things that I have noticed and been somewhat amazed at is the constant battle that we see among professional groups for, as mentioned by Senator Kawasaki, 'for turf.'

"We see the psychiatrists and the psychologists trying to outdo each other. The psychologists and the social workers having the same problem, and the social workers and the marriage counselors having like problems. When I looked at this issue ... incidentally, I have friends who I consider good friends who are optometrists ... the bottom line for me is what would the patient be getting out of this because I think there is a bit of a turf fight in almost every issue of this nature that comes to us. And what it boiled down to was what this new diagnostic tool would provide to the patient in terms of benefit against the risk that the patient would be exposed to as a result of this new diagnostic tool, and my conclusion, and I cannot say that it was a strong conclusion but it was one that I reached based on the facts that were available to me, was that the risks were not worth permitting the new diagnostic tool in the hands of the optometrists.

"The information that I received indicated that they would be able to do just as good a job as they would with the drops as they are at the present time. Weighed against that I felt at the hearing that the ophthalmologists made a convincing case that examples of tragic events, such as Senator Soares described with respect to his granddaughter, happen.

"One cardiologist who I believe works for Straub indicated two examples where a patient's heart stopped in one and the patient experienced cardiac arrest in the other. When those things happen, you need someone with medical experience. I disagree with Senator Kuroda.

"One of the things I questioned the optometrists about quite intensively during the hearings was what training did they have that would allow them to respond to an emergency situation like that which would assist the patient and the answer of course was, and this is the conclusion that I reached, was that they really would not be in any better position than I would, if I were a person trained in, for example, first aid, a person trained in CPR and that kind of thing, because the simple fact of the matter is that they are not physicians in the medical sense and for me that's the problem, that is the major problem. For that reason, I just can't go along with this bill.

"Senator Kuroda mentioned the military. Let me say that my experience as an attorney who has engaged in medical malpractice leads me to the conclusion that medical treatment in the military leaves much to be desired. Their standards are much different from the private sector, and the reason is they simply cannot get the trained personnel to make a career out of the military, and so I think those are some facts one has to consider.

"Thank you."

Senator McMurdo spoke in support of the measure as follows:

"Mr. President, I would like to support this bill. I will not address the subject of how good military medicine is at this time. That takes a little longer.

"But I would like to say that I've had a lifetime of having my eyes examined in military hospitals and I would say 95 percent of the time it has been the optometrist who has done it and has put in the drops. Optometrists have taken care of my four children and all of my friends, and I have never heard of any tragedies occurring as a result ... I am not saying that this does not happen; I am just saying that it is a rare situation and one that I don't think is completely relevant to what we're talking about in the sense that it doesn't happen that often.

"I will talk with my esteemed colleague about military medicine at some other time. I must tell him that I have three doctors who are in the service right now."

Senator Holt then added:

"Mr. President, as to not belabor the point, I rise to speak against the bill.

"I concur with the three previous speakers who spoke against the bill and would like to know if the remarks they made could be entered as my own in the Journal. Thank you."

The Chair responded: "So ordered."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.B. No. 1144, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 9 (Cayetano, Fernandes Salling, George, Henderson, Holt, A. Kobayashi, Matsuura, Soares and Solomon). Excused, 1 (Hee).

Senate Bill No. 854, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, S.B. No. 854, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 742, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, S.B. No. 742, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 8:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:51 o'clock p.m.

MATTERS DEFERRED FROM FRIDAY, MARCH 8, 1985

By unanimous consent, action on S.C.R. Nos. 27 and 28, S.R. Nos. 31 and 32 was placed on the calendar for further consideration on Tuesday, March 12, 1985.

At this time, Senator Kawasaki rose on a point of personal privilege as follows:

"Mr. President, in observing the vote taken on the tourist tax bill. I notice the vote went almost strictly along party lines. This was quite interesting to me. I think perhaps some of us would have joined the

Republicans and not have voted for a tourist tax if what I anticipate will happen here would not happen. I concur with Senator Soares who several times mentioned the fact that we have a pretty healthy surplus of state funds estimated anywhere between \$160 million to \$200 million, and I would think this would be adequate under normal circumstances, but as the chairman of the Ways and Means Committee had explained there are calls on this so called surplus that already have been communicated to the Ways and Means chairman. But perhaps what we should not forget, and I remind the Republicans, the largest call on this so called surplus is going to be by the government workers' unions that are now negotiating their wage contracts. And if I know this Legislature, the wage negotiations that are agreed to by the state negotiators with the representatives of the unions, those negotiation figures which will literally amount to millions of dollars will consume a good portion of this so called surplus.

"Now, if I had confidence that this Legislature would hold firm and say to the unions we will not grant you what you are seeking; we can't afford it; we think you should get this amount of money and the balance to take care of other needs in this state. If I had the confidence that not only Democrats but the Republicans had the guts to tell the unions there are other concerns that we have involving non-government employees then I would have voted along with them against the tourist tax, but the practice has been, and my experience has been, that like ten pins, Democrats as well as Republicans fall in line and grant the government employees' unions exactly what they want. So this is the reason we won't have any surplus.

"That compels us to vote for a tourist tax to take care of tourist industry needs."

Senator Soares responded on a point of personal privilege as follows:

"Mr. President, I'm aggrieved that I don't have any guts.

"Mr. President, I'd like to respond just for a second by answering my vice president that his memory is a little short and, also, Senator Yamasaki could tell you that the bill he referred to, in 1973, the Republicans in the House helped to kill that bill. That was when our good friend Senator Yoshinaga had a committee report circulated and asked everybody to sign it free and clear; he asked 'I do not concur,' as chairman.

"I'll say this, Mr. President, for the record, the Republicans will stand tall on any vote we make, whether it's the tourist tax or anything else, and I can assure you when the time comes, now to the end of the session, we'll see who has the guts when that time comes."

The Chair then remarked as follows:

"Members of the Senate, the Chair would like to take this opportunity, first of all, to thank all the Senators.

"We've had a record breaking day today with around 400 pieces of legislation being passed in a single day, probably the highest total of bills ever passed in the Senate in the last ten years, at least as far as I can remember.

"That could not have happened, finishing at this early hour on third reading bills, if we did not have the cooperation and understanding of all the members of the Senate.

"Secondly, I would really like to thank the backroom staff who so efficiently got all the work done and got everything prepared for us.

"Also, at this time, I would like to acknowledge the Minority for their help in preparing the digest. We appreciate it very much. It did help in our deliberations.

"To all the members of the Senate, please go home and have a good evening. We'll see you tomorrow."

Senator Kawasaki then remarked:

"Mr. President, perhaps it is appropriate that we give you, the presiding officer of the Senate, some credit for the smooth manner in which the business of the Legislature, at least in the Senate, has been conducted. I think we have to commend you in the manner in which you organized the Senate at the beginning, in the opening days of the session, and the manner in which you have assigned allocations of bills, referred bills, in the manner in which you handled complaints of 25, if you will, very temperamental players in the scene. I think much credit goes to you in the fair manner in which you handled the business before hand.

"And if there are any doubts in the public's mind as to how the so called dissidents were going to conduct themselves, I think this session proved that things can be worked out among reasonable, sensible people."

Senator Cayetano added:

"Mr. President, I think what Senator Kawasaki is saying is that it's easier to make love than war."

ADJOURNMENT

At 8:55 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, March 12, 1985.

THIRTY-FOURTH DAY

Tuesday, March 12, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Anthony Robinson, Church of the Crossroads, after which the Roll was called showing all Senators present with the exception of Senators Cayetano, Kawasaki, Kuroda and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Third Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 214 to 232) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 214, submitting for consideration and confirmation to the Board of Agriculture, the nomination of John E. Loomis, term to expire December 31, 1988, was referred to the Committee on Agriculture.

Gov. Msg. No. 215, submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Stephen Okumura, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of Gene T. Nishimoto, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 217, submitting for consideration and confirmation to the State Board of Nursing, the nomination of Willow Sekiya Morton, term to expire December 31, 1987, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 218, submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Steven J. Choy, Ph.D., term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 219, submitting for consideration and confirmation to the State Foundation on Culture and the Arts, the nomination of Bernadette H. Sakoda, term to expire December 31, 1988, was referred

to the Committee on Education.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nomination of Arlene M. Waiama, term to expire December 31, 1985, was referred to the Committee on Education.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Board of Public Broadcasting, the nominations of the following:

Millicent Y. H. Kim, term to expire December 31, 1990 and
Karen Ho Hong, term to expire December 31, 1988,

was referred to the Committee on Education.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nominations of the following:

Mary M. Katayama, term to expire December 31, 1988;
Edwin M. Montell, M.D., term to expire December 31, 1988;
Chitose Kanuha, term to expire December 31, 1988;
Dorothy P. Kataoka, term to expire December 31, 1988; and
Yvonne Carvalho Paik, term to expire December 31, 1986,

was referred to the Committee on Health.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nominations of the following:

Herbert K. Yim, term to expire December 31, 1987;
William W. Goodhue, M.D., term to expire December 31, 1988; and
Amy A. Mendonca, term to expire December 31, 1988,

was referred to the Committee on Health.

Gov. Msg. No. 224, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Kauai County Hospital System, the nominations of the following:

Mabel Jean Odo, term to expire December 31, 1988;
William T. Honjiyo, term to expire December 31, 1986;
Ludvina K. Takahashi, term to expire

December 31, 1985; and
Leah Pereira, term to expire December 31, 1988,

was referred to the Committee on Health.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Board of Social Services and Housing, the nominations of Toby Bailin Pontius and Barbara Dart, terms to expire December 31, 1988, were referred to the Committee on Human Services.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Advisory Council for Children and Youth, the nominations of the following:

Roberta W. S. Chang, term to expire December 31, 1988;
Karen K. Horita, term to expire December 31, 1988;
Marlene B. Maneha, term to expire December 31, 1986; and
Maria V. Bunye, term to expire December 31, 1988,

was referred to the Committee on Human Services.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nominations of Lawrence Pang and Ronald I. Nakatsu, terms to expire December 31, 1988, were referred to the Committee on Human Services.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Civil Service Commission, the nomination of Melvyn T. Murakami, term to expire December 31, 1986, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nominations of Roy Yonahara, Alvin J. Nishimoto, Isaac J. Kaopua, Sr., Linda F. Agosto, Mary Jean Lindsey and Christy A. Kawabata, terms to expire June 30, 1988, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of Jean H. Nakagawa, term to expire December 31, 1988, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Commission on Transportation, the nominations of the following:

Reverend George A. Rozycki, term to

expire December 31, 1985 and
Bina M. Chun, term to expire December 31, 1987,

was referred to the Committee on Transportation.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District, the nomination of Norma J. Yuskos, term to expire December 31, 1988, was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 67 to 209) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 67, transmitting House Bill No. 20, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 20, 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," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 68, transmitting House Bill No. 39, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 39, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 69, transmitting House Bill No. 49, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 49, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 70, transmitting House Bill No. 52, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 52, H.D. 2, entitled: "A BILL FOR AN ACT

RELATING TO INCOME TAXATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 71, transmitting House Bill No. 56, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 56, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 72, transmitting House Bill No. 57, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 57, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HOUSING AUTHORITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 73, transmitting House Bill No. 60, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 60, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 74, transmitting House Bill No. 94, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 94, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF PRISON FACILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 75, transmitting House Bill No. 95, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION OF EDUCATION AND VOCATIONAL TRAINING PROGRAMS IN

CORRECTIONAL FACILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 76, transmitting House Bill No. 104, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 104, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 77, transmitting House Bill No. 107, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 107, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE WARRANTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 78, transmitting House Bill No. 108, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 108, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 79, transmitting House Bill No. 134, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 134, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 80, transmitting House Bill No. 144, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 144, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 81, transmitting House Bill No. 146, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 82, transmitting House Bill No. 147, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 83, transmitting House Bill No. 166, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 166, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 84, transmitting House Bill No. 174, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 174, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 85, transmitting House Bill No. 179, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 179, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF THE SPECIAL LAND AND DEVELOPMENT FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 86, transmitting House Bill No. 184, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 184, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 87, transmitting House Bill No. 192, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 192, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 88, transmitting House Bill No. 193, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 193, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 89, transmitting House Bill No. 207, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 207, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 90, transmitting House Bill No. 208, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 208, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 91, transmitting House Bill No. 209, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 209, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 92, transmitting House Bill No. 227, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 227, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 93, transmitting House Bill No. 229, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 229, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 94, transmitting House Bill No. 234, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 234, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 95, transmitting House Bill No. 236, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 236, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 96, transmitting House Bill No. 240, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 240, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSIONER OF

FINANCIAL INSTITUTIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 97, transmitting House Bill No. 354, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 354, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 98, transmitting House Bill No. 272, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 272, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 99, transmitting House Bill No. 263, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 263, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 100, transmitting House Bill No. 436, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 436, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 101, transmitting House Bill No. 448, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 448, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAHUKU HOSPITAL OPERATING SUBSIDY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 102, transmitting House Bill No. 526, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE STOCK OWNERSHIP," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 103, transmitting House Bill No. 1207, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1207, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 104, transmitting House Bill No. 1231, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1231, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 105, transmitting House Bill No. 1244, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1244, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IN-SERVICE TRAINING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 106, transmitting House Bill No. 1271, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1271, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 107, transmitting House Bill No. 1285, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 108, transmitting House Bill No. 19, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 19, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 109, transmitting House Bill No. 28, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 28, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 110, transmitting House Bill No. 29, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 29, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE HAWAII CONSTITUTION, TO CHANGE THE JURISDICTIONAL AMOUNT REQUIRED FOR JURY TRIALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 111, transmitting House Bill No. 32, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 32, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 112, transmitting House Bill No. 33, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 33, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 113, transmitting House Bill No. 34, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 114, transmitting House Bill No. 100, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 100, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 115, transmitting House Bill No. 105, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 105, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 116, transmitting House Bill No. 110, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 117, transmitting House Bill No. 122, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 122, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATIVE POWER OF THE ATTORNEY GENERAL," passed First

Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 118, transmitting House Bill No. 152, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 152, entitled: "A BILL FOR AN ACT RELATING TO AGENTS OF PRIVATE SCHOOLS AND CORRESPONDENCE SCHOOLS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 119, transmitting House Bill No. 156, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 156, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 120, transmitting House Bill No. 160, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 160, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 121, transmitting House Bill No. 167, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 167, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 122, transmitting House Bill No. 169, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 169, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 123, transmitting House Bill No. 173, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 173, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 124, transmitting House Bill No. 183, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 183, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 125, transmitting House Bill No. 190, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 190, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 126, transmitting House Bill No. 214, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 214, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 127, transmitting House Bill No. 217, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 217, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 128, transmitting House Bill No. 220, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 220, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 129, transmitting House Bill No. 223, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 223, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 130, transmitting House Bill No. 233, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 233, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 131, transmitting House Bill No. 259, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 259, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 132, transmitting House Bill No. 262, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 133, transmitting House Bill No. 270, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 270, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed First Reading by title

and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 134, transmitting House Bill No. 275, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 135, transmitting House Bill No. 281, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 281, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 136, transmitting House Bill No. 283, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 283, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 137, transmitting House Bill No. 285, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 285, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 138, transmitting House Bill No. 290, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 290, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 139, transmitting House Bill No. 347, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 347, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 140, transmitting House Bill No. 357, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 141, transmitting House Bill No. 361, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 361, entitled: "A BILL FOR AN ACT RELATING TO COMPLIANCE WITH COURT ORDERS IN TRAFFIC CASES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 142, transmitting House Bill No. 363, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 363, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 143, transmitting House Bill No. 364, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 364, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 144, transmitting House Bill No. 373, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 373, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 145, transmitting House Bill No. 374, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 374, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 146, transmitting House Bill No. 383, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 383, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 147, transmitting House Bill No. 393, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 393, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 148, transmitting House Bill No. 317, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 317, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATIONS PERIOD FOR FEDERAL ACTIONS BROUGHT IN STATE COURT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 149, transmitting House Bill No. 326, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 326, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO CRUELTY TO ANIMALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 150, transmitting House Bill No. 329, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 329, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 151, transmitting House Bill No. 330, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 330, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 152, transmitting House Bill No. 333, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 333, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 153, transmitting House Bill No. 346, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 346, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 154, transmitting House Bill No. 401, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 401, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 155, transmitting House Bill No. 434, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 434, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 156, transmitting House Bill No. 440, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 440, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 157, transmitting House Bill No. 441, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 441, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 158, transmitting House Bill No. 455, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 455, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL DISCLOSURES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 159, transmitting House Bill No. 460, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 460, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES, COSTS, AND EXPENSES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 160, transmitting House Bill No. 463, H.D. 2, which passed Third Reading in the House of Representatives on

March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 463, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 161, transmitting House Bill No. 465, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 465, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 162, transmitting House Bill No. 488, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 488, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 163, transmitting House Bill No. 496, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 496, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 164, transmitting House Bill No. 499, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 499, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 165, transmitting House Bill No. 503, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 503, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO STATUTORY REVISION: AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 166, transmitting House Bill No. 509, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 509, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 167, transmitting House Bill No. 518, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 518, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 168, transmitting House Bill No. 519, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 169, transmitting House Bill No. 520, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 170, transmitting House Bill No. 557, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 557, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO MOTOR VEHICLE REPARATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 171, transmitting House Bill No. 558, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 558, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 172, transmitting House Bill No. 570, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 570, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 173, transmitting House Bill No. 574, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 574, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 174, transmitting House Bill No. 597, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 175, transmitting House Bill No. 603, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 176, transmitting House Bill No. 612, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 612, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 177, transmitting House Bill No. 657, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 657, entitled: "A BILL FOR AN ACT RELATING TO PRE-SENTENCE DIAGNOSIS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 178, transmitting House Bill No. 674, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 674, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT AND RECALL LISTS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 179, transmitting House Bill No. 683, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 683, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONER FURLOUGH," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 180, transmitting House Bill No. 689, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 689, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 181, transmitting House Bill No. 690, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 690, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 182, transmitting House Bill No. 691, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 183, transmitting House Bill No. 692, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 184, transmitting House Bill No. 693, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 693, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 185, transmitting House Bill No. 697, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 186, transmitting House Bill No. 698, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by

Senator Soares and carried, H.B. No. 698, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 187, transmitting House Bill No. 699, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 699, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 188, transmitting House Bill No. 700, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 700, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 189, transmitting House Bill No. 705, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 705, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF OFFENDERS UNDER TREATY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 190, transmitting House Bill No. 720, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 720, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 191, transmitting House Bill No. 743, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 743, H.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII INSURANCE LAW," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 192, transmitting House Bill No. 755, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 755, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHIC EXAMINERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 193, transmitting House Bill No. 756, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 756, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATUROPATHY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 194, transmitting House Bill No. 757, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 195, transmitting House Bill No. 758, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO PILOT COMMISSIONERS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 196, transmitting House Bill No. 759, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 759, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 197, transmitting House

Bill No. 760, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 760, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 198, transmitting House Bill No. 761, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 761, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 199, transmitting House Bill No. 762, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 762, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALER AND FITTER," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 200, transmitting House Bill No. 794, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 794, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 201, transmitting House Bill No. 800, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 800, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 202, transmitting House Bill No. 801, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 801, entitled: "A BILL FOR AN ACT RELATING

TO ENDANGERING THE WELFARE OF A MINOR," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 203, transmitting House Bill No. 813, H.D. 3, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 813, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS AND FINANCING SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 204, transmitting House Bill No. 824, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 824, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES UNDER SECTION 103-10, HAWAII REVISED STATUTES, AS AMENDED," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 205, transmitting House Bill No. 826, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 826, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 206, transmitting House Bill No. 834, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 834, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX LAW," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 207, transmitting House Bill No. 838, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 838, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAILER REGISTRATIONS,"

passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 208, transmitting House Bill No. 921, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 921, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

Hse. Com. No. 209, transmitting House Bill No. 949, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 949, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed First Reading by title and was placed on the calendar for further consideration on Wednesday, March 13, 1985.

ORDER OF THE DAY

SECOND READING

Senate Bill No. 1057, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 13, 1985.

MATTERS DEFERRED FROM MONDAY, MARCH 11, 1985

REFERRAL OF SENATE RESOLUTIONS

The Chair made the following committee assignments of resolutions that were offered on Friday, March 8, 1985:

Senate Concurrent Resolutions	Referred to:	
No. 27 Transportation	Committee	on
No. 28 Transportation	Committee	on
Senate Resolutions	Referred to:	
No. 31 Transportation	Committee	on

No. 32 Committee on
Transportation

By unanimous consent, action on S.C.R. No. 29, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING 1985 AS THE INTERNATIONAL YOUTH YEAR (IYY) IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS was deferred until Wednesday, March 13, 1985.

Senator Solomon then rose on a point of personal privilege and stated as follows:

"Mr. President, and my fellow colleagues, as you know there was an article in the Sunday Star-Bulletin, a three page article, providing an overview of proposed changes in Kohala. I thought the article was an academic presentation as to what kinds of projects are now being considered for the area. But I have to express my disappointment, Mr. President, that within the whole article's presentation, there was no mention of the community's feelings as to these proposed drastic developmental takeover proposed for Kohala. Just for this body's information, I would like to mention some of the projects that are being considered for my Third Senatorial District.

"The Kohala Corporation, the largest landowner in Kohala with approximately 20,000 acres, is the most moderate. They are considering a 1,700 acre subdivision which includes 170 lots of one to six acres, on 450 acres, 74 acres with a 120 lots which they want reclassified from agriculture to urban residential. This is just project No. 1.

"Project No. 2, Ahualoa subdivision: 400 acre fee simple parcel to be subdivided into 3 to 10 acre lots, the lots averaging approximately \$30,000 an acre. Puakea Bay Ranch: 40 10-acre fee simple parcels, a parcel selling at \$250,000. Mahukona Resort Development is up for public hearing tonight in Kohala. The development proposes to develop 1,043 acres including a condominium hotel development of 1,500 guest rooms, 3,200 condominium units and 500 single family dwellings. There was no citing within the article as to whether or not this project will include affordable housing. Kohala Ranch, which received their subdivision approval last year, is proposing the development of 4,000 fee simple acres. Included will be 223 fee

simple ranch parcels, three to 14 acre lots, selling at approximately a quarter of a million dollars and above per lot. Kohala Makai proposal includes 400 condominium units. Anna Ranch in Waimea is for sale. Approximately \$4 million is the asking price. Mr. President, may I remind this body that these are now lands zoned for agriculture purposes. Kamuela View Estates: 58 acres to be subdivided into lots 15,000 square feet or larger. There will be a total of 42 lots, each selling at approximately \$50,000 to \$60,000 per acre. Mauna Kea Properties have pending before the Land Use Commission their development of approximately 3,750 acres. Their latest project, the Mauna Kea Villas includes 40 condos, duplexes and triplexes, each selling between \$750,000 to \$1.2 million per unit. The Mauna Lani Resort is presenting their plans to develop 3,200 acres for consideration. All in all, Mr. President, it worries me as the Senator of the Third Senatorial District, when we have news articles reporting development projects of this drastic size and not one paragraph of this three page article even mentions the position of the community's reactions.

"For this body's consideration, I would like to give you the position of the Kohala Community involving a population of approximately less than 3,000 people with 900 homes. The overview of changes as reported in this article purports that approximately 5,000 to 6,000 new units will be built within this decade. It's overwhelming! The Kohala community has been actively involved with the development of the North Kohala Community Development Plan, but there was no reference of this in this news article. We've been in discussion with the county and with the different property owners, a discussion that has extended over a period of ten years from which we have finally negotiated our differences which is stated in this Kohala Community Development Plan. The new administration, under the leadership of Dante Carpenter, has given us, the community, the administration's commitment that this Community Plan would be used as a guideline for the Planning Department decision-making process when it pertains to Kohala.

"These are our concerns. Number 1, how would the current residents be affected? Number 2, will the local residents be the ones that would get the jobs on these projects? Number 3, how would these kinds of projects change our lifestyle? Number 4, would we have access to the beaches? Mr. President, at this time, I would like to inform this body that Hawaii County has chosen to ignore the adoption of a plan that provides access rights for the people to the beaches and mountains.

"My concerns as a Senator and also our concerns here should be the capital

improvement projects that will be required to create the infrastructure to accommodate these kinds of projects. The infrastructure in my Third Senatorial District needs a lot of kokua, right now, to accommodate the needs of the residents living in this area. We need realignment or upgrading of the Kawaihae Road which has been an ongoing concern in this Legislature for many, many years, yet to this day we have not appropriated the dollars needed for that project. Also the Saddle Road and the Kohala Mountain Road need improvements. Dollars are also needed for more water development and additional school facilities. Right now, Mr. President, Waimea School needs ten new classrooms to accommodate their enrollment increases. We need more sewer facilities. The majority of the subdivisions now in my district are with cesspools. How will these kinds of proposed developments affect the existing infrastructure? What are their plans?

"All of this, Mr. President, has been questioned during various community meetings and addressed through the Kohala Community Plan. It exasperates me to think these community positions were not mentioned.

"Mr. President, I'm hoping that when these projects come up for consideration by the County of Hawaii and if approval is granted they will make a commitment and put dollars towards these commitments. I feel very strongly that the residents in Kohala, the majority of whom are fifth generation families should have the prerogative to be able to enjoy what they are enjoying right now. But the way this article presents these development plans, I don't see how this is possible.

"I feel very strongly about this and I have discussed this with the Senator who is the chairman of the Housing Committee. If we're going to allow these kinds of projects, we in the Senate should take a very strong position for affordable housing. What's happening here is that we're changing the demographics of the community quite dramatically and we're not providing affordable homes nor the support dollars for the improvements of the public utilities for the people who are living in Kohala. Why should they pay the tab?

"A good example is the completed first increment of the Kahei Housing Project in Kohala...nine homes, Mr. President. Two hundred people were on the waiting list, and these are primarily local families in the community.

"So, I'm urging my fellow Senators here, especially my Senators from the Big Island, that in their zest for development on the Big Island that we give priority to the concerns of the community. Thank you very

much."

ADJOURNMENT

At 11:26 o'clock a.m., on motion by

Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 13, 1985.

THIRTY-FIFTH DAY

Wednesday, March 13, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Mrs. Kathleen Wenke of the Christian Science Church, after which the Roll was called showing all Senators present with the exception of Senators Kuroda and Machida who were excused.

The Chair announced that he had read and approved the Journal of the Thirty-Fourth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 233 to 236) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 233, transmitting the Fourth Annual Report of the Aloha Tower Development Corporation for the year ending December 31, 1984, prepared by the Department of Planning and Economic Development, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 234, transmitting the Annual Report (1983-1984) of the State Foundation on Culture and the Arts, pursuant to Chapter 9, HRS, was referred to the Committee on Education.

Gov. Msg. No. 235, transmitting reports: "Tort Claims and Lawsuits Settled for \$2,000 and Under Fiscal Year 1982-1983," and "Tort Claims and Lawsuits Settled for \$2,000 and Under Fiscal Year 1983-1984," prepared by the Department of the Attorney General, pursuant to Sec. 662-11, HRS, was referred to the Committee on Judiciary.

Gov. Msg. No. 236, transmitting the "Report of the Insurance Commissioner of Hawaii 1984, Summary of Insurance Business for the Year 1983," prepared by the Department of Commerce and Consumer Affairs, pursuant to Sec. 431-45, HRS, was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 210 to 325) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 210, transmitting House Bill No. 957, H.D. 1, which passed Third Reading in the House of Representatives on

March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 957, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 211, transmitting House Bill No. 989, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 989, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 212, transmitting House Bill No. 995, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 995, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 213, transmitting House Bill No. 997, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 997, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM," passed First Reading by title and was referred to the Committee on Housing and Community Development, then to the Committee on Ways and Means.

Hse. Com. No. 214, transmitting House Bill No. 1050, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1050, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 215, transmitting House Bill No. 1054, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1054, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 216, transmitting House Bill No. 1057, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1057, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 217, transmitting House Bill No. 1061, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1061, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was referred to the Committee on Government Operations.

Hse. Com. No. 218, transmitting House Bill No. 1063, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 219, transmitting House Bill No. 1127, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1127, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY POWERS TO ISSUE HOUSING BONDS," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 220, transmitting House Bill No. 1132, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1132, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed First Reading by title and was referred

to the Committee on Judiciary.

Hse. Com. No. 221, transmitting House Bill No. 1135, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1135, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 222, transmitting House Bill No. 1162, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 223, transmitting House Bill No. 1163, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1163, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD VICTIMS AND WITNESSES; RIGHTS AND SERVICES," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 224, transmitting House Bill No. 1166, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1166, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VICTIM NOTIFICATION REQUIREMENTS OF CONDITIONAL RELEASE CENTERS; FURLOUGHS FOR PRISONERS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 225, transmitting House Bill No. 1186, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1186, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 226, transmitting House Bill No. 1239, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1239, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 227, transmitting House Bill No. 1246, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1246, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Energy, then to the Committee on Ways and Means.

Hse. Com. No. 228, transmitting House Bill No. 1248, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1248, entitled: "A BILL FOR AN ACT RELATING TO TRANSFERS TO MINORS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 229, transmitting House Bill No. 1251, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1251, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER," passed First Reading by title and was referred to the Committee on Health.

Hse. Com. No. 230, transmitting House Bill No. 1254, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1254, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 231, transmitting House Bill No. 1257, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1257, entitled: "A BILL FOR AN ACT RELATING

TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 232, transmitting House Bill No. 1298, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1298, entitled: "A BILL FOR AN ACT RELATING TO UNIFORM PROBATE CODE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 233, transmitting House Bill No. 1289, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1289, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 234, transmitting House Bill No. 1353, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1353, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 235, transmitting House Bill No. 1354, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1354, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 236, transmitting House Bill No. 1356, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1356, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 237, transmitting House

Bill No. 1360, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1360, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 238, transmitting House Bill No. 1366, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1366, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 239, transmitting House Bill No. 1378, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1378, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 240, transmitting House Bill No. 1382, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1382, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 241, transmitting House Bill No. 1386, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1386, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 242, transmitting House Bill No. 1393, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1393, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," passed First Reading by title and was referred to the Committee on Transportation.

Hse. Com. No. 243, transmitting House Bill No. 1450, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1450, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING PROJECTS," passed First Reading by title and was referred to the Committee on Housing and Community Development.

Hse. Com. No. 244, transmitting House Bill No. 1470, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1470, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCEST," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 245, transmitting House Bill No. 1487, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1487, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RESTITUTION PAYMENTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 246, transmitting House Bill No. 1488, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1488, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 247, transmitting House Bill No. 1492, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1492, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION PAYMENTS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 248, transmitting House Bill No. 1493, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1493, entitled: "A BILL FOR AN ACT RELATING TO VICTIMS," passed First Reading by title and was referred to the Committee on

Judiciary.

Hse. Com. No. 249, transmitting House Bill No. 1547, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1547, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 250, transmitting House Bill No. 1605, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1605, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 251, transmitting House Bill No. 1615, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1615, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG IN THE SECOND DEGREE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 252, transmitting House Bill No. 116, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 116, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE," passed First Reading by title and was referred to the Committee on Agriculture.

Hse. Com. No. 253, transmitting House Bill No. 22, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 22, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 254, transmitting House Bill No. 23, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by

Senator Soares and carried, H.B. No. 23, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN EMERGENCY AND BUDGET STABILIZATION FUND," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 255, transmitting House Bill No. 35, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 35, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WITNESS SECURITY AND PROTECTION PROGRAM," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 256, transmitting House Bill No. 36, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 36, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AID TO VICTIMS COORDINATOR PROGRAMS," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 257, transmitting House Bill No. 62, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 62, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 258, transmitting House Bill No. 64, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 64, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF AGRICULTURAL COMMODITIES," passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 259, transmitting House Bill No. 65, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 65, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE ACTIVITIES," passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 260, transmitting House Bill No. 77, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 77, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF HAZARDOUS MATERIALS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 261, transmitting House Bill No. 78, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 78, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF HAZARDOUS MATERIALS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 262, transmitting House Bill No. 79, H.D. 3, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 79, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 263, transmitting House Bill No. 80, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 80, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF HAZARDOUS MATERIALS," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 264, transmitting House Bill No. 82, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 265, transmitting House Bill No. 83, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 266, transmitting House Bill No. 84, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 84, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCE MANAGEMENT," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 267, transmitting House Bill No. 87, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 87, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE VISITOR INDUSTRY EDUCATION COUNCIL FOR THE PRODUCTION OF AN EDUCATIONAL FILM ON THE BENEFITS OF TOURISM," passed First Reading by title and was referred to the Committee on Tourism and Recreation, then to the Committee on Ways and Means.

Hse. Com. No. 268, transmitting House Bill No. 98, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 98, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REVISED STATUTES," passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 269, transmitting House Bill No. 175, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 175, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed First Reading by title and was referred to the Committee on Labor and Employment.

Hse. Com. No. 270, transmitting House Bill No. 101, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 101, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES," passed First Reading by title and was referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 271, transmitting House Bill No. 153, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO MEMBERS OF BOARDS AND COMMISSIONS," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 272, transmitting House Bill No. 228, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 228, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 273, transmitting House Bill No. 216, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 216, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII," passed First Reading by title and was referred to the Committee on Energy.

Hse. Com. No. 274, transmitting House Bill No. 219, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed First Reading by title and was

referred to the Committee on Housing and Community Development, then to the Committee on Ways and Means.

Hse. Com. No. 275, transmitting House Bill No. 284, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 284, entitled: "A BILL FOR AN ACT RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR," passed First Reading by title and was referred to the Committee on Transportation.

Hse. Com. No. 276, transmitting House Bill No. 260, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 260, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTIONS," passed First Reading by title and was referred to the Committee on Housing and Community Development, then to the Committee on Ways and Means.

Hse. Com. No. 277, transmitting House Bill No. 299, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 299, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 278, transmitting House Bill No. 306, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 306, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES OF THE LEGISLATURE," passed First Reading by title and was referred to the Committee on Legislative Management, then to the Committee on Ways and Means.

Hse. Com. No. 279, transmitting House Bill No. 353, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 353, entitled: "A BILL FOR AN ACT RELATING

TO LANDLORD AND TENANT," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 280, transmitting House Bill No. 355, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 355, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 281, transmitting House Bill No. 382, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 382, entitled: "A BILL FOR AN ACT RELATING TO JURORS' MILEAGE FEE," passed First Reading by title and was referred to the Committee on Judiciary.

Hse. Com. No. 282, transmitting House Bill No. 447, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 447, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNTY EXTENSION AGENT UNDER THE COOPERATIVE EXTENSION SERVICE OF MAUI," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 283, transmitting House Bill No. 487, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 487, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 284, transmitting House Bill No. 549, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 549, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOFTWARE LICENSE ENFORCEMENT," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 285, transmitting House Bill No. 569, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 569, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNINSURED MOTOR VEHICLE INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 286, transmitting House Bill No. 571, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 571, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 287, transmitting House Bill No. 614, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 614, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES," passed First Reading by title and was referred to the Committee on Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 288, transmitting House Bill No. 776, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 776, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed First Reading by title and was referred to the Committee on Human Services.

Hse. Com. No. 289, transmitting House Bill No. 791, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 791, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGN PROFESSIONAL CONCILIATION PANEL," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary.

Hse. Com. No. 290, transmitting House

Bill No. 832, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 832, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," passed First Reading by title and was referred to the Committee on Tourism and Recreation.

Hse. Com. No. 291, transmitting House Bill No. 839, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 839, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 292, transmitting House Bill No. 840, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 840, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 293, transmitting House Bill No. 889, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 889, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed First Reading by title and was referred to the Committee on Economic Development.

Hse. Com. No. 294, transmitting House Bill No. 905, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 905, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

Hse. Com. No. 295, transmitting House Bill No. 916, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 916, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PAPAYAS," passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

Hse. Com. No. 296, transmitting House Bill No. 962, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 962, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed First Reading by title and was referred to the Committee on Labor and Employment, then to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 297, transmitting House Bill No. 974, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 974, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed First Reading by title and was referred to the Committee on Labor and Employment, then to the Committee on Ways and Means.

Hse. Com. No. 298, transmitting House Bill No. 985, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 985, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed First Reading by title and was referred to the Committee on Housing and Community Development, then to the Committee on Ways and Means.

Hse. Com. No. 299, transmitting House Bill No. 1003, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1003, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 300, transmitting House Bill No. 1018, H.D. 1, which passed Third

Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1018, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE HYPERBARIC TREATMENT CENTER, HONOLULU, OAHU," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 301, transmitting House Bill No. 1056, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1056, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS OF INSURERS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

Hse. Com. No. 302, transmitting House Bill No. 1059, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1059, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF HAWAII'S INSURANCE LAWS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

Hse. Com. No. 303, transmitting House Bill No. 1121, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1121, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRESH SEAFOOD PROMOTION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 304, transmitting House Bill No. 1131, H.D. 2, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1131, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 42," passed First Reading by title and was referred to the Committee on Government Operations, then to the Committee on Ways and Means.

Hse. Com. No. 305, transmitting House Bill No. 1173, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1173, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed First Reading by title and was referred to the Committee on Tourism and Recreation, then to the Committee on Ways and Means.

Hse. Com. No. 306, transmitting House Bill No. 1199, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1199, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER VEHICLES," passed First Reading by title and was referred to the Committee on Transportation.

Hse. Com. No. 307, transmitting House Bill No. 1208, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1208, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed First Reading by title and was referred to the Committee on Tourism and Recreation, then to the Committee on Ways and Means.

Hse. Com. No. 308, transmitting House Bill No. 1209, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1209, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WEST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed First Reading by title and was referred to the Committee on Tourism and Recreation, then to the Committee on Ways and Means.

Hse. Com. No. 309, transmitting House Bill No. 1261, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1261, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION AND REFUNDING OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST UTILITIES SERVING THE GENERAL PUBLIC," passed First Reading by title and was referred to

the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 310, transmitting House Bill No. 1270, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1270, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 311, transmitting House Bill No. 1272, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 312, transmitting House Bill No. 1275, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

Hse. Com. No. 313, transmitting House Bill No. 1280, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1280, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROGRAM ON ALZHEIMER'S DISEASE," passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

Hse. Com. No. 314, transmitting House Bill No. 1283, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1283, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING-IMPAIRED," passed First Reading by title and was

referred to the Committee on Human Services, then to the Committee on Ways and Means.

Hse. Com. No. 315, transmitting House Bill No. 1333, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1333, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 316, transmitting House Bill No. 1350, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1350, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 317, transmitting House Bill No. 1351, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1351, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 318, transmitting House Bill No. 1357, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 319, transmitting House Bill No. 1369, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1369, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 320, transmitting House

Bill No. 1489, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1489, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

Hse. Com. No. 321, transmitting House Bill No. 1581, H.D. 1, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1581, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE STATE CONSTITUTION OF THE STATE OF HAWAII TO PROVIDE FOR A SINGLE DEFINITION OF NATIVE HAWAIIAN AND HAWAIIAN," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Judiciary.

Hse. Com. No. 322, transmitting House Bill No. 462, which passed Third Reading in the House of Representatives on March 11, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 462, entitled: "A BILL FOR AN ACT RELATING TO WARRANTIES," passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:46 o'clock a.m.

Hse. Com. No. 323, transmitting House Bill No. 1, H.D. 1, which passed Third Reading in the House of Representatives on March 13, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed First Reading by title and was referred to the Committee on Ways and Means.

Hse. Com. No. 324, transmitting House Bill No. 99, H.D. 1, which passed Third Reading in the House of Representatives on March 13, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 99, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed First Reading by title and was referred to

the Committee on Judiciary, then to the Committee on Ways and Means.

Hse. Com. No. 325, transmitting House Bill No. 404, H.D. 2, which passed Third Reading in the House of Representatives on March 13, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 404, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 33 and 34) were read by the Clerk and were disposed of as follows:

S.R. No. 33, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE POSSIBLE CIVILIAN INDUSTRIAL USES FOR PEARL HARBOR," was offered by Senators A. Kobayashi, Kawasaki, Henderson, Kuroda and Abercrombie.

By unanimous consent, S.R. No. 33 was referred to the Committee on Economic Development.

S.R. No. 34, entitled: "SENATE RESOLUTION RECOGNIZING NATIONAL 'WILDLIFE WEEK' AND DESIGNATING MARCH 17TH THROUGH 23RD, 1985 AS 'NATIONAL WILDLIFE WEEK' IN HAWAII, WITH THE THEME 'SOIL-WE CAN'T GROW WITHOUT IT,'" was offered by Senators A. Kobayashi, Chang, McMurdo, B. Kobayashi, Cobb, Kawasaki, Henderson, Soares, Kuroda and Abercrombie.

By unanimous consent, S.R. No. 34 was referred to the Committee on Economic Development.

ORDER OF THE DAY

THIRD READING

Senate Bill No. 1057, S.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.B. No. 1057, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Abercrombie, Kuroda, Machida and Wong).

MATTERS DEFERRED FROM
TUESDAY, MARCH 12, 1985

REFERRAL OF HOUSE BILLS

The President made the following committee assignments of House Bills that were received on Tuesday, March 12, 1985:

House Bills	Referred to:	No. 108, H.D. 2	Committee	on
		Government Operations		
No. 19	Committee on Ways	No. 110, H.D. 1	Committee	on
and Means		Government Operations		
No. 20, H.D. 2	Committee	No. 122, H.D. 1	Committee	on
Human Services, then to the Committee on	on	Judiciary		
Ways and Means				
No. 28, H.D. 1	Committee	No. 134, H.D. 1	Committee	on
Judiciary	on	Labor and Employment, then to the		
		Committee on Ways and Means		
No. 29, H.D. 1	Committee	No. 144, H.D. 1	Committee	on
Judiciary	on	Labor and Employment, then to the		
		Committee on Ways and Means		
No. 32, H.D. 1	Committee	No. 146, H.D. 1	Committee	on
Judiciary	on	Labor and Employment, then to the		
		Committee on Ways and Means		
No. 33, H.D. 1	Committee	No. 147, H.D. 1	Committee	on
Judiciary	on	Labor and Employment, then to the		
		Committee on Ways and Means		
No. 34	Committee	No. 152	Committee	on
Judiciary	on	Education		
No. 39, H.D. 2	Committee	No. 156	Jointly to the	
Consumer Protection and Commerce, then	on	Committee on Education and the		
to the Committee on Ways and Means		Committee on Health		
No. 49, H.D. 2	Committee	No. 160	Committee	on
Human Services, then to the Committee on	on	Health		
Ways and Means				
No. 52, H.D. 2	Committee	No. 166, H.D. 2	Committee	on
Human Services, then to the Committee on	on	Health, then to the Committee on Ways and		
Ways and Means		Means		
No. 56, H.D. 2	Committee	No. 167, H.D. 1	Committee	on
Housing and Community Development, then	on	Economic Development		
to the Committee on Ways and Means				
No. 57, H.D. 2	Committee	No. 169	Committee	on
Housing and Community Development, then	on	Health		
to the Committee on Ways and Means				
No. 60, H.D. 2	Committee	No. 173	Committee	on
Agriculture, then to the Committee on Ways	on	Health		
and Means				
No. 94, H.D. 2	Committee	No. 174, H.D. 1	Committee	on
Judiciary, then to the Committee on Ways	on	Labor and Employment, then to the		
and Means		Committee on Ways and Means		
No. 95, H.D. 2	Committee	No. 179, H.D. 1	Committee	on
Judiciary, then to the Committee on Ways	on	Economic Development, then to the		
and Means		Committee on Ways and Means		
No. 100, H.D. 1	Committee	No. 183	Committee	on
Judiciary	on	Agriculture, then to the Committee on		
		Economic Development		
No. 104, H.D. 2	Committee	No. 184, H.D. 2	Committee	on
Judiciary	on	Agriculture, then to the Committee on Ways		
		and Means		
No. 105, H.D. 1	Committee	No. 190, H.D. 1	Committee	on
Judiciary	on	Economic Development		
No. 107, H.D. 2	Committee	No. 192, H.D. 1	Committee	on
Government Operations	on	Economic Development		
		No. 193, H.D. 2	Committee	on

Economic Development			No. 290 Transportation	Committee	on
No. 207, H.D. 2 Energy	Committee	on	No. 317, H.D. 1 Judiciary	Committee	on
No. 208, H.D. 2 Housing and Community Development, then to the Committee on Ways and Means	Committee	on	No. 326, H.D. 1 Judiciary	Committee	on
No. 209, H.D. 1 Housing and Community Development, then to the Committee on Ways and Means	Committee	on	No. 329, H.D. 1 Transportation, then to the Committee on Judiciary	Committee	on
No. 214, H.D. 1 Government Operations	Committee	on	No. 330 Judiciary	Committee	on
No. 217, H.D. 1 Transportation	Committee	on	No. 333, H.D. 1 Judiciary	Committee	on
No. 220 Economic Development	Committee	on	No. 346, H.D. 1 Consumer Protection and Commerce	Committee	on
No. 223, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 347, H.D. 1 Consumer Protection and Commerce	Committee	on
No. 227, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 354, H.D. 2 Judiciary, then to the Committee on Ways and Means	Committee	on
No. 229, H.D. 2 Consumer Protection and Commerce	Committee	on	No. 357, H.D. 1 Judiciary, then to the Committee on Ways and Means	Committee	on
No. 233, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 361 Transportation	Committee	on
No. 234, H.D. 2 Consumer Protection and Commerce	Committee	on	No. 363, H.D. 1 Transportation, then to the Committee on Ways and Means	Committee	on
No. 236, H.D. 2 Consumer Protection and Commerce	Committee	on	No. 364, H.D. 1 Judiciary	Committee	on
No. 240, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 373, H.D. 1 Judiciary	Committee	on
No. 259, H.D. 1 Human Services	Committee	on	No. 374, H.D. 2 Higher Education, then to the Committee on Ways and Means	Committee	on
No. 262, H.D. 1 Human Services	Committee	on	No. 383, H.D. 2 Tourism and Recreation, then to the Committee on Ways and Means	Committee	on
No. 263, H.D. 1 Judiciary, then to the Committee on Ways and Means	Committee	on	No. 393, H.D. 1 Education, then to the Committee on Ways and Means	Committee	on
No. 270 Housing and Community Development	Committee	on	No. 401 Judiciary	Committee	on
No. 272, H.D. 1 Housing and Community Development	Committee	on	No. 434, H.D. 1 Human Services	Committee	on
No. 275, H.D. 1 and Means	Committee on Ways		No. 436, H.D. 2 Human Services, then to the Committee on Ways and Means	Committee	on
No. 281, H.D. 2 Transportation, then to the Committee on Ways and Means	Committee	on	No. 440, H.D. 2 Government Operations	Committee	on
No. 283, H.D. 1 Transportation, then to the Committee on Judiciary	Committee	on	No. 441, H.D. 2	Committee	on
No. 285, H.D. 2 Transportation	Committee	on			

Transportation			No. 683, H.D. 1 Judiciary	Committee	on
No. 448, H.D. 2 and Means	Committee	on Ways	No. 689, H.D. 2 Judiciary, then to the and Means	Committee	on Committee on Ways
No. 455 Judiciary	Committee	on	No. 690, H.D. 2 Judiciary, then to the and Means	Committee	on Committee on Ways
No. 460, H.D. 1 Judiciary	Committee	on	No. 691 Judiciary	Committee	on
No. 463, H.D. 2 Labor and Employment, then to Committee on Ways and Means	Committee	on the	No. 692, H.D. 1 Judiciary	Committee	on
No. 465 Health	Committee	on	No. 693, H.D. 2 Judiciary, then to the and Means	Committee	on Committee on Ways
No. 488, H.D. 1 Health	Committee	on	No. 697, H.D. 1 Education, then to Judiciary	Committee	on the Committee on
No. 496, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 698, H.D. 1 Economic Development	Committee	on
No. 499, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 699 Economic Development	Committee	on
No. 503, H.D. 1 Judiciary	Committee	on	No. 700, H.D. 1 Economic Development, then to Committee on Ways and Means	Committee	on the
No. 509 Consumer Protection and Commerce	Committee	on	No. 705, H.D. 1 Judiciary	Committee	on
No. 518, H.D. 1 Transportation	Committee	on	No. 720 Transportation	Committee	on
No. 519 Transportation	Committee	on	No. 743, H.D. 1 Consumer Protection and Commerce	Committee	on
No. 520, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 755 Consumer Protection and Commerce	Committee	on
No. 526, H.D. 1 Economic Development, then to Committee on Ways and Means	Committee	on the	No. 756, H.D. 1 Consumer Protection and Commerce	Committee	on
No. 557, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 757 Consumer Protection and Commerce	Committee	on
No. 558, H.D. 1 Judiciary	Committee	on	No. 758 Consumer Protection and Commerce	Committee	on
No. 570, H.D. 1 Consumer Protection and Commerce	Committee	on	No. 759 Consumer Protection and Commerce	Committee	on
No. 574 Transportation	Committee	on	No. 760 Consumer Protection and Commerce	Committee	on
No. 597 Judiciary	Committee	on	No. 761 Consumer Protection and Commerce	Committee	on
No. 603, H.D. 1 Judiciary	Committee	on	No. 762 Consumer Protection and Commerce	Committee	on
No. 612, H.D. 1 Transportation	Committee	on	No. 794 Judiciary	Committee	on
No. 657 Judiciary	Committee	on	No. 800, H.D. 1	Committee	on
No. 674, H.D. 1 Labor and Employment	Committee	on			

Consumer Protection and Commerce	No. 4	Committee on Ways and Means
No. 801 Judiciary	Committee on	Senate Resolution Referred to:
No. 813, H.D. 3 Energy, then to the Committee on Ways and Means	Committee on	No. 11 Committee on Ways and Means, then to the Committee on Legislative Management
No. 824, H.D. 1 Government Operations	Committee on	At this time, Senator Cayetano rose on a point of personal privilege and spoke as follows:
No. 826, H.D. 1 Transportation	Committee on	"Mr. (Vice) President, the last few days were very busy days for both the House and Senate, and we all know, of course, that the House passed over the so-called House omnibus tax bill which calls for an increase in the general excise tax from four to six percent.
No. 834, H.D. 1 Labor and Employment, then to the Committee on Ways and Means	Committee on	"However, I'd like to bring to the members' attention an article, covering that vote, published in the Honolulu Star-Bulletin, Tuesday, March 12, 1985, page A-3. There is a photograph of the Governor and the Speaker on the dais.
No. 838, H.D. 2 Transportation	Committee on	"It's my understanding, talking to the news media, that prior to the vote on the omnibus tax bill, during the recess, the Governor took a chair back of the Speaker's rostrum and sat there all throughout the debate and the vote and, after the vote was completed, my understanding is he left.
No. 921, H.D. 1 Housing and Community Development	Committee on	"Mr. (Vice) President, I've seen examples of arm-twisting, but that's a new one. I have never experienced something like that in my entire career here, the ten, eleven years that I've been here. Of course, the Governor may have decided that he wanted to see the action and, certainly, he was right up close to it.
No. 949 Energy	Committee on	
No. 1207, H.D. 1 Tourism and Recreation, then to the Committee on Ways and Means	Committee on	
No. 1231, H.D. 2 Health	Committee on	
No. 1244, H.D. 1 Government Operations, then to the Committee on Ways and Means	Committee on	
No. 1271, H.D. 2 Consumer Protection and Commerce, then to the Committee on Ways and Means	Committee on	
No. 1285, H.D. 2 Judiciary	Committee on	

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following referral of concurrent resolutions that were offered on Monday, March 11, 1985:

Senate Concurrent Resolutions	Referred to:
No. 29 Human Services	Committee on
No. 30 Energy	Committee on

RE-REFERRAL OF RESOLUTIONS

The President made the following re-referral of resolutions:

Senate Concurrent Resolution	Referred to:
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"We here in the Senate, Mr. (Vice) President, pride ourselves on our independence and I believe I'm not exaggerating when I say that if King Kamehameha himself was sitting on the dais, it would not affect anybody here one bit.

"Mr. (Vice) President, I know how we pride ourselves on our independence, but just so that there won't be any misunderstanding by the media or the public about how we do business in the Senate, I would ask that the Chair direct the sergeant-at-arms to remove all of those chairs back there while we're voting on any measure. Thank you."

Senator Soares added as follows:

"Mr. Vice President, if I might add the ending to the previous speaker's words of wisdom, I do believe the Governor finds the other house a lot more friendly than he does this one."

The Chair commented as follows:

"He does.

"I've always prided the fact that here in the Senate, notwithstanding sometimes our very vigorous discussion and disagreements, all in the public interest, at least we have a sense of propriety not to allow the intimidating presence of the Governor to effect the cause of a very controversial bill that he favors. I always said we have class here."

Senator Abercrombie remarked as follows:

"Mr. (Vice) President, I notice that you said that in the absence of Senator Kuroda today."

Senator Cobb rose on a point of parliamentary privilege and stated as follows:

"Mr. Vice President, I notice that we have referral of House bills on two separate sheets, one on the communication sheets dated today. I note in looking over this sheet a number of either similar or identical bills that have been transmitted from the House that we already acted on in the Senate. I would therefore like to request the President's office to sit down with the House and please sort out which bill crossed over first so that we know which are the live vehicles and, by mutual agreement, which bill is not to be worked on so that we can begin scheduling hearings as early as possible.

"I appreciate the fast action of the President in terms of coming out with this referral, but now we need to take the second step and sort out which bill crossed first so that we know which are the live vehicles. And I would like to request this as soon as possible."

The Chair answered: "So ordered."

Senator McMurdo rose on a point of personal privilege and spoke as follows:

"Mr. (Vice) President, I would like to straighten out any misunderstandings or misconceptions that anyone may have about my reactions to the initiative legislation which did not come out of the Judiciary Committee.

"Three initiative bills were sent to the committee: Senate Bill 320, my bill; Senate Bill 403 Senator George's bill; and Senate Bill 122, which was introduced by the Judiciary Committee chairman himself. The first two bills were almost identical to the indirect initiative bill which passed this Senate in 1982/1983 with only two Senators voting against it.

"The Saturday morning Advertiser gave the impression that there was only one initiative bill before the committee and said, I quote, 'Senator Mary-Jane McMurdo, the Senate's strongest initiative supporter, was extremely disappointed with the failure of the bill, but said that since its tough restrictions made it "so bad" it might have been just as well that it didn't pass this year.' On the contrary! I was very glad that Senate Bill 122, as amended, failed to come out of the committee because it was much too restrictive and dangerous. Better no initiative bill at all than that one.

"Since I attended the Judiciary Committee hearings on initiative and listened to the testimony, it's obvious to me that the initiative was sandbagged. The overwhelming majority of those testifying were not only for the indirect initiative bills, 320 and 403, but were also strongly opposed to Senate Bill 122. The only anti-initiative testimony came from the Chamber of Commerce, from two lobbyists for the construction industry and the HGEA.

"The HGEA purported to represent their entire membership in their testimony, yet at the hearing there were two HGEA members, one of them a shop steward, both of whom testified in favor of 320 and 403. These two HGEA members vehemently refuted that the union testimony reflected the sentiments of the rank and file members. Only one out of all these testifiers expressed support of Senate Bill 122.

"In spite of all this favorable testimony the Judiciary Committee chairman refused to bring out either Senate Bill 320 or Senate Bill 403, and in direct conflict with almost all of the testimony, chose instead to select Bill 122, amended with numerous restrictions and favored only by those who were directly opposed to initiative.

"During the hearing the chairman turned to Clarence Ching, who is chairman of Initiative Committee Hawaii, and who had testified that Senate Bill 122 gives Hawaii the worst initiative in the country and in essence the chairman asked him if he would like to have either one of the worst initiative laws in the country or remain without one. In other words, take it or leave it; accept my bill or go without.

"The Judiciary Committee chairman added items to Senate Bill 122 which would have exempted practically everything from the initiative process and at the same time would have forbidden voters from using the initiative to amend the initiative law itself.

"The proposed bill, 122 with amendment, is radically different from the initiative bill passed by this august body two years ago, which at that time had only two Senators opposing it. Incidentally, at that time the

present Judiciary chairman voted for that initiative bill.

"As far as the newspaper reports that committee members killed the initiative bill, I say, bravo for them! Nobody in good conscience would have voted for that bill.

"The votes are present in the Judiciary Committee and also here on the Senate floor to pass a responsible and just initiative law, something that won't make Hawaii the laughing stock of the fifty states.

"Ultimately, it would be up to the Judiciary chairman to heed the call of the people, to read the letters and petitions that come in, to respond to newspaper editorials, and finally to grant this body the right to vote on a realistic and fair initiative law. We must sooner or later give our constituents more self-determination, better representation, and above all, our trust in their good judgment by eventually passing an honest piece of initiative legislation. Thank you very much."

Senator Chang then rose on a point of personal privilege and stated as follows:

"Mr. Vice President, I believe that in addition to the comments made by the Senator from the 15th District, quite inaccurate with respect to my intent and actions, I also believe that it is quite improper to debate on a matter that is not before this body for consideration and action, and I would recommend to the

leadership of this august body that matters of protocol be discussed with the Senators to provide for some guidelines on this kind of discussion in the future. Thank you."

The Chair replied:

"Your comments will be taken into consideration, however, the President and I have allowed individual Senators to voice their opinions if they feel that their personal reputation or position on issues were at stake and involved. We have been very liberal about it. We think it's healthy, and we certainly would allow you to make any responsive comments that you want to. That's the difference between the House and the Senate."

Senator George then requested as follows:

"Mr. Vice President, as a co-sponsor of the bill introduced by the Senator from the 15th District and as the introducer of a similar bill, I would ask that the Journal reflect that the remarks of the Senator from the 15th District are totally concurred with by myself."

The Chair replied: "So ordered."

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 14, 1985.

THIRTY-SIXTH DAY

Thursday, March 14, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ned Brown, Pastor, Pali View Baptist Church, after which the Roll was called showing all Senators present.

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

Senator B. Kobayashi introduced to the members of the Senate Dr. Jerrold Michaels and Dr. U Ko Ko as follows:

"Mr. President, it is with pleasure that I have the honor of introducing two gentlemen here on the floor of the Senate. The first gentleman most of us know, Dean of the School of Public Health at the University of Hawaii, Dr. Jerrold Michaels.

"The second gentleman is a singularly prominent and influential person in the field of international public health. He has been a physician having gotten his degree from the University of Rangoon and also gotten degrees from the University of Edinburgh and the London School of Hygiene and Tropical Medicine. He has served in the Burmese Ministry of Health and also for a number of years in the World Health Organization. Over these many years, he has made significant contributions to international public health and in 1981 assumed his current post. As the regional director of the Southeast Asia Regional Office of the World Health Organization, literally responsible for perhaps half the world's population's concerns in public health. He is here in town having delivered the Dr. Ira Hiscock annual lecture at the School of Public Health. Ladies and gentlemen, I would like to present to you, Dr. U Ko Ko, Regional Director of the World Health Organization."

Senator B. Kobayashi then presented Dr. U Ko Ko with a Senate Certificate, with Senator McMurdo presenting a lei to him and Senator McMurdo presenting a lei to Dr. Jerrold Michaels.

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

The Senate reconvened at 11:55 o'clock a.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 31 and 32) were read by the Clerk and were disposed of as follows:

S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT CEDED LANDS BE MADE AVAILABLE TO THE OFFICE OF HAWAIIAN AFFAIRS," was offered by Senators Aki, Henderson, Hagino, Machida, Hee, Abercrombie, Solomon, Holt, A. Kobayashi, Mizuguchi, Fernandes Salling, Cayetano, Toguchi, Chang, Young, McMurdo and Yamasaki.

By unanimous consent, S.C.R. No. 31 was referred to the Committee on Economic Development.

S.C.R. No. 32, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO RECOMMEND RULES GOVERNING COMMERCIAL JET SKI USE AT KAA NAPALI, KIHEI AND KANEOHE BAY," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, S.C.R. No. 32 was referred jointly to the Committee on Transportation and the Committee on Tourism and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 35 and 36) were read by the Clerk and were disposed of as follows:

S.R. No. 35, entitled: "SENATE RESOLUTION REQUESTING THAT CEDED LANDS BE MADE AVAILABLE TO THE OFFICE OF HAWAIIAN AFFAIRS," was offered by Senators Aki, Henderson, Hagino, Machida, Hee, Abercrombie, Solomon, Holt, A. Kobayashi, Mizuguchi, Fernandes Salling, Cayetano, Toguchi, Chang, Young, McMurdo and Yamasaki.

By unanimous consent, S.R. No. 35 was referred to the Committee on Economic Development.

S.R. No. 36, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO RECOMMEND RULES GOVERNING COMMERCIAL JET SKI USE AT KAA NAPALI, KIHEI AND KANEOHE BAY," was offered by Senators Hee, Toguchi and Cayetano.

By unanimous consent, S.R. No. 36 was referred jointly to the Committee on Transportation and the Committee on Tourism and Recreation.

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

The Senate reconvened at 11:57

o'clock a.m.

At this time, Senator Solomon, chairman of the Committee on Agriculture, requested a waiver of the 48-hour notice of Public Hearing on the following measure:

S.C.R. No. 23, entitled: "SENATE
CONCURRENT RESOLUTION
REQUESTING CONGRESS TO INCLUDE A
SUGAR PRICE SUPPORT PROGRAM IN

THE 1985 FARM BILL,"

and the President granted the waiver.

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 15, 1985.

THIRTY-SEVENTH DAY

Friday, March 15, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Father Clarence Fisher, Pastor of Holy Trinity Church, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Sixth Day.

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

Senator Kawasaki introduced a group of second grade students from Iolani School accompanied by their teacher Mrs. Maeda and parents of the students, one of whom is Mr. Russel Nagata, Director of the Department of Commerce and Consumer Affairs.

The following Senators then introduced their respective "shadows," participants of the University of Hawaii Cooperative Extension Service, Family Community Leadership Career Shadowing Program:

Senator Machida - Linda Duhig from Molokai and Marion Honda from Lanai;

Senator Solomon - Lani Scott from Lanai;

Senator Yamasaki - Angie Naehu from Molokai;

Senator Fernandes Salling - Marilyn Wong from Kauai;

Senator Cobb - Mike Augusta and Lisa Coburn from Oahu;

Senator McMurdo - Charlotte Muraoka from Oahu;

Senator B. Kobayashi - Ken Nagata from Oahu;

Senator George - Michelle Vad from Oahu;

Senator Abercrombie - Jo Ann Kelley and Loretta Beralas from Oahu;

Senator Hagino - Kathy Dudgeon from Oahu;

Senator Chang - Jessie Okajima from Oahu;

Senator A. Kobayashi - Ethel Nakamura from Oahu; and

Senator Matsuura - Dolliedale Rohrbacher

from the Big Island.

Senator Fernandes Salling then introduced her cousin from Kauai, Laverne Fernandes Moore, a representative of HSTA; and "very special people sitting in the gallery," her husband Dennis, and her mother- and father-in-law, Dennis and Joyce Salling, who are visiting from Colorado.

Senator Machida introduced Flo Nakama of Maui, Donald Matsui of Lanai and Curtis Saiki of Molokai, representatives of HSTA.

Senator Chang then introduced Mr. Preecha Ratanodom from Thailand as follows:

"Mr. President, Mr. Preecha Ratanodom is my guest from Thailand. He is from the United States Information Agency's International Visitor's Program. He is an attorney and is president and managing director of the Manet Bunnag International Law Office and the legal advisor and director of building maintenance and support services of the American University Alumni Language Center in Thailand.

"This is Mr. Ratanodom's first trip to the United States. He is here to familiarize himself with the structure of legal institutions in the United States and had the opportunity to meet with the Chief Justice, the President of the Senate and Speaker of the House today."

Mr. Ratanodom rose to be recognized and was welcomed with a round of applause.

Senator A. Kobayashi then introduced a group of women who are members of the Oahu League of Republican Women with their president, Ann Stevens, and accompanied by Linda Delaney from Representative Kinau Kamali's office.

Senator Matsuura introduced Naomi Yoshida and Horace Hara, representatives of HSTA from Hilo.

Senator Hagino then made the following introduction:

"Mr. President, fellow Senators, and guests in the gallery, we in Hawaii are always proud when one of our local talents rises to the top of his profession. Such is the case with my four guests on the floor this morning.

"Most of you probably don't recognize my first guest without Melveen but, yes, that is Russ Francis there on the floor.

"Being the best is not new to Russ. He

excelled in football, basketball, wrestling, baseball, and track at Kailua High School. After an impressive collegiate career, Russ was drafted in the first round of the 1975 Draft of the NFL by the New England Patriots.

"When I talked to Russ this morning, I was more impressed by the fact that he only played one year at Oregon and that one year was enough for the NFL scouts to notice him and drafted him number one in the draft.

"Russ played for six years with the Patriots; going to the pro-bowl in 1976 and 1977. That in itself most of us would gladly settle for as a career, but the best was yet to come. Just two months ago, Russ put the icing on his accomplishments by being an important figure in helping the San Francisco '49ers win Super Bowl XIX.

"Russ has accomplished in a short time what all of us here can only dream of. I'm hoping that this is still not the end of his impressive career. I know that we are all hoping that Russ will bring back another super bowl ring next year.

"Without further ado, Mr. President, I would like to introduce Russ Francis."

Russ Francis rose to be recognized and was presented the congratulatory certificate by Senator Hagino and a lei by Senator Solomon.

Senator Hagino continued:

"Mr. President, in my talk with Russ, we talked for about half an hour, I was very impressed by his humbleness. He wanted me to give special thanks to his former coaches who have helped him along his years. One of them was Merv Lopes, his high school football and basketball coach who taught him the patterns that he does so well at football. He also wanted to thank 'Sunshine' Fukunaga, his little league baseball coach who taught him humility and discipline, also, Alex Kane, head football coach at Kailua, and Jerry Alameida, one of his baseball coaches. All of these coaches helped mold him into the person that he is today."

Senator Hagino then introduced Mr. Hugh Yoshida, the 1984 (High School) Football Coach of the Year, Junior Tyrell and Lance Horiuchi, members of the Leilehua High School football team, as follows:

"Mr. President, I also have on this floor some visitors that I have some very special aloha for. I've waited for this moment a long, long time. Today is finally the day for the residents of Wahiawa to bask in the limelight.

"Also on the floor, we have Hugh Yoshida, the 1984 Football Coach of the Year, and two members of the Leilehua High School

prep-bowl championship team.

"Leilehua had come close to winning the championship several times but it had always eluded them until last year. No one is more deserving of all the accolade showered on this superb team than Hugh. I think Hugh can be forgiven for starting his athletic career at Iolani where he participated in track and football. He even established a shot put record in 1958. Hugh went on to Linfield College where he was named to the Little All-American Football Team in 1961 and was also All-Conference Linebacker in 1960 and 1961.

"In the recent Pacesetter Progress edition of the Honolulu Star-Bulletin, Hugh was honored by having an article written about him. It honored him not only for being the winningest coach locally with a 103 wins, 22 losses, and 5-tie record in 14 years as a football coach, but also for his work with the students off the field.

"Mr. President, if you will bear with me, my final two guests are the proteges of Hugh who represent the Leilehua Football State Champions of 1984. We're so proud of them that we wanted to bring the whole football team down because we waited so long for this moment, but the better judgment of the principal ruled against this so we brought down two of the members of the team.

"Just as we hope that Russ will help win another super bowl, I'm hoping that Leilehua will repeat as the prep bowl champions next year, and I understand that they have a lot of good young players coming up.

"The first player I would like to introduce is Junior Tyrell. Junior was the best in his position, striking fear in all the opposition he faced. For his outstanding and aggressive play, he was named to the OIA West All-Stars, OIA All-Stars Defense Player of the Year, and Lineman of the Year.

"Just as Russ Francis went on from high school to an illustrious football career, Junior will be attending the University of Hawaii this fall and I'm sure he will go on to be a great part of the Rainbow football team.

"My last guest was originally not supposed to be here. We were going to have another member, Philip Kea, the OIA Offensive Player of the Year but he was not able to be here. Instead, we have Lance Horiuchi who is no substitute.

"Lance is an all-star in his own right, being named to the OIA West All-Stars and the Honolulu Advertiser All-State All-Stars. I'm particularly glad that Hugh brought down Lance because I have admired him from afar, particularly after the

Honolulu Advertiser wrote an article about him.

"I would like to read a part of that article because it is a great tribute to Lance... 'The surest way to get lost on a football team is to volunteer for the offensive line. It is the quickest route to never-never land. The life of an offensive lineman is rarely chronicled. He toils in anonymity. He has to, it comes with the job. Ever hear of Joe Namath's center or Gayle Sayers' pulling guard, perhaps, but only in the game of trivial pursuit.'

"When asked for an interview, Lance asked, 'How come you want to talk to an offensive lineman?'

"I've seen Lance listed as low as five foot, six inches and 160 pounds, but I think the Advertiser had him listed as five foot, eight inches and 167 pounds. This, as an offensive center, is unheard of.

"Lance started the season with a torn ligament in his left knee and by all rights should not have played. But his desire and character pulled him through. Lance is typical of all of Hugh Yoshida's team. They all have heart.

"I'm glad that Hugh brought Junior down because, as you can see, Junior is very tall and I wanted to lay to rest a rumor that has been going around in Wahiawa. Someone told me that Hugh goes around the campus recruiting players and he only selects players that are smaller than him. But, as you can see, here's a player that's a lot bigger than Hugh.

"Thank you, Mr. President."

The honorees rose to be recognized and were presented with the congratulatory certificate by Senator Hagino and leis by Senators Fernandes Salling, A. Kobayashi and Young.

At this time, the President invited Russ Francis to the rostrum to address the members of the Senate and his remarks are as follows:

"Thank you.

"Mr. President, members of the Senate and friends, this is a very unique opportunity for me. I would like to echo what was said earlier about those people who have made it all possible for me. Starting with the coaches and, of course, Mr. Abercrombie — I couldn't have done it without him — and Mr. Holt — I have the pictures on the wall.

"I'm very proud to represent the State of Hawaii in the NFL and I hope that Junior (Tyrell) will continue in the same tradition and can compete with those top schools on

the Mainland as we will push for the University of Hawaii to do better again next year.

"I will continue to work hard with the San Francisco '49ers and I'm sure we will be in the playoffs again next year.

"All of this recognition really does go to those guys who made it all possible — thank you very much, Mr. 'Sunshine' Fukunaga, Mr. Jerry Alameida, Mr. Merv Lopes and Mr. Alex Kane.

"Thank you."

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

The Senate reconvened at 12:15 o'clock p.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 33 and 34) were read by the Clerk and were disposed of as follows:

S.C.R. No. 33, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO CORRECT AND IMPROVE THE CHILD CARE REGULATORY PROGRAM," was offered by Senators Mizuguchi, Abercrombie, Hagino, Matsuura, Kawasaki, Soares, Cayetano, Young, Solomon, Hee and Yamasaki.

By unanimous consent, S.C.R. No. 33 was referred to the Committee on Human Services.

S.C.R. No. 34, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE TRI-FLY ERADICATION PROGRAM AS PROPOSED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE, AND ENCOURAGING FURTHER RESEARCH IN GENETIC, BEHAVIORAL, AND BIOLOGICAL PEST CONTROL," was offered by Senators B. Kobayashi, Fernandes Salling, Mizuguchi, George, A. Kobayashi, Aki, Matsuura, Toguchi, Hee and Hagino.

By unanimous consent, S.C.R. No. 34 was referred jointly to the Committee on Agriculture and the Committee on Health.

SENATE RESOLUTION

S.R. No. 37, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO CORRECT AND IMPROVE THE CHILD CARE REGULATORY PROGRAM," was offered by Senators Mizuguchi, Abercrombie, Hagino, Matsuura,

Kawasaki, Soares, Hee, Young, Solomon, Cayetano and Yamasaki, and was read by the Clerk.

By unanimous consent, S.R. No. 37 was referred to the Committee on Human Services.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

ADJOURNMENT

At 12:20 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., Monday, March 18, 1985.

THIRTY-EIGHTH DAY

Monday, March 18, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Z. Alexandria Berry, Pastor, United Church of Religious Science, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Seventh Day.

At 11:42 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 35, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF AND A MORATORIUM ON THE CONSOLIDATION OF PUBLIC SCHOOLS," was offered by Senators Cobb, Hagino, George, Aki, A. Kobayashi, Hee, Toguchi, Henderson, Matsuura, Solomon and McMurdo, and was read by the Clerk.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 38 and 39) were read by the Clerk and were disposed of as follows:

S.R. No. 38, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO POSTPONE CLOSING KAUMAKANI SCHOOL UNTIL SEPTEMBER, 1986," was offered by Senator Fernandes Salling.

By unanimous consent, S.R. No. 38 was referred to the Committee on Education.

S.R. No. 39, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF AND A MORATORIUM ON THE CONSOLIDATION OF PUBLIC SCHOOLS," was offered by Senators Cobb, Hagino, George, Aki, A. Kobayashi, Hee, Toguchi, Henderson, Matsuura, Solomon and McMurdo.

By unanimous consent, S.R. No. 39 was referred to the Committee on Education.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 716 (Gov. Msg. No. 142):

Senator Chang moved that Stand. Com. Rep. No. 716 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Marc V. Oley to the Hawaii Paroling Authority, term to expire December 31, 1988, seconded by Senator Cayetano.

Senator Kawasaki spoke on the nomination as follows:

"Mr. President, on the word of Senator Cayetano, the vice chairman of the Judiciary Committee, who tells me the nominee is an outstanding man, I will, with reservation, vote for this man."

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

Ayes, 25. Noes, none.

RE-REFERRAL OF HOUSE BILL

The President made the following re-referral of a House bill:

House Bill Referred to:

No. 1000 Committee on Housing and Community Development

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

At this time, Senator B. Kobayashi, chairman of the Committee on Health, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

H.B. No. 166, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH,"

and the President granted the waiver.

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

H.B. No. 404, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS,"

and the President granted the waiver.

Senator Abercrombie rose on a point

of personal privilege and stated:

"Mr. President, Senator Toguchi and I had the privilege recently of speaking at the statewide Student Leadership Conference at Camp Erdman. One of the principal topics for discussion there was raising the drinking age from 18 to 21.

"Mr. President, I think you've addressed this group before and perhaps other individuals here on the Senate floor have as well. And if you have or they have, you know how seriously they take their business. They debate resolutions; they do their research; they listen to speakers on both sides of questions; and they vote just as we do. Inasmuch as these young people represent and are the most representative group in terms of leadership across the entire state, I think that their deliberations and the results of their deliberations are such that we would be well advised to pay attention to it.

"I'm pleased to say as someone who opposes raising the drinking age from 18 to 21 that these young people voted overwhelmingly against raising the drinking age, almost a 2 to 1 vote. And, as I say, this took it out of the realm of what was popular

and unpopular. I might say that the Attorney General was represented in the debate that I had there on the issue, very ably by Mr. Hayashi.

"I think that those young people did an outstanding job there, and I commend the results of that to the Judiciary Committee chairman's attention.

"Mr. President, I ask the members to take a look at today's Advertiser with respect to what is called the tot seat belt law and draw such conclusions that seem reasonable, with respect to how this law on raising the drinking age would operate in terms of whether accidents would really go down or whether they would rise. I think there are some analogies there in that story that would profit anyone who wants to make a decision on this issue to read. That's on page A-3 of today's Honolulu Advertiser. Thank you."

ADJOURNMENT

At 12:08 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 19, 1985.

THIRTY-NINTH DAY

Tuesday, March 19, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ford G. Coffman of the United Church of Christ, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Thirty-Eighth Day.

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

Senator Abercrombie introduced people from the Life Foundation as follows:

"Mr. President, today we have several individuals with us representing the Life Foundation, at least one or two of whom may be familiar to many of our Senators here on the floor and some whom have yet to be introduced.

"The Life Foundation, Mr. President, is a grass roots, nonprofit charitable organization, run by volunteers and dedicated to providing services to people in Hawaii who have Acquired Immune Deficiency Syndrome known as AIDS.

"This disease, as you know, Mr. President, damages the immune system of otherwise healthy people and the Life Foundation allows AIDS victims to maintain their spirit, their energy, and their dignity.

"Mr. President, this disease has taken on a rather notorious aspect in the public press and in many people's minds, and it's very important for us, I believe, to have individuals, especially volunteer organizations, to try to cut through some of that notoriety, through some of the suspicion and fear and anxiety, so that we can deal in a rational discourse with this very, very serious problem that has a devastating effect on the individuals and the families associated with those who acquire the disease because it is always at this point fatal and involves, generally, expenditures beyond the capacity of the ordinary individual.

"Anytime someone starts out to help bring the message, whether it has been with muscular dystrophy or multiple sclerosis or any of the other devastating diseases and physical difficulties that people have, it's so important to have those volunteers, those understanding people in the community who help carry that message.

"We have several of the people who

are on the board of the Life Foundation with us today. I'm sorry that Marilyn Bornhorst, our City Councilwoman from the City and County, cannot be here today, but we have other individuals with us and I would like to present them to the body right now prior to giving them a certificate.

"First, I'd like to introduce someone whom most of you will be seeing at one time or another, if you haven't already, a volunteer who is going to handle lobby chores for the Life Foundation, Mrs. Cathalene Teahan.

"Next, I'd like to introduce someone who may be, especially to those of us who have had some contact with the Health Committee over the years, Dr. Joel Greenspan, epidemiologist with the Hawaii Department of Health.

"Next, a friend to most of us, who will be introduced today in her state of one and a half or one and three-quarters, I think, since the last time I saw her, the vice president of Life Foundation and, of course, a producer and writer for Hawaii Public Television, Melanie Granfors.

"And, finally, Dr. David McEwan, the president of Life Foundation and director of family medicine for the Honolulu Medical Group, to whom I would like to present the certificate at the appropriate time."

The honorees rose to be recognized, Senator Abercrombie presented the congratulatory certificate and Senators Fernandes Salling, McMurdo, Hee and Cayetano presented the leis.

Senator Fernandes Salling then introduced Mr. Paul Tso, director of the Coordination Council for North American Affairs from the Province of Taiwan of the Republic of China, who was accompanied by his aide, Mr. Preston Deng.

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

The Senate reconvened at 10:54 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 237, transmitting a report in response to H.R. No. 40 (1984), Requesting a Study on the Feasibility of Establishing and Implementing a Teacher Recertification Program, was read by the Clerk and was referred to the Committee on Higher Education.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 36, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII," was offered by Senator Holt, and was read by the Clerk.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Higher Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 40 to 42) were read by the Clerk and were disposed of as follows:

S.R. No. 40, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII," was offered by Senator Holt.

By unanimous consent, S.R. No. 40 was referred to the Committee on Higher Education, then to the Committee on Legislative Management.

S.R. No. 41, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF DEREGULATION OF THE INTERISLAND BARGE SYSTEM," was offered by Senators Solomon, B. Kobayashi, Toguchi, McMurdo, Hagino, Hee, Mizuguchi, Henderson, Soares, Matsuura and Fernandes Salling.

By unanimous consent, S.R. No. 41 was referred jointly to the Committee on Agriculture and the Committee on Transportation.

S.R. No. 42, entitled: "SENATE RESOLUTION RECOGNIZING NATIONAL 'AGRICULTURE DAY' AND DESIGNATING MARCH 20, 1985 AS 'HAWAII AGRICULTURE DAY,'" was offered by Senators Solomon, Fernandes Salling, Mizuguchi, Henderson, Hee, Cayetano, Toguchi, Cobb, Yamasaki, Kuroda, Matsuura, Young, Aki, Hagino, Soars and B. Kobayashi.

On motion by Senator Solomon, seconded by Senator Fernandes Salling and carried, S.R. No. 42 was adopted.

STANDING COMMITTEE REPORTS

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 717) recommending that Senate Resolution No. 26, as amended in S.D. 1, be adopted.

Senator Kuroda then moved that Stand. Com. Rep. No. 717 be adopted and S.R. No. 26, S.D. 1, be adopted, seconded by Senator McMurdo.

Senator Fernandes Salling rose to speak in

support of the resolution as follows:

"Mr. President, this morning, it gives me great pleasure to speak in support of this resolution requesting our Governor to initiate the establishment of a sister-state/province relationship between the Republic of China on Taiwan and Hawaii.

"Taiwan has been one of the driving forces behind the economic and social vitalization of the Western Pacific, a region which has supplanted Europe as America's largest trading partner. In 1984, two-way trading volume between Taiwan and Hawaii exceeded 150 million dollars. Taiwan is the third largest consumer of Hawaii's exports, and America's fifth largest trading partner.

"Tourism from Taiwan to Hawaii has also increased substantially in recent years.

"Since 1970, more than 10,000 immigrants from Taiwan have entered the state, and have become productive members of our community.

"Hawaii and Taiwan are geographically and climatically similar, and Taiwan's farming and aquacultural practices are some of the most efficient in the world. The intensive use of their limited land areas could provide Hawaii with some valuable lessons regarding maximum utilization of our limited resources.

"Finally, the people of Taiwan have demonstrated a spirit of aloha and goodwill that provides me a special sense of gratification which is manifested in this resolution."

Senator Kawasaki also supported the resolution as follows:

"Mr. President, briefly, in support of this resolution.

"It seems to me, aside from the presentation just made by Senator Fernandes Salling, the whereas clauses amply specify the justification for the adoption of this resolution, and, further, I anticipate that our itinerant Governor would receive this very favorably.

"I ask everyone to vote in favor of this resolution."

Senator Matsuura, also in support of the resolution, stated:

"Mr. President, would you make the comments of the Senator from Kauai as my own, also, in the Journal?"

The Chair responded: "So ordered, Senator Matsuura."

The motion was put by the Chair and

carried, and Stand. Com. Rep. No. 717 was adopted and S.R. No. 26, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO INITIATE THE ESTABLISHMENT OF A SISTER-STATE/PROVINCE RELATIONSHIP BETWEEN THE REPUBLIC OF CHINA ON TAIWAN AND HAWAII," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 718) recommending that the Senate advise and consent to the nominations of the following:

Harriette M. Davis to the Board of Taxation Review, Second Taxation District, in accordance with Gov. Msg. No. 153;

Lovey Leinaala Apana to the Board of Taxation Review, Fourth Taxation District, in accordance with Gov. Msg. No. 154;

Fred T. Yamashiro to the Board of Taxation Review, Third Taxation District, in accordance with Gov. Msg. No. 190;

Erlinda Salvador to the Board of Taxation Review, Fourth Taxation District, in accordance with Gov. Msg. No. 191, and

Norma J. Yuskos to the Board of Taxation Review, First Taxation District, in accordance with Gov. Msg. No. 232.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 718 and Gov. Msg. Nos. 153, 154, 190, 191 and 232 was deferred until Wednesday, March 20, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 719) recommending that the Senate advise and consent to the nomination of Leslie S. Matsubara as Director of Health, in accordance with Gov. Msg. No. 86.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 719 and Gov. Msg. No. 86 was deferred until Wednesday, March 20, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 720) recommending that the Senate advise and consent to the nominations of Kazu Hayashida, L. Stephen Lau, Ph.D., James J. Nakatani, Melvin Koizumi, Susumo Ono, Jack K. Suwa, James W. Morrow, Samuel S.H. Lee, James Kumagai, Ph.D., and Jacqueline Parnell to the Technical Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 132.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 720 and Gov. Msg. No. 132 was deferred until Wednesday, March 20, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 721) recommending that the Senate advise and consent to the nominations of Gail Ehrhardt, Ora Latham and Herbert Y. Nakasone to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 204.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 721 and Gov. Msg. No. 204 was deferred until Wednesday, March 20, 1985.

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

The Senate reconvened at 12:05 o'clock p.m.

ORDER OF THE DAY

RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a House bill that was received:

House Bill	Referred to:
No. 1581	Jointly to the Committee on Economic Development and the Committee on Judiciary

Senator Abererombie then introduced Jim "Date-Lau" McCarthy, staff member of Senator Hee, who is celebrating his 21st birthday today.

Senator Chang then rose on a point of personal privilege and remarked as follows:

"Mr. President, contemporary labor relations terminology calls for the use of the phrase 'workers' compensation' rather than 'workmen's compensation'. I would be remiss and be subject to grave penalty if I were to let that remark pass."

Senator Holt then introduced Becky Brown, his legislative intern, who is celebrating her 17th birthday today.

ADJOURNMENT

At 12:10 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., Wednesday, March 20, 1985.

FORTIETH DAY

Wednesday, March 20, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major Mervyn Morelock, Divisional Commander, The Salvation Army, Hawaiian Islands Division, after which the Roll was called showing all Senators present.

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

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

Senator Kuroda introduced Mr. and Mrs. Koichiro Aihara and their daughters, Chie and Mie, and Mr. Hiroyuki Kamoshida, guests visiting from Tokyo, Japan.

Senator Chang made the following introductions:

"Mr. President, we are fortunate to have with us today some guests from Puerto Rico. They are here working on a television documentary on the Puerto Ricans in Hawaii. Before I introduce our guests, I would like to introduce the Hawaii host and hostess. With us today is the president of the Puerto Rican Heritage Society, Miss Marion Ortiz Kittelson. Accompanying her is a member of the society, Mr. Raymond Pagan. The Hawaii consultant for the project is Miss Blase Camacho Souza, and with her Mr. Edward Mariani, the photographer of the project. Our guests from Puerto Rico are: Miss Milagros Hernandez, director of the project, and Mrs. Carlos De Noboa."

The guests rose to be recognized and were presented with leis by Senators Hagino, Fernandes Salling, Young, Holt, Cayetano and George.

Senator Abercrombie then made the following introductions:

"Mr. President, I'd like to first introduce Ruth Ellen Lindenberg. She has exemplified the role of the social worker through her achievements and contributions to her profession. With a career spanning almost fifty years, she has demonstrated her skills in the area of teaching, writing, direct practice, administration, volunteer work, and making social policy in such capacities as caseworker supervisor, director, professor, and field instructor. Since coming to Hawaii, she has held positions as project director for the Community Friends of the Mental Health Association, and now

is Field Coordinator Instructor for the University of Hawaii School of Social Work. She has achieved all this with vitality and a sense of perseverance and intelligence which has enabled her to meet these challenges head-on. She is recognized as the Social Worker of the Year by her peers and the Human Services chairman, Mr. President."

"In addition, Mr. President, I have had the opportunity in recent weeks to have a much closer connection, take a much closer look at the work being done by her social workers and in particular we have spent a good portion of time and effort dealing with the work of the Child Protective Services, and I'm very pleased to have two people representing the Child Protective Services today, and I wish to enlighten those members who may not be familiar with it, and members of our audience a little bit more. The Child Protective Services protect children from child abuse and neglect as it may occur within the family.

"It is the social workers on the line who carry the heavy responsibility of child protection, dealing with unhappy and hostile parents on the child's behalf, and must also manage the process of diagnosis and treatment of the family with a multiple of government and private agencies in allied professions. Even though social workers in the Child Protective Services, many times, must contend with the feelings of frustration, helplessness, anger and depression—not a little of which is felt by themselves—believe me, Mr. President, they return day after day to their jobs with a sense of commitment and a demonstration of perseverance surpassed by few. Without the work performed by these social workers, the state would not have a child protective service.

"This certificate indicates that the Legislature, on behalf of the present and future social workers who have given of themselves both physically and emotionally in attempt to protect the lives and future of the children of our state, recognizes them with this certificate. Here to accept it on behalf of the Child Protective Services is Dan Watanabe. And I'm happy to say a friend of mine for many, many years, someone I haven't had the chance to see in recent years and very pleased that she is with DSSH right now. I know they have a superior talent in this young lady, Priscilla Minn."

Senator Abercrombie presented the Senate Certificates to Ruth Ellen Lindenberg, and on behalf of the Child Protective Services, to Dan Watanabe and

Priscilla Minn, who were presented with leis by Senators Kawasaki, A. Kobayashi, Toguchi and Abercrombie.

At 11:49 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 238 to 246) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 238, transmitting the "C.I.P. Status Report-Construction Summary," prepared by the Department of Planning and Economic Development, was referred to the Committee on Ways and Means.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nominations of the following:

K. David Malama, term to expire December 31, 1985 and
Francis I. Hirakawa, term to expire December 31, 1988,

was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 240, submitting for consideration and confirmation to the Board of Pilot Commissioners, the nominations of Lou Geronimo and Delmond J. H. Won, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 241, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nominations of Patrick Y. Nakagawa and Patrick A. Y. H. Ahana, D.V.M., terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 242, submitting for consideration and confirmation to the Animal Species Advisory Commission, the nominations of the following:

Clifford Winston Smith, term to expire December 31, 1988;
John R. Henderson, term to expire December 31, 1988; and
Timothy A. Burr, term to expire December 31, 1987,

was referred to the Committee on Economic Development.

Gov. Msg. No. 243, submitting for consideration and confirmation to the Library Advisory Commission, County of

Maui, the nominations of the following:

John H. Fitzgibbon, Jr., term to expire December 31, 1986;
Verna Ann Alo, term to expire December 31, 1987; and
Shigeko Ogawa, term to expire December 31, 1988,

was referred to the Committee on Education.

Gov. Msg. No. 244, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Richard K. Yonezaki, term to expire December 31, 1988, was referred to the Committee on Government Operations.

Gov. Msg. No. 245, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nominations of Harry M. Okumura and William H. Sager, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 246, submitting for consideration and confirmation to the Board of Radiologic Technologists, the nomination of Paul A. DeMare, M.D., term to expire December 31, 1988, was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 40 from the Department of the Attorney General, transmitting the "Supplement to 1985 Report on Claims for Legislative Relief," pursuant to Sec. 37-77, HRS, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 37 to 39) were read by the Clerk and were disposed of as follows:

S.C.R. No. 37, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DEREGULATION OF THE INTERISLAND BARGE SYSTEM," was offered by Senators Solomon, Fernandes Salling, Cobb, Mizuguchi, Kuroda, Young, Aki, Hagino, Henderson, Soares, Matsuura, Cayetano, Holt, Chang, Machida, A. Kobayashi, George and Hee.

By unanimous consent, S.C.R. No. 37 was referred jointly to the Committee on Agriculture and the Committee on Transportation.

S.C.R. No. 38, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT

OF LAND AND NATURAL RESOURCES TO RECOMMEND ALTERNATIVE CONCEPTS FOR THE MANAGEMENT OF THE AGRICULTURAL PARKS PROGRAM," was offered by Senators Solomon, Aki, Hagino, Henderson, Soares, B. Kobayashi, Matsuura, Cayetano, Fernandes Salling, Chang, Machida, A. Kobayashi, George, Cobb, Hee, Kuroda and Toguchi.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Agriculture.

S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY THE NEED FOR POST-HARVEST TREATMENT FACILITIES FOR THE PAPAYA INDUSTRY AND OTHER HAWAIIAN GROWN AGRICULTURAL CROPS," was offered by Senators Solomon, Aki, Hagino, Henderson, Soares, Matsuura, Cayetano, Fernandes Salling, Chang, Machida, A. Kobayashi, George, Hee, Cobb, Kuroda and Toguchi.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 43 to 47) were read by the Clerk and were disposed of as follows:

S.R. No. 43, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE FEASIBILITY STUDY FOR THE ESTABLISHMENT AND CONSTRUCTION OF A CONVENTION CENTER IN HAWAII," was offered by Senators Kuroda, McMurdo, Fernandes Salling, Mizuguchi, B. Kobayashi, George, Aki, Soares and Chang.

By unanimous consent, S.R. No. 43 was referred to the Committee on Tourism and Recreation.

S.R. No. 44, entitled: "SENATE RESOLUTION SUPPORTING A TRI-FLY CONTROL PROGRAM WITHOUT THE USE OF AERIAL SPRAYS," was offered by Senators Solomon, Fernandes Salling, Mizuguchi, Yamasaki, Kuroda, Young, Aki, Hagino, Henderson, Soares, Matsuura, Cayetano, Holt, Chang, Hee, Machida, A. Kobayashi, George and Toguchi.

By unanimous consent, S.R. No. 44 was referred jointly to the Committee on Agriculture and the Committee on Health.

S.R. No. 45, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND ALTERNATIVE CONCEPTS FOR THE MANAGEMENT OF THE AGRICULTURAL PARKS PROGRAM," was offered by Senators Solomon, Fernandes Salling,

Mizuguchi, Yamasaki, Kuroda, Young, Aki, Hagino, Henderson, Soares, Matsuura, Toguchi, Cayetano, Holt, Chang, Machida, A. Kobayashi, George and Hee.

By unanimous consent, S.R. No. 45 was referred to the Committee on Agriculture.

S.R. No. 46, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO STUDY THE NEED FOR POST-HARVEST TREATMENT FACILITIES FOR THE PAPAYA INDUSTRY AND OTHER HAWAIIAN GROWN AGRICULTURAL CROPS," was offered by Senators Solomon, Fernandes Salling, Cobb, Mizuguchi, Yamasaki, Kuroda, Young, Aki, Hagino, Henderson, Soares, Matsuura, Cayetano and Toguchi.

By unanimous consent, S.R. No. 46 was referred to the Committee on Agriculture.

S.R. No. 47, entitled: "SENATE RESOLUTION URGING THE BOARD OF MASSAGE TO CREATE A SPECIALIZATION DESIGNATION FOR NERVE THERAPY TECHNICIANS," was offered by Senators Machida, McMurdo, Soares, Fernandes Salling, Chang, Matsuura, Aki, George, A. Kobayashi, Hagino, Young, Kawasaki, Yamasaki, Hee, Mizuguchi, Cayetano, Henderson, Toguchi, Abercrombie, Solomon, Kuroda, Cobb and Holt.

By unanimous consent, S.R. No. 47 was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 722) recommending that the Senate advise and consent to the nominations of the following:

Calvin T. Masaki to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 87;

Robert E. L. Berry, M.D. to the Board of Health, in accordance with Gov. Msg. No. 121;

Elena Gaborno to the Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 122;

Noberto Baysa, M.D. and Patrick R. Cullen to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 123;

Yvonne M. Angut, Maryknoll K. Spotkaeff and Richard P. Bettini to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 124;

Reverend Kenneth W. Smith to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 125; Warren Y. Toriano to the County Hospital Management Advisory Committee, Hawaii County Hospital System, in accordance with Gov. Msg. No. 126;

Bertram A. Weeks, M.D. to the County Hospital Management Advisory Committee, Maui County Hospital System, in accordance with Gov. Msg. No. 127;

Howard G. Medeiros and Hisao Nakamura to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 128;

Nellie S. Chang to the Drug Product Selection Board, in accordance with Gov. Msg. No. 129;

Vincent H. S. Lee and Coletta M. Whitcomb to the Commission on the Handicapped, in accordance with Gov. Msg. No. 130;

Darryl K. H. Choy, Eugene M. Yamane, Wayne K. Ogasawara, Frederick C. Greenwood, Ph.D. and Tom Poy to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 131;

Violet S. Tsukayama, Ronald Brian Fitzgerald and Louisa Leones Sumaoang to the Board of Radiologic Technologists, in accordance with Gov. Msg. No. 133; and

Herbert A. Segawa and Lawrence A. Peebles, M.D. to the County Hospital Management Advisory Committee, Hawaii County Hospital System, in accordance with Gov. Msg. No. 188.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 722 and Gov. Msg. Nos. 87, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133 and 188 was deferred until Thursday, March 21, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 723) recommending that House Bill No. 209, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 209, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development,

presented a report (Stand. Com. Rep. No. 724) recommending that House Bill No. 861, H.D. 1 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 861, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Friday, March 22, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 725) recommending that the Senate advise and consent to the nomination of Tracey Elmore Lauder to the Advisory Committee on Flowers and Foliage, in accordance with Gov. Msg. No. 180.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 725 and Gov. Msg. No. 180 was deferred until Thursday, March 21, 1985.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 718 (Gov. Msg. Nos. 153, 154, 190, 191 and 232):

By unanimous consent, action on Stand. Com. Rep. No. 718 and Gov. Msg. Nos. 153, 154, 190, 191 and 232 was deferred until Thursday, March 21, 1985.

Stand. Com. Rep. No. 719 (Gov. Msg. No. 86):

By unanimous consent, action on Stand. Com. Rep. No. 719 and Gov. Msg. No. 86 was deferred until Thursday, March 21, 1985.

Stand. Com. Rep. No. 720 (Gov. Msg. No. 132):

By unanimous consent, action on Stand. Com. Rep. No. 720 and Gov. Msg. No. 132 was deferred until Thursday, March 21, 1985.

Stand. Com. Rep. No. 721 (Gov. Msg. No. 204):

By unanimous consent, action on Stand. Com. Rep. No. 721 and Gov. Msg. No. 204 was deferred until Thursday, March 21, 1985.

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of bills that were received:

House Bill	Referred to:
No. 26, H.D. 1	Committee on
Judiciary, then to the Committee on	
Transportation	

No. 570, H.D. 1 Committee on
Judiciary

Senator George rose and spoke on a point of parliamentary inquiry as follows:

"Mr. President, is this an appropriate time for me to speak against the re-referral of House Bill No. 26, H.D. 1?"

The Chair answered: "You may."

Senator George spoke against the re-referral as follows:

"Thank you, Mr. President. I was disturbed to hear yesterday afternoon that it was contemplated that this measure be re-referred. The re-referral, as I understand it from looking at the referral sheet, is that it will find its way out of Judiciary in time to make the internal deadline and then be referred to Transportation.

"Mr. President, I do not feel that this is an appropriate re-referral. I think we have all been inclined to think of this as a drinking and driving measure. The tendency to do this, I think, has been exacerbated by the Congress' intent and the Administration's intent to withhold funds from our highway safety program in the event that we do not pass the bill to raise the drinking age from 18, which it is at present, to 21. However, there are many other good and sufficient reasons for raising the drinking age, and I would hate to think that money would be the important reason for either voting for the bill or voting against the bill, and most certainly money shouldn't be the reason we should put the bill in the closet for a year, which appears from press reports to be the intention of the chairman of the Transportation Committee. I think the bill should properly be heard, voted upon, reported out by the Judiciary Committee, and sent to the floor for the courageous disposition of the measure that our constituents, the people we serve, expect of us.

"I can understand the interest of the chairman of the Transportation Committee in this measure. He's been outspoken about it in previous sessions and I do appreciate that he has strongly held opinions. However, the chairman of the Transportation Committee is also the vice chairman of the Committee on Judiciary and certainly could have his input and his say in that committee.

"What I don't know now is what's going to happen to the promise that was made to the members of Mothers Against Drunk Driving that the measure would be heard and given a fair shake in the Judiciary Committee. It seems to me to be a meaningless commitment if the bill is to be re-referred

into a committee where the chairman has expressed the intention of hanging on to it.

"I regret that I have to publicly deplore what I perceive to be misuse of the parliamentary process. Mr. President, I don't dispute that you have the power to make this re-referral. I think that you do have the capability of playing a game of keep-away with this bill, but I implore that you reconsider your action and give us all the opportunity to display the courage, if that's what it takes, to stand up and be counted on this bill. Thank you, Mr. President."

Senator Cayetano rose to speak in response and in favor of the re-referral as follows:

"Mr. President, let me give a bit of history about how this re-referral came to be. When the bill in question was first introduced and referred to the Judiciary Committee, I expressed my concern to you, Mr. President, that there was a transportation issue involved and I requested that the bill be referred to Transportation, as well. I did this with this House bill and also with the Senate companion bill, and in fact, there is a memorandum that was sent to your office which will attest to that fact. And during all of this time we had discussions between you, the Judiciary chairman and myself about how we would proceed on this matter.

"Let me state that I believe, first of all, that this bill should be heard, and if it comes to the Transportation Committee, I intend to exercise prerogative as chairman and have this bill heard. I also intend to exercise my prerogative as chairman and determine when and where this bill will be heard. That is the responsibility and a right that we all have as chairmen, as you all well know.

"Statements attributed to me in the press are accurate. What are my intentions if this bill is referred to me? It seems to me it is critical that we remove any cloud of duress or any appearance of coercion on the part of the Federal Government which may influence our votes regarding this very important measure.

"Let me trace some history on the part of this Legislature as to the question of the legal right of the 18 year olds to consume liquor. Mr. President, in 1972, this Legislature passed a bill which lowered the age of majority from 20 to 18. I have here a copy of the House committee report and I want to recite the reasons stated in those reports for the passage of the bill. This bill was supported by the 'AFL-CIO, the Hawaii Medical Association, the National Association of Social Workers, the Hawaii Federation of College Teachers, the

Department of Education, the University of Hawaii, the Family Court of the State, the Law Enforcement and Juvenile Delinquency Planning Agency, the Public Defender's Office, the Office of Information and Youth Affairs, and many other groups. And the committee found this:

'(1) Youth are better educated today than were their parents or forebearers at the age of eighteen and consequently are better able to discern and judge factors which affect their lives;

'(2) Medical studies evidence that people today are maturing physically at a younger age than the generations preceding them;

'(3) The Twenty-Sixth Amendment to the Constitution of the United States, ratified by this State and certified as a valid amendment to the United States Constitution on July 5, 1971, prohibits the denial or abridgement of the right of any citizen eighteen years of age or older to vote on account of age.'

"And it goes on, and let me bring one other reason to your attention.

'(6) No person should be discriminated against in livelihood, responsibility, and obligation when in the precept of our government, the equality of all people outweighs the purpose of distinguishing that person by class.'

"Then it goes on to say, 'This bill will lower to eighteen the minimum qualifying age of persons to: serve legal process; acquire certain firearms; purchase or lease residence lots...and consume intoxicating liquor.'

"Mr. President, the State of South Dakota, when the federal law was passed, filed a lawsuit. I want to quote here for this body a few passages from the press release that was issued from the Office of the Attorney General of the State of South Dakota. This press release speaks to an amendment made to the federal law, the Lautenberg Amendment, which would require the Federal Government to withhold federal highway money if the states did not comply and raise the drinking age to 21. This is what the Attorney General of the State of South Dakota says in part. I quote: 'The Lautenberg amendment is a flagrant violation of the Twenty-first Amendment to the United States Constitution, which reserves unto the states the exclusive right to control transportation and use of intoxicating liquors within their respective jurisdictions.' He goes on to say, 'The lawsuit that I have filed in Federal District Court this morning alleges that the United States Congress is without constitutional authority to force the State of South Dakota to enact any statute dealing with the sale or

possession of intoxicating beverages within its borders.' Mr President, that issue is before the Federal Court and I intend, as chairman, to exercise my prerogative because it is my firm belief that before we change what we said in 1972, before we tell the young people of this state who are between 18 and 21 that we think you are mature; we think you can do all of these things; we think you can sell property; we think you can enter into contracts; we think you can vote; but we don't think you can consume liquor. Before we do that, Mr. President, I want to make sure that there's no cloud, that the federal blackjack is hanging over our head right now, is not there.

"I think that's reasonable, quite frankly, because this bill never passed this Senate and when we are free of any kind of coercion on the part of the Federal Government, then it seems to me that we can consider the principles, the fundamental issues stated in the House committee report and published in the House Journal, 1972. My feeling is that the House of Representatives which passed this bill over to us was not accorded that privilege and I would like to make certain that we exhaust every avenue to see that this issue is resolved in Federal Court before we indeed make a decision as to whether we want to deprive a certain class of citizens in this state of their privilege which is given to every other adult not in that class. Thank you very much."

Senator George in response stated as follows:

"I don't want to get into a lengthy debate with my friend, the Senator from the Sixth District, but as long as he has brought up the State of South Dakota's suit in Federal Court in this matter I too have some objection to a federal blackjack. I certainly have no objection to our state's joining the State of South Dakota to determine whether or not this is legal on the part of the Congress and the Federal Government. I just don't happen to feel that it is germane to the passage of this legislation. Deferring this legislation would make us responsible for I do not know how many lives, I do not know how many violent accidents, I do not know how many felonies which might well be committed in the next year when we do finally get around to it. I suggest that we instruct the Attorney General to get on the stick and join in, filing an amicus brief, if that is the appropriate attorneys' way of putting it, but in the meantime, get on with this one.

"The previous speaker made reference to the 1972 Legislature's reasoning. I too have some rather interesting remarks to make about that reasoning. In the Senate's committee report, when the drinking age

was lowered to eighteen, it made reference to the trend as nationwide. During the past two years, eight states have taken the significant step—California, Illinois, Michigan, New Mexico, North Carolina, Tennessee, Vermont, and Washington. The House's position in its StandCom said the trend is nationwide. Within the past two years, eight states have lowered the age of majority. Those states are: Vermont, Tennessee, Michigan, North Carolina, Illinois, Washington, New Mexico and California.

"I quote Leland Spencer who has a deep interest in the passage of this bill because of the particular cases he handles on the bench. He says, 'In contrast to 1972, the current and overwhelming nationwide trend now is to raise the minimum age to 21. In fact, seven of the eight states mentioned in the 1972 StandCom reports as examples for Hawaii to follow in lowering the minimum age currently set the minimum age at 21. The nationwide trend and examples set by the cited states should be as influential with the 1985 Legislature to raise the minimum age as these factors were with the 1972 Legislature to lower the minimum age.' I will not read Judge Spencer's, to me, very persuasive testimony about the overrepresentation of young people between 18 and 21 in the area of violent crime. They are many times more apt to have consumed alcohol immediately before committing these crimes than older people are, people 21 and over. I think the evidence nationally and locally is overwhelming that alcohol does indeed play a large part in leading young people to do things they shouldn't do. Thank you."

Senator Cayetano in response stated as follows:

"Mr. President, I'm not sure that I made myself clear. I disagree with the good Senator. I think that the fact that we have this federal law hanging over our head may cloud the decisions of members here. I accept that as a practical fact of political life. Certainly, there are other things, other influences here which are of a much lesser magnitude which affect the way we vote. We all know that the highway fund is in deep trouble. Before the committee is a bill which would require us to raise taxes, as well as a vehicle weight tax, fuel tax, registration fee, to make up the deficit that we anticipate the highway fund will face when the 4 percent general excise tax set aside is terminated.

"So, this federal law which proposes to withhold federal money from that particular source hits us in a very, very sore spot. I wonder, truly, how many people here would be able to make decisions with this hanging over our heads, that we would be willing to face up to our constituents and say, 'I

believe in principle that we should not raise the drinking age, but also my principles led me to make a decision which led to the loss of \$17 million in federal highway money.'

"I would submit to you that we should do everything we can to remove that kind of influence, and that's my purpose. I assure you that if this bill should be re-referred to my committee, that if proponents of this bill want a hearing, fine, we will have a hearing. I will accede to that request. However, I will also exercise my prerogative as chairman to postpone decision making until the next legislative session."

Senator Abercrombie rose and commented as follows:

"Mr. President, I don't propose to comment on the previous remarks, but on those made even before that because there were citations from Judge Spencer and so on, I think it needs to go on the record right now because there's an implication that somehow that this bill, if it doesn't pass, is going to cause more deaths on the highway. That is simple assertion. That has nothing to do with the facts as I've been able to discern them, and I don't want the public taking the attitude that that is going to be the case. And I most certainly don't want Judge Spencer's warped logic to be the touchstone upon which we make a decision. I'm beginning to wonder about whether he went to Marquette with Ron Rewald in terms of being a lawyer.

"The trend that was mentioned with respect to Judge Spencer was the states making their decision, state by state, based on the decisions within those legislatures. That's the principle. Whether the trend was to go down in age or up in age, that was the state by state decision. So it is not only illogical, but it is an exercise in legal nonsequiturs to indicate that the trend now should be any different. The object is for the state to make a decision. If the State of Hawaii decides it does not want to raise the age, that's entirely within, not only within its purview but it fits exactly into the situation that took place in the 1970's. So, far from saying that we should now raise the drinking age because the age was lowered at another time, the object lesson to be learned, if Judge Spencer could open his eyes and see straight, that it's up to the states to make those decisions. The difference here is that the Federal Government has decided you have to do this or else. Nobody was telling those states in 1972, or 3, or 4, whenever it was, that you must do this or else. That was a decision made free of coercion of the legislature. So, there's no analogy whatever.

"If this is the kind of mind on the bench, we're in serious trouble. Speaking again, as a probation officer who was an officer of

the court and had to deal with judges, I'd have great difficulty in dealing with someone who doesn't understand the difference between symptoms of society's problems and equating the symptoms with the problem itself. It seems to me that we need some judges that can do more than deal with analogy for fact and substitute opinion for judgment.

"I just want to say in conclusion with respect to how this bill is being dealt with because I see once again the editorial line of the Advertiser right here. And, Mr. President, as you know I challenged the anonymous editorial writer or writers at the Advertiser, as well as their reporters, to come into my office to see the evidence that I have that it is the exact opposite of what is stated here. 'We feel,' I'm quoting, 'We feel that the case for raising the drinking age is made by the overwhelming bulk of evidence that it has saved lives elsewhere.' That is not true. I have said that publicly here; I've said it privately; I've said it to the reporters here; the message was delivered to the Advertiser. This is the kind of propaganda that comes out. '...and that Hawaii is not somehow an exception to the point that teenage drinking and driving causes special problems which reach below age 18.' That is not true. Why, it's an entirely different statistical orientation which I offer again to show, so when they talk about the Senate sidetracking, this is not true. The elements that are involved in this about having an honest hearing and all the rest of it is simple propaganda.

"What bothers me the most out of all this is that the very people who are calling for this hearing and for this passage are not members on this floor whose motivations I do not argue with because I know all the individuals involved when we talked, but these outside forces...these so-called pressures that have been mentioned—Mothers Against Drunk Driving, the Honolulu Advertiser and others. Deceptive, dishonest presentations...people who tell me to my face that the reason that they raise the drinking age is they can get away with it, and they couldn't get away with it for the ages that they really think should be involved...these kinds of things. I don't want to hear any self-righteous baloney from people who say they are in favor of this when their own motivations are surely suspect."

Senator Soares rose and commented as follows:

"Mr. President, I was in the House at the time of this bill, referred to by Senator Cayetano, in 1972. I voted for it.

"I think the purpose that we have raised this morning has been served. I appreciate that Senator Cayetano will have a hearing

and I appreciate the comments that he has raised with regard to his prerogative as chairman. I also would like to say that we have taken the Senate to be an independent body, big enough and strong enough to take the floor, as we are this morning, and debate issues such as this.

"Our whole idea is that if we have an issue with such widespread concerns to all parts of the community, let's bring it to the floor, debate it, argue it, fight it, be big enough to take the lumps, whether we win or lose. I think the whole idea this morning has been brought to bear. The fact is that if we have a chairman who wants to take on an issue, have a hearing, get the committee together, bring it here. Take the lumps publicly as we have this morning.

"I'm enjoying this debate, as far as it might be. And I appreciate it. This is where it should be done, right here. Bring the bill out, debate it, fight it, and vote up or down on the merits of the bill. Thank you, Mr. President."

Senator Cobb added his remarks as follows:

"Mr. President, in doing so, if anything, today's discussion has illustrated that the technique of federal blackmail has in fact backfired. If it were not for the cloud of the threat of withholding federal funds, this bill could in fact be debated solely on its merits without the threat of a loss of revenue.

"I think the State of South Dakota is entirely within its rights to pursue that suit. I think we should join them in that suit, and I think it should be resolved before the Supreme Court of the United States as quickly as possible. I have said it before in caucus, and I will say it again on the floor of this Senate.

"In 1983 we passed a primary source liquor law. All of the testimony on that particular law said that the bill before us at that time was anti-consumer, anti-competition, would drive up prices, and was monopolistic even though it was passed to avoid disruption in the liquor industry. We had waited two years to pass that bill pending a decision by the United States Supreme Court, and in 1983 the United States Supreme Court said that the states have the sole prerogative of legislating on liquor, even if the law is anti-competitive, monopolistic, would hurt the consumer, or transgress the federal interest. And they said that under the terms of the Twenty-first Amendment of the United States Constitution. Within one year, the United States Congress chose to ignore that opinion and attempted to blackmail every state by threatening to withhold funds. That's why I think the State of South Dakota

is absolutely and entirely within its rights to pursue this matter to the United States Supreme Court and get the issue resolved because I too would like to vote on the merits, and not with the threat of any kind of blackmail which I question its constitutionality.

"So, the proponents of this who think they pulled a fast one by getting Congress to bludgeon the states are now seeing that their tactic has backfired. We don't like federal blackmail. We've said no to federal money in the past and I'm sure we'll say no to it in the future. And so, the sooner we can get this question resolved, because I doubt the action of the United States Congress was constitutional myself. I'm waiting for the State of South Dakota in this case, so that they can have a United States Supreme Court decision to give us a definitive ruling on this, so that when we do vote, we'll vote it up or down on the merits and not on the question of whether it involves \$17 million of federal funding. Thank you."

The Chair then stated as follows:

"I want to make it perfectly clear that the responsibility lies with the Chair to re-refer this bill, and that was based on a discussion with the chairman of Judiciary asking him to move the bill on to Transportation because there are some implications which involve the highway fund. I want to make it perfectly clear that it is the Chair's position to have the bill re-referred to the Committee on Transportation.

"I'm just hopeful that, despite all the media attention which has been brought to bear on this issue, the fact remains that the bill is not dead. It is in its final committee and there is that possibility that it may be coming out, in spite of what has been said otherwise publicly.

"And I think that the chairman of that committee has expressed his opinion on the matter. I think it is the Chair's responsibility to make the re-referral based on what I consider to be the appropriate subject matter and I believe it is within the purview of the Committee on Transportation. The Chair has made its decision, and I ask the members of the Senate to support that decision. It is now up to the committee chairman to do as he wishes with that particular measure. I hope in his wisdom that he will allow that public an opportunity to testify on the measure."

Senator Solomon rose and spoke on a point of personal privilege as follows:

"Mr. President, on behalf of your Agriculture Committee, we would like to

remind our fellow Senators that today is 'Agriculture Day,' the first day of spring, in Hawaii. The designation of this one day in the year is supported by the Agriculture Council of America, a private, nonprofit educational corporation located in Washington, D.C., and is endorsed by the national association of state departments of agriculture.

"This special day was first observed in 1973 as a time to explain and salute the achievements of the working men and women of agriculture in America who are responsible for twenty percent of our gross national product. It is now an annual celebration officially recognized by the Congress of the United States.

"This year's slogan 'Agriculture: America's Heartbeat' is graphically illustrated by the logo of a barn and silo superimposed on an electrocardiogram.

"In commemoration of 'Hawaii Agriculture Day,' a display of agricultural commodities produced in Hawaii and promotional material developed by the Hawaii Department of Agriculture will be available for viewing near the chamber level entrance of the State Capitol."

Senator Kawasaki then asked if the chairman of the Ways and Means committee would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Kawasaki inquired as follows:

"Mr. President, I'd like the chairman of the Ways and Means Committee to inform us where the money that the Governor gets to pay this Washington representative of his, \$82,500, comes from. From the newspaper article I read, apparently, she's not a very effective representative, not getting too much results. It just seems to me in my decision to vote for or against the budget, which includes the Governor's office budget, I need to know where this money is coming from that the Governor finds so easily."

Senator Yamasaki answered: "I believe it's in the Governor's budget."

Senator Kawasaki further inquired as follows:

"I see. Perhaps that's some food for thought because from what I can read out of the media coverage of the item, she's not very effective. Why are we wasting \$82,500 for a person in Washington, who incidentally, represents a whole spectrum of other clients? We, perhaps, should ask the Governor's office in their presentation next time how they justify that."

At 12:44 o'clock p.m., the Senate stood in

recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

At 12:47 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., Thursday, March 21, 1985.

ADJOURNMENT

FORTY-FIRST DAY

Thursday, March 21, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Tony Nelson of Baha'i Community, after which the Roll was called showing all Senators present with the exception of Senators Kawasaki and Mizuguchi who were excused.

The Chair announced that he had read and approved the Journal of the Fortieth Day.

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

Senator Soares introduced Mr. Donald M. Kuyper and Mrs. Kuyper, and Mr. Charles A. Crain as follows:

"Mr. President, this morning I take great pleasure in introducing and acknowledging a very faithful servant of Hawaii who is now moving on to higher and better things and, after leaving his mark in Hawaii, we regret to see him leave.

"On the floor of the Senate this morning, we have Mr. Donald Kuyper, president of Hawaiian Telephone Company, and president of Micronesian Telecommunications Corporation, who is now being promoted to the parent company, GTE.

"We were very fortunate to have Donald Kuyper with us all these years for the unselfish service he has given to our business and civic community as chairman of the Chamber of Commerce; president, Downtown Improvement Association; president of Aloha United Way; and on numerous boards and governor's commissions. We will certainly miss his great contributions to our community.

"With him this morning is his wife Mrs. Kuyper. With the Kuypers is Mr. Charles A. Crain, who is presently the executive vice president and chief operating officer of General Telephone Company of California and who will succeed Mr. Kuyper as president of Hawaiian Telephone Company on April 1st."

Mr. and Mrs. Donald Kuyper and Mr. Charles Crain rose to be recognized. Senator Soares presented Mr. Kuyper with the congratulatory certificate and Senators George, A. Kobayashi and Henderson presented each of them a lei.

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

The Senate reconvened at 11:56 o'clock a.m.

Senator Henderson, on behalf of Senators Solomon, Matsuura and himself, introduced a group of 30 sixth grade students from Hilo Union School, accompanied by their parents, Mrs. Annette Aiona and Mrs. Naomi Sugihara, and teachers, Mrs. May Yaeger and Mrs. Toshiaki Kawasaki.

Senator Solomon then recognized Mrs. May Yaeger as follows:

"Mr. President and members of the Senate, Mrs. May Yaeger is a member of the Delta Kappa Gamma Society International which is an honorary professional society of over 155,000 outstanding women educators whose major objectives include: advancing the professional interest and position of women educators; initiating, endorsing, and supporting desirable legislation in education; and encouraging growth and participation of members in appropriate educational activities.

"Our Hawaii chapter is comprised of over 500 members representing public and private education from preschool through the university."

Mrs. Yaeger rose to be recognized.

Senator Matsuura, on behalf of the Senators from the Big Island, introduced a group of representatives from the Office on Aging: Frank Ishii, Martha Ishii, Jack Ouye, Frank Dorner and former representative Joe Garcia.

Senator McMurdo introduced a group of students from the hearing-impaired class, grades 4 through 6, of Likelike School accompanied by their teacher Anita Benfatti, a member of the Waikiki Neighborhood Board and the Waikiki Residents Association.

Senator Machida, on behalf of Senators Solomon, Yamasaki and himself, then introduced the following students from the Leadership Training Class of Baldwin High School: Mike Mirzai, Kimilyn Tomita, Ryan Saiki, Amanda Martin, Wendy Cabebe, Dana Bell, Yolanda Caniaveral, Aaron Sonnenburg, Maile Aruda, Dwan Makaula, Lisa Correa, Donna White and Jane Manganag, accompanied by their adviser and chaperone, Daphne Sing and William Sing, Jr.

Senator Chang then introduced Mr. Shan-Qing Zhu and Mr. Dong Liao from Beijing, Peoples Republic of China, as follows:

"Mr. President, with us today are two guests from Beijing, Peoples Republic of China. They are here under the auspices of the United States Information Agency, participating in the International Visitor Program. They are both here to increase their understanding of the American Government and our political system.

"Mr. Shan-Qing Zhu is Deputy Secretary General of the International Liaison Department, Central Committee of the Communist Party.

"Mr. Dong Liao is Second Secretary of the International Liaison Department, Central Committee of the Communist Party.

"We are also fortunate to have with us today Dr. Kwok of the History Department of the University of Hawaii, accompanying Mr. Zhu and Mr. Liao."

The honored guests rose to be recognized and were presented with leis by Senators Fernandes Salling, Solomon and Young.

At 12:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:05 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 247 to 249) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 247, transmitting the "Report on Molokai Forest Land Resources as a Potential Source of Energy and Multi Forest Resource Inventory," prepared by the Department of Land and Natural Resources, was referred to the Committee on Energy.

Gov. Msg. No. 248, submitting for consideration and confirmation to the Western Interstate Commission for Higher Education, the nomination of J.D. Watumull, term to expire December 31, 1988, was referred to the Committee on Higher Education.

Gov. Msg. No. 249, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of Clyde Akina and John T. Komeiji, terms to expire December 31, 1985, was referred to the Committee on Consumer Protection and Commerce.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 41 from the Hawaii Public Employment Relations Board, transmitting the HPERB Informational Bulletin No. 22, was read by the Clerk and was referred to the Committee on Labor

and Employment.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 40, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC TECHNICIAN TRAINING PROGRAM AT KAUI COMMUNITY COLLEGE," was offered by Senator Fernandes Salling, and was read by the Clerk.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Higher Education.

SENATE RESOLUTION

The following resolutions (S.R. Nos. 48 and 49) were read by the Clerk and were disposed of as follows:

S.R. No. 48, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY OF IMPLEMENTING AN ELECTRONIC TECHNICIAN TRAINING PROGRAM AT KAUI COMMUNITY COLLEGE," was offered by Senator Fernandes Salling.

By unanimous consent, S.R. No. 48 was referred to the Committee on Higher Education.

S.R. No. 49, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ADJUSTING PUBLIC BIDDING REQUIREMENTS TO REFLECT INFLATION," was offered by Senators Machida, Chang, Kuroda, Hee, Cobb, Yamasaki, Cayetano, Solomon, Holt, Hagino, Kawasaki, Henderson, Toguchi, A. Kobayashi, B. Kobayashi, McMurdo, Aki, George, Abercrombie, Matsuura and Fernandes Salling.

By unanimous consent, S.R. No. 49 was referred to the Committee on Government Operations, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 726) recommending that the Senate advise and consent to the nominations of Robert S. Tamaye and Everett Cuskaden to the Land Use Commission, in accordance with Gov. Msg. No. 114.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 726 and Gov. Msg. No. 114 was deferred until Friday, March 22, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 727) recommending that the Senate advise and consent to the nominations of David A. Heenan, Ph.D., and Paul Yuen, Ph.D., to the Board of Directors, High Technology Development Corporation, in accordance with Gov. Msg. No. 115.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 727 and Gov. Msg. No. 115 was deferred until Friday, March 22, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 728) recommending that the Senate advise and consent to the nomination of Barbara L. Hanchett to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 112.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 728 and Gov. Msg. No. 112 was deferred until Friday, March 22, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 729) recommending that House Bill No. 94, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 94, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATION FOR THE REPAIR AND MAINTENANCE OF PRISON FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 730) recommending that House Bill No. 263, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 263, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 731) recommending that House Bill No. 95, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No.

95, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION OF EDUCATION AND VOCATIONAL TRAINING PROGRAMS IN CORRECTIONAL FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 732) recommending that House Bill No. 1272 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 733) recommending that House Bill No. 83, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 83, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OCEAN," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 734) recommending that House Bill No. 84 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 84, entitled: "A BILL FOR AN ACT RELATING TO OCEAN RESOURCE MANAGEMENT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 735) recommending that House Bill No. 1121, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 1121, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FRESH SEAFOOD PROMOTION," passed Second Reading and was referred to the

Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 736) recommending that the Senate advise and consent to the nominations to the Natural Area Reserves System Commission of the following:

William J. Walsh, in accordance with Gov. Msg. No. 116, and

Frank J. Radovsky, in accordance with Gov. Msg. No. 186.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 736 and Gov. Msg. Nos. 116 and 186 was deferred until Friday, March 22, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 737) recommending that the Senate advise and consent to the nomination of Stanley Y. Oshima to the Aquatic Life and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 187.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 737 and Gov. Msg. No. 187 was deferred until Friday, March 22, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 738) recommending that the Senate advise and consent to the nominations to the Board of Land and Natural Resources of the following:

J. Douglas Ing, in accordance with Gov. Msg. No. 113, and

John Y. Arisumi, in accordance with Gov. Msg. No. 185.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 738 and Gov. Msg. Nos. 113 and 185 was deferred until Friday, March 22, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 739) recommending that House Bill No. 1173 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and H.B. No. 1173, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on

Tourism and Recreation, presented a report (Stand. Com. Rep. No. 740) recommending that House Bill No. 87 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and H.B. No. 87, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE VISITOR INDUSTRY EDUCATION COUNCIL FOR THE PRODUCTION OF AN EDUCATIONAL FILM ON THE BENEFITS OF TOURISM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 741) recommending that House Bill No. 1208 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and H.B. No. 1208, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE BIG ISLAND OCEAN RECREATION AND TOURISM PROJECT," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 742) recommending that House Bill No. 383, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and H.B. No. 383, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 743) recommending that House Bill No. 1207, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and H.B. No. 1207, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 744) recommending that House Bill No. 1209, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and H.B. No. 1209, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WEST HAWAII OCEAN RECREATION FACILITIES AND PROGRAMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 745) recommending that House Bill No. 363, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 363, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 746) recommending that House Bill No. 830, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 830, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 747) recommending that House Bill No. 299, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 299, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on

Higher Education, presented a report (Stand. Com. Rep. No. 748) recommending that House Bill No. 447, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 447, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COUNTY EXTENSION AGENT UNDER THE COOPERATIVE EXTENSION SERVICE OF MAUI," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 749) recommending that House Bill No. 905, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and H.B. No. 905, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 750) recommending that House Bill No. 1056, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1056, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS OF INSURERS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 751) recommending that House Bill No. 354, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and H.B. No. 354, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 752) recommending that House Bill No.

1275, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and H.B. No. 1275, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 753) recommending that House Bill No. 154 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 754) recommending that House Bill No. 813, H.D. 3, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and H.B. No. 813, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS AND FINANCING SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 755) recommending that House Bill No. 1246, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and H.B. No. 1246, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 756) recommending that House Bill No. 162, as amended in S.D. 1, pass Second Reading and be referred placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi,

seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred placed on the calendar for Third Reading on Monday, March 25, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 757) recommending that House Bill No. 1059, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1059, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF HAWAII'S INSURANCE LAWS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 758) recommending that House Bill No. 208, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 208, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 759) recommending that House Bill No. 219, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 760) recommending that House Bill No. 860, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 860,

H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 25, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 761) recommending that House Bill No. 997, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 997, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 762) recommending that House Bill No. 840, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 840, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 763) recommending that House Bill No. 404, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and H.B. No. 404, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 764) recommending that House Bill No. 329, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 329, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," passed Second Reading and was

referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 765) recommending that House Bill No. 77, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 77, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANAGEMENT OF HAZARDOUS MATERIALS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 766) recommending that House Bill No. 163 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 25, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 767) recommending that House Bill No. 165, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, March 25, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 768) recommending that House Bill No. 166, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 166, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 769) recommending that House Bill No. 171 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 171, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 770) recommending that House Bill No. 1018, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 1018, H.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE HYPERBARIC TREATMENT CENTER, HONOLULU, OAHU," passed Second Reading and was referred to the Committee on Ways and Means.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 771) recommending that House Bill No. 1280, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 1280, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT PROGRAM ON ALZHEIMER'S DISEASE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 772) recommending that House Bill No. 210 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 210, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 773) recommending that House Bill No. 281, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report

of the Committee was adopted and H.B. No. 281, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 774) recommending that House Bill No. 916, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 916, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PAPAYAS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 775) recommending that House Bill No. 62, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 62, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF PINEAPPLES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 776) recommending that House Bill No. 64 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 64, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PROMOTION OF AGRICULTURAL COMMODITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 777) recommending that House Bill No. 60, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 60, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," passed Second Reading

and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 778) recommending that House Bill No. 184, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 184, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 779) recommending that House Bill No. 65, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 65, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AGRICULTURE ACTIVITIES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 780) recommending that House Bill No. 82, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 781) recommending that House Bill No. 134, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 134, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 782) recommending

that House Bill No. 144, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 144, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 783) recommending that House Bill No. 146, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 146, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 784) recommending that House Bill No. 147, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 785) recommending that House Concurrent Resolution No. 6 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.C.R. No. 6, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO INCLUDE A SUGAR PRICE SUPPORT PROGRAM IN THE 1985 FARM BILL," was adopted.

Senator Cayetano, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 786) recommending that House Bill No. 89, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee

on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the majority of the Committee was adopted and H.B. No. 89, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 787) recommending that House Bill No. 26, H.D. 1, pass Second Reading and be referred to the Committee on Transportation.

By unanimous consent, action on Stand. Com. Rep. No. 787 and H.B. No. 26, H.D. 1, was deferred to the end of the calendar.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 788) recommending that House Bill No. 614, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 614, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 789) recommending that House Bill No. 1131, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 1131, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 42," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 790) recommending that House Bill No. 194, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 194, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 791) recommending that House Bill No. 39, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 39, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 792) recommending that House Bill No. 1271, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1271, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 793) recommending that House Bill No. 20, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 20, 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," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 794) recommending that House Bill No. 1283, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1283, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HEARING-IMPAIRED," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chang, for the Committee on

Judiciary, presented a report (Stand. Com. Rep. No. 795) recommending that House Bill No. 99, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 99, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 796) recommending that House Bill No. 174, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 797) recommending that House Bill No. 267, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 267, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 798) recommending that House Bill No. 268 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 268, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was referred to the Committee on Judiciary.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 799) recommending that House Bill No. 974, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the

report of the Committee was adopted and H.B. No. 974, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 800) recommending that House Bill No. 129 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and H.B. No. 129, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 801) recommending that House Bill No. 697, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and H.B. No. 697, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Judiciary.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 802) recommending that House Bill No. 49, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 49, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 803) recommending that House Bill No. 52, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 52, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Ways

and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 804) recommending that House Bill No. 101, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 101, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 805) recommending that House Bill No. 436, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 436, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," passed Second Reading and was referred to the Committee on Ways and Means.

At 12:07 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM
WEDNESDAY, MARCH 20, 1985

ADVISE AND CONSENT

Stand. Com. Rep. No. 718 (Gov. Msg. Nos. 153, 154, 190, 191 and 232):

Senator Yamasaki moved that Stand. Com. Rep. No. 718 be received and placed on file, seconded by Senator Mizuguchi and carried.

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

Harriet M. Davis to the Board of Taxation Review, Second Taxation District, term to expire December 31, 1988;

Lovey Leinaala Apana to the Board of Taxation Review, Fourth Taxation District, term to expire December 31, 1988;

Fred T. Yamashiro to the Board of Taxation Review, Third Taxation District, term to expire December 31, 1988;

Erlinda Salvador to the Board of Taxation Review, Fourth Taxation District, term to expire December 31, 1988; and

Norma J. Yuskos to the Board of Taxation Review, First Taxation District, term to expire December 31, 1988,

seconded by Senator Mizuguchi.

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Kawasaki and Mizuguchi).

Stand. Com. Rep. No. 719 (Gov. Msg. No. 86):

By unanimous consent, action on Stand. Com. Rep. No. 719 and Gov. Msg. No. 86 was deferred until Friday, March 22, 1985.

Stand. Com. Rep. No. 720 (Gov. Msg. No. 132):

By unanimous consent, action on Stand. Com. Rep. No. 720 and Gov. Msg. No. 132 was deferred until Friday, March 22, 1985.

Stand. Com. Rep. No. 721 (Gov. Msg. No. 204):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 721 be received and placed on file, seconded by Senator Machida and carried.

Senator B. Kobayashi then moved that the Senate advise and consent to the nominations to the Maui County Subarea Health Planning Council of the following:

Gail Ehrhardt and Ora Latham, terms to expire December 31, 1988; and

Herbert Y. Nakasone, term to expire December 31, 1985,

seconded by Senator Machida.

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Kawasaki and Mizuguchi).

Stand. Com. Rep. No. 722 (Gov. Msg. Nos. 87, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 133 and 188):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 722 be received and placed

on file, seconded by Senator Machida and carried.

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

Calvin T. Masaki to the State Planning Council on Developmental Disabilities, term to expire December 31, 1987;

Robert E.L. Berry to the Board of Health, term to expire December 31, 1988;

Elena Gaborno to the Honolulu Subarea Health Planning Council, term to expire December 31, 1988;

Roberto Baysa, M.D., and Patrick Cullen to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1988;

Yvonne M. Angut, Maryknoll K. Spotkaeff and Richard Bettini to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1988;

Reverend Kenneth W. Smith to the Kauai County Subarea Health Planning Council, term to expire December 31, 1988;

Warren Y. Toriano to the County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire December 31, 1988;

Bertram A. Weeks, M.D., to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1988;

Howard G. Medeiros and Hisao Nakamura to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1988;

Nellie S. Chang to the Drug Product Selection Board, term to expire December 31, 1988;

Vincent H.S. Lee and Coletta M. Whitcomb to the Commission on the Handicapped, terms to expire December 31, 1988;

Darryl K.H. Choy, Eugene M. Yamane, Wayne K. Ogasawara, Frederick C. Greenwood, Ph.D., and Tom Poy to the Advisory Committee on Pesticides, terms to expire December 31, 1988;

Violet S. Tsukayama, Ronald Brian Fitzgerald and Louisa Leones Sumaoang to the Board of Radiologic Technologists, terms to expire December 31, 1988;

Herbert A. Segawa to the County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire

December 31, 1988; and

Lawrence A. Peebles, M.D., to the Hawaii County Hospital Management Advisory Committee, Hawaii County Hospital System, term to expire December 31, 1987,

seconded by Senator Machida.

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Kawasaki and Mizuguchi).

Stand. Com. Rep. No. 725 (Gov. Msg. No. 180):

By unanimous consent, action on Stand. Com. Rep. No. 725 and Gov. Msg. No. 180 was deferred to the end of the calendar.

MISCELLANEOUS COMMUNICATION

Misc. Com. No. 3 from the United States Department of Agriculture, Agricultural Stabilization and Conservation Service, transmitting the Block Releases Details of 1985 Farm Bill Proposal, was read by the Clerk and was referred to the Committee on Agriculture.

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

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

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Stand. Com. Rep. No. 725 (Gov. Msg. No. 180):

Senator Solomon moved that Stand. Com. Rep. No. 725 be received and placed on file, seconded by Senator Hagino and carried.

Senator Solomon then moved that the Senate advise and consent to the nomination of Tracey Elmore Lauder to the Advisory Committee on Flowers and Foliage, term to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 18. Noes, none. Excused, 7 (Aki, Chang, Kawasaki, Matsuura, Mizuguchi, Toguchi and Young).

Stand. Com. Rep. No. 787 (H.B. No. 26, H.D. 1):

On motion by Senator Cobb, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No.

26, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred to the Committee on Transportation.

At 12:38 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 4:00 o'clock p.m. or subject to the call of the Chair.

AFTERNOON SESSION

The Senate reconvened at 4:15 o'clock p.m.

The Chair remarked as follows:

"Members of the Senate, before adjourning for the evening, the Chair would like to thank you for your patience. The Committee on Labor and Employment is still working on the workers' compensation measure and we are going to ask that a motion be passed to leave the Journal open and have the committee continue its work."

At this time, Senator Kuroda introduced Jolene Asato, 8th grade student at Punahou

School, doing research on the lottery measure, and accompanied by her father Roy Asato, president and owner of Wisteria Restaurant.

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the adoption of standing committee reports received by the Senate Clerk prior to midnight. In consequence thereof, and subsequent to its recessing at 4:20 o'clock p.m., the Senate took the following action on the following bill and standing committee report:

Stand. Com. Rep. No. 806 was adopted and House Bill No. 463, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Ways and Means.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Friday, March 22, 1985.

FORTY-SECOND DAY

Friday, March 22, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Sister Michael White, Director of Spirituality, Holy Trinity Church, after which the Roll was called showing all Senators present with the exception of Senators Henderson and Machida who were excused.

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

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

Senator Matsuura, on behalf of Senator Aki, introduced 30 fourth and fifth graders from Waianae Elementary School, accompanied by their teachers: Mrs. Burke, Mrs. Scout, Mrs. Ware, Mrs. Amina and Mrs. Keaala.

Senator Yamasaki, on behalf of Senator Machida, Senator Solomon and himself, introduced 80 Lihikai School students, accompanied by their teachers: Ms. Janet Hazama, Mrs. Sheila Kawahara, Mrs. Sharon Yanagida, and Mrs. Judith Matoi, and their chaperones: Mrs. Doreen Barreras, Mrs. Jacinta Guzman, Mr. Lawrence Ing and Mr. Russell Sato. Senator Yamasaki also introduced ten students from Kula Elementary School accompanied by their advisor, Diane Hiyakumoto.

Senator Hagino then made the following introduction:

"Mr. President and fellow Senators, visiting the Capitol this morning is a group of eleven men and women from the Christian Women's Club of Wahiawa. Approximately sixty women meet on the second Friday of every month for luncheon meetings at the Wheeler Officers' Club. Although they meet at Wheeler, the members themselves live in the surrounding communities of Wahiawa, Mililani, Schofield Barracks, NAVCAM at Helemano, Haleiwa, Waialua, other North Shore communities and Camp Stover, as well as Wheeler Air Force Base. Those in today's group are from the Mililani and Wahiawa area. The leader of this group is Mrs. Barbara Leonard who is the current chairman of the Christian Women's Club of Wahiawa."

Senator Solomon made the following introduction:

"Mr. President, it gives me great pleasure to introduce to my fellow colleagues one of the nominees for the Jefferson Award for 1985. This person is very dear to my heart

in that he comes from the Big Island, and of course, my Third Senatorial District. At this time I'd like to present Mr. Yukio Nishimoto.

"According to the Honolulu Advertiser, Monday, March 11, 1985, and I'd like to quote: 'The nominees for the Jefferson Award are a unique group of unsung heroes who have volunteered time and effort to make their communities better places to live. Yuki Nishimoto retired in 1980 as a North Hilo Park's caretaker for Hawaii County. He is the president of Honohina Buddhist Hongwanji, director of Hiroshima-ken-jin Kai, chairman of Ninole Honohina Democrat Party, political action chairman for UPW retirees, a lobbyist with North Hilo Community Council, a member of the Laupahoehoe Community and School Library Committee. He is a member of the North Hilo Traffic Safety Committee, and also vice president of Ninole Honohina Recreation Club. He's described as the 'Little Mayor of North Hilo.' And of course, this is in addition to his operation of a very unique country store, seven days a week, eight hours a day and they even have a buzzer where anyone can call them if they need something late in the evening."

Mr. Yukio Nishimoto rose to be recognized and was presented with a lei by Senator Solomon.

Senator Mizuguchi then made the following introduction:

"Mr. President, I'd like to introduce to you and members of the Senate a young man who has achieved greatness in the field of intercollegiate swimming at the University of Hawaii, Henry Arakaki, Jr.

"Henry, Jr., has been a senior at the University of Hawaii and has participated on the University of Hawaii swim team for the last four years, and he has ruled the 100 and 200 yard breaststroke events in the Western Athletic Conference Swimming Championships. Not only has he been the only competitor in the history of the Western Athletic Conference to have won two events in these championships over the last four years, but he is also the holder of the Western Athletic Conference records in both the 100 and 200 yard breaststroke events.

"I'm proud to say that he is a young man from Aiea and I'd like to recognize Henry Arakaki, Jr. Accompanying Henry are his parents, Mr. and Mrs. Henry Arakaki, Sr., and his brother Daniel, who's also the associate coach at the University of Hawaii. It is through their support that he has been able to achieve greatness in the

field of intercollegiate swimming."

The guests rose to be recognized and were presented with leis by Senators A. Kobayashi, Young, Fernandes Salling and Holt.

Senator B. Kobayashi then made the following introduction:

"Mr. President, today on the floor we have several individuals who represent an organization that we have become increasingly familiar with. We have on the floor members of the Hawaii Family and Friends of Schizophrenics. This week, coincidentally, is the week set aside to recognize the Family and Friends of Schizophrenics. We have today with us a number of individuals representing that organization. We have the president, Mr. Edward Sullam, vice president, Peter Iha and four officers and supporters of the organization, Fredda Sullam, Janet Matsuda, Carol Field and Nani Howell.

"The Hawaii Family and Friends of Schizophrenics, in addition to celebrating this week in recognition of their efforts, has been with us since 1982 and is a self-help organization which has been doing a great deal to educate us in this disease, which is both mysterious as well as widespread. For this, I think, we should give them our thanks and aloha."

At 11:58 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 RESOLUTIONS

The following resolutions (S.R. Nos. 50 to 52) were read by the Clerk and were disposed of as follows:

S.R. No. 50, entitled: "SENATE RESOLUTION URGING THE LEGISLATIVE AUDITOR TO REVIEW THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING'S POLICY ON REFUGEE RESETTLEMENT AND THE EFFECTIVENESS OF THE HAWAII REFUGEE RESETTLEMENT SERVICE PLAN," was offered by Senators Abercrombie and Cayetano.

By unanimous consent, S.R. No. 50 was referred to the Committee on Human Services, then to the Committee on Legislative Management.

S.R. No. 51, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE STATUS OF WOMEN AT THE UNIVERSITY OF HAWAII," was offered by Senators Abercrombie and McMurdo.

By unanimous consent, S.R. No. 51 was referred to the Committee on Higher

Education.

S.R. No. 52, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO IMPLEMENT A MEDICAID FEE SCHEDULE FOR NON-INSTITUTIONAL PROVIDERS TO PERMIT RECOVERY OF OVERHEAD EXPENSES," was offered by Senator Matsuura.

By unanimous consent, S.R. No. 52 was referred to the Committee on Human Services.

ORDER OF THE DAY

MATTERS DEFERRED FROM
MARCH 21, 1985

ADVISE AND CONSENT

Stand. Com. Rep. No. 719 (Gov. Msg. No. 86):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 719 be received and placed on file, seconded by Senator Machida and carried.

Senator B. Kobayashi then moved that the Senate advise and consent to the nomination of Leslie S. Matsubara, as Director of Health, term to expire December 1, 1986, seconded by Senator Machida.

Senator Abercrombie spoke in favor of the nomination as follows:

"Mr. President, I'm going to vote for Mr. Matsubara as the Director of Health. I know him personally. I've had the pleasure of working with him when I was chairman of the Education Committee. He was a very able assistant to then Superintendent of Education, Mr. Clark, who later became the Director of the Department of Health. Not only was he always available, he was always knowledgeable; he was forthright; he had an excellent disposition in the sense of never losing his sense of perspective, proportion or humor, regardless of how trying the situation was and how much stress we were dealing with, all of which is meritorious, all of which speaks well of him as an individual and as a public servant.

"But, Mr. President, my reservation is that while he has all these qualities, I feel that for too long this state has ignored a tremendous number of people already in the state, graduates of the School of Public Health, experts in environmental health, people with medical and other health backgrounds, that I think should have the opportunity to head the Department of Health because of all the problems that have accrued over the years. It is not any discredit to Mr. Matsubara to make this

point.

"I think it's very important that we establish in the public mind that the Department of Health is not just something that is to be taken casually, to be looked at superficially, business as usual. I think we have individuals in the community that could help to re-establish in the public mind a sense of confidence that has not always been there over a good number of years, I'm afraid.

"As a result, Mr. President, I have those reservations not about him personally, but about the lack of a commitment, in my view, towards having the kind of visible presence in the Department of Health which the community can relate with full confidence to no matter what the problem where the public health is concerned that there is an expert, there is an advocate who'll be thinking first and foremost of the community. Thank you."

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 720 (Gov. Msg. No. 132):

By unanimous consent, action on Stand. Com. Rep. No. 720 and Gov. Msg. No. 132 was deferred until Monday, March 25, 1985.

THIRD READING

House Bill No. 861, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 861, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

ADVISE AND CONSENT

Stand. Com. Rep. No. 726 (Gov. Msg. No. 114):

Senator Aki moved that Stand. Com. Rep. No. 726 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of Robert S. Tamaye and Everett Cuskaden, to the Land Use Commission, terms to expire December 31, 1988, seconded by Senator Matsuura.

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

and Noes:

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 727 (Gov. Msg. No. 115):

Senator Aki moved that Stand. Com. Rep. No. 727 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of David A. Heenan, Ph.D. and Paul Yuen, Ph.D., to the Board of Directors, High Technology Development Corporation, terms to expire December 31, 1988, seconded by Senator Matsuura.

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 728 (Gov. Msg. No. 112):

Senator Aki moved that Stand. Com. Rep. No. 728 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of Barbara L. Hanchett, to the Hawaiian Homes Commission, term to expire December 31, 1988, seconded by Senator Matsuura.

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 736 (Gov. Msg. Nos. 116 and 186):

Senator Aki moved that Stand. Com. Rep. No. 736 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of William J. Walsh and Frank J. Radovsky, to the Natural Area Reserves System Commission, terms to expire December 31, 1988, seconded by Senator Matsuura.

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 737 (Gov. Msg. No. 187):

Senator Aki moved that Stand. Com. Rep. No. 737 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of Stanley Y. Oshima, to the Aquatic Life and Wildlife Advisory Committee, County of Maui, term to expire December 31, 1985, seconded by Senator Matsuura.

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

Stand. Com. Rep. No. 738 (Gov. Msg. Nos. 113 and 185):

Senator Aki moved that Stand. Com. Rep. No. 738 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations of J. Douglas Ing and John Y. Arisumi, to the

Board of Land and Natural Resources, terms to expire December 31, 1988, seconded by Senator Matsuura.

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

Ayes, 23. Noes, none. Excused, 2 (Henderson and Machida).

RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a bill that was received:

House Bill	Referred to:
No. 1063, H.D. 1	Economic
Development	

ADJOURNMENT

At 12:10 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., Monday, March 25, 1985.

FORTY-THIRD DAY

Monday, March 25, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Mrs. Joan Laing of the Christian Science Church, after which the Roll was called showing all Senators present with the exception of Senators Hee, Wong and Young who were excused.

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

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

Senator McMurdo introduced Colonel (Ret.) and Mrs. J.B.R. Hines and Colonel (Ret.) and Mrs. Rod Lindow who were sitting in the gallery. Senator McMurdo added that both gentlemen were ROTC instructors at the University of Hawaii in the '50s and that Colonel Lindow is a 1939 graduate of the University.

Senator Holt then introduced a group of members (18) of Delta Kappa Gamma, a society of professional women educators, with their state president Dr. DeEtta Wilson from Windward Community College; legislative chairperson, Eileen Clarke from Mililani High School; and their state executive secretary and a Hawaii State Chapter founder, Marvel Bernshouse.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 250 to 259) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 250, transmitting the 1984 Annual Report of the Five State Loan Programs, prepared by the Business and Industry Development Division, Department of Planning and Economic Development, and was referred to the Committee on Economic Development.

Gov. Msg. No. 251, submitting for consideration and confirmation to the Board of Public Accountancy, the nominations of Charles T. Kudo, Alfred C.K. Chee and Steven M. Shinn, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 252, submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of Martin H. Zais, D.D.S., and Thomas E. Crowley, III, terms to expire December 31, 1988, was referred to the Committee on

Consumer Protection and Commerce.

Gov. Msg. No. 253, submitting for consideration and confirmation to the Board of Dispensing Opticians of the following:

Bert J. Okuhara, term to expire December 31, 1985; and
Ronald T. Iwata, term to expire December 31, 1988,

was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 254, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of the following:

Walter J. Smith, Jr., term to expire December 31, 1988; and
Louis Agard, Jr., term to expire December 31, 1986,

was referred to the Committee on Economic Development.

Gov. Msg. No. 255, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, the nominations of the following:

Mary Ann Pyun, Dorothy K.S. Ono and Isabel M. Tagala, terms to expire December 31, 1988; and

Sharon E. Ogawa, term to expire December 31, 1987,

was referred to the Committee on Health.

Gov. Msg. No. 256, submitting for consideration and confirmation to the County Hospital Management Advisory Committee, Maui County Hospital System, the nominations of the following:

Wayne M. Takehara, term to expire December 31, 1988; and
William Kennison, term to expire December 31, 1985,

was referred to the Committee on Health.

Gov. Msg. No. 257, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of Maurice H. Kaya and Daniel F. Clark, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 258, submitting for consideration and confirmation to the Board

of Regents, University of Hawaii, the nomination of Dennis Yamada, term to expire December 31, 1987, was referred to the Committee on Higher Education.

Gov. Msg. No. 259, submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of Allison H. Lynde, term to expire December 31, 1988, was referred to the Committee Human Services.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 41 to 43) were read by the Clerk and were disposed of as follows:

S.C.R. No. 41, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED EFFORT BY THE UNITED STATES CONGRESS TO PERMIT HAWAII TO ENACT AMENDMENTS TO ITS PREPAID HEALTH CARE ACT WITHOUT THE RESTRICTIVE WORDING OF SECTION 514(b) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)," was offered by Senator Soares.

By unanimous consent, S.C.R. No. 41 was referred to the Committee on Labor and Employment.

S.C.R. No. 42, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT SPECIAL AREA RULES GOVERNING THE USE OF JET SKIS IN MAUNALUA BAY," was offered by Senator Soares.

By unanimous consent, S.C.R. No. 42 was referred jointly to the Committee on Tourism and Recreation and to the Committee on Transportation.

S.C.R. No. 43, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DIRECTOR OF SOCIAL SERVICES AND HOUSING IMPLEMENT PROPOSALS TO IMPROVE THE PROVISION OF CHILD CARE SERVICES IN HAWAII," was offered by Senator Soares.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Human Services.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 53 to 57) were read by the Clerk and were disposed of as follows:

S.R. No. 53, entitled: "SENATE RESOLUTION REQUESTING NEGOTIATIONS TO FACILITATE JOINT USE OF RAINBOW STADIUM BY THE

UNIVERSITY OF HAWAII RAINBOW BASEBALL TEAM AND THE HAWAII ISLANDERS," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 53 was referred to the Committee on Higher Education.

S.R. No. 54, entitled: "SENATE RESOLUTION URGING A CONCERTED EFFORT BY THE UNITED STATES CONGRESS TO PERMIT HAWAII TO ENACT AMENDMENTS TO ITS PREPAID HEALTH CARE ACT WITHOUT THE RESTRICTIVE WORDING OF SECTION 514(b) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)," was offered by Senator Soares.

By unanimous consent, S.R. No. 54 was referred to the Committee on Labor and Employment.

S.R. No. 55, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT SPECIAL AREA RULES GOVERNING THE USE OF JET SKIS IN MAUNALUA BAY," was offered by Senator Soares.

By unanimous consent, S.R. No. 55 was referred jointly to the Committee on Tourism and Recreation and to the Committee on Transportation.

S.R. No. 56, entitled: "SENATE RESOLUTION REQUESTING THAT THE DIRECTOR OF SOCIAL SERVICES AND HOUSING IMPLEMENT PROPOSALS TO IMPROVE THE PROVISION OF CHILD CARE SERVICES IN HAWAII," was offered by Senator Soarea.

By unanimous consent, S.R. No. 56 was referred to the Committee on Human Services.

S.R. No. 57, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE HISTORY OF THE HAWAII DEVELOPMENT IRRADIATOR PROJECT," was offered by Senators A. Kobayashi, Kawasaki, Hee, Cayetano, Mizuguchi, Hagino, Holt, Toguchi, George, McMurdo, Chang, Soares, Henderson and Matsuura.

By unanimous consent, S.R. No. 57 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807) recommending that House Bill No. 275, H.D. 1, pass Second Reading and be placed on the calendar for

Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. No. 275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 27, 1985.

ORDER OF THE DAY

ADVISE AND CONSENT

MATTER DEFERRED FROM
FRIDAY, MARCH 22, 1985

Stand. Com. Rep. No. 720 (Gov. Msg. No. 132):

By unanimous consent, Stand. Com. Rep. No. 720 and Gov. Msg. No. 132 were recommitted to the Committee on Health.

THIRD READING

House Bill No. 162, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 162, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (A. Kobayashi). Excused, 3 (Hee, Wong and Young).

House Bill No. 860, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 860, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hee, Wong and Young).

House Bill No. 163:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hee, Wong and Young).

House Bill No. 165, S.D. 1:

Senator B. Kobayashi moved that H.B. No. 165, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Machida.

Senator Abercrombie rose to speak on the measure as follows:

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

"This is a big step forward. I want to commend the Committee on Health on this particular bill. This is an alternative to institutional care. It's part of the combination of activities, I think, that the Senate has been pursuing this year in various committees — mine, the Health Committee and the Ways and Means Committee — to see to it that we have the broadest base response available in our community at the least possible cost for the maximum possible benefit for people who are ill. Thank you."

The motion was put by the Chair and carried and H.B. No. 165, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hee, Wong and Young).

At this time, Senator Cayetano rose on a point of inquiry as follows:

"Mr. (Vice) President, last week I announced to the members of this body that if any Senator requested a hearing on the drinking age bill, I would be glad to hold such a hearing. Initially, Senator George requested such a hearing. One was scheduled for Saturday, March 30th, but, as I understand it and I would like for her to confirm it, she has since withdrawn that request. Is that correct?"

Senator George responded:

"Mr. Vice President, after consultation with the sturdy proponents of the 21-year drinking age bill, their, I think, well-reasoned decision was not to request a hearing inasmuch as the hearing was to be held after the last day to deck bills."

Senator Abercrombie then added:

"Mr. Vice President, as you know, I have been a strong proponent of not raising the drinking age, and we've had ample opportunity over the course of months to have all kinds of misinformation and posturing take place.

"I think that it's important to go ahead with this. I have told people that there are going to be hearings and they are preparing for them right now.

"And, if it's going to be a matter of request, I, at this moment, will request the chairman to continue to hold that hearing on

the 30th, this Saturday, because there's a lot of people I know who are already planning to come down here to testify.

"I think the proponents of this bill have had a long, long time to do it, and they may be having second thoughts. But, whatever the reason is, it's beside the point.

"I want to have a hearing so I will request it formally, at this time."

Senator George then said:

"Mr. Vice President, I should add that one of the conditions in addition to its being held after the date for decking bills for this session ... the other consideration which I believe motivated them is that the chairman of Transportation indicated that if a hearing were to be held this year there would be no hearing next year.

"It seemed to them that should the bill not be acted on this year, new data would be developed. Many states having raised the drinking age would have experience and the numbers that they could provide us with in the next session would be important.

"So one of their considerations was to make sure that should the bill not pass this year that there be a hearing next year.

"I wonder if the chairman of the Transportation Committee would be good enough to validate my statement that he did indeed list this as a condition."

Senator Cayetano answered:

"Mr. Vice President, Senator George is correct, but I believe she raises a very good point and I would be willing to hold another hearing next year if there is new evidence which requires such a hearing. The good Senator can go back and inform the proponents of the bill that, should there be new evidence, studies available, I'm certainly not closed to a hearing next year."

Senator Abercrombie then remarked:

"Mr. Vice President, I will renew my request to go ahead with the hearing this Saturday.

"I, too, am of the opinion that there will be more evidence available next year. That evidence will confirm my position so I'm only too happy to have a second hearing next year. But I don't believe it's fair to go through all this up to this point and then not have the hearing, especially when the argument is being made that confirmation of a point of view will be more readily available next year.

"Let's take it up again next year. I'm always pleased to be proved right twice."

Senator Soares then added:

"Mr. Vice President, I think the Senator's request for a hearing on Saturday has merit. On the other hand, I think it's a little unfair to have everyone come in for a hearing unless decision-making is to follow and we take a vote on the floor.

"I think Senator George is perfectly correct; if we will not have decision-making on this bill, it should be held until next year."

Senator Cobb then rose on a point of parliamentary privilege as follows:

"Mr. Vice President, the hearing, although it is heard after the decking deadline for bills with Senate drafts, I don't believe there's a Senate draft on this particular measure, and if the committee and its chairman decide to have decision-making, it could be reported out at any time without a Senate draft, as is.

"We'll have anytime until 48 hours prior to adjournment, sine dine, to do so."

The Chair answered: "That's correct."

Senator Soares then continued:

"Mr. Vice President, I think Senator Cayetano's position is very clear; he is not going to move the bill this year."

The Chair responded:

"I think one of the reasons the chairman of the Transportation Committee is withholding action on this bill is that, as I understand, he is waiting for a judicial decision on the South Dakota judicial inquiry."

Senator Abercrombie continued:

"Mr. Vice President, all that may be true, but I've made a request to the Chair to hold a hearing on Saturday. I'd like to hear his answer before we continue."

Senator Chang added:

"Mr. Vice President, let me join with those who are requesting a hearing on this subject."

Senator Cayetano answered:

"Mr. Vice President, that makes two, so the answer is 'yes.' It will be scheduled for either 9:00 or 9:30 a.m. on Saturday. Notices will be sent out and I hope that all parties interested, pro and con, show up."

ADJOURNMENT

At 12:01 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., Wednesday, March 27,
1985.

FORTY-FOURTH DAY

Wednesday, March 27, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Ryokan Nakamura, Jodo Mission, after which the Roll was called showing all Senators present with the exception of Senators Aki and Young who were excused.

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

Senator Machida, on behalf of Senators Solomon, Yamasaki and himself, introduced to the members of the Senate thirteen students from Maui Community College who are in the Upward Bound Program. They represent the Islands of Lanai, Molokai and Maui, and were accompanied by two chaperones, Brian McKinnon and Charmaine Tavares.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 260, transmitting the "Report on the Market Feasibility of a Proposed Convention Center," prepared by Pannell Kerr Forster for the Department of Planning and Economic Development, in response to H.C.R. No. 130 and H.R. No. 67 (1984), was read by the Clerk and was referred to the Committee on Tourism and Recreation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 326 and 327) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 326, transmitting House Concurrent Resolution No. 33, H.D. 1, which was adopted by the House of Representatives on March 25, 1985, was placed on file.

By unanimous consent, H.C.R. No. 33, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, THE STATE DEPARTMENT OF AGRICULTURE, AND HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO TAKE QUICKER ACTION TO COMPLETE THE REVIEW OF THE IRRADIATION TREATMENT OF TROPICAL PRODUCE," was referred to the Committee on Agriculture.

Hse. Com. No. 327, transmitting House Concurrent Resolution No. 51, H.D. 1, which was adopted by the House of

Representatives on March 25, 1985, was placed on file.

On motion by Senator Cobb, seconded by Senator Matsuura and carried, H.C.R. No. 51, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING NATIONAL "WILDLIFE WEEK" AND DESIGNATING MARCH 17 THROUGH 23, 1985 AS "NATIONAL WILDLIFE WEEK" IN HAWAII, WITH THE THEME "SOIL-WE CAN'T GROW WITHOUT IT," was adopted.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 44, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO NEGOTIATE FOR THE LEASING OF SUBMERGED LANDS FOR RECLAMATION, AT THE EXPENSE OF THE LESSEE, AND APPROVING THE DEVELOPMENT OF SUBMERGED LANDS AT KE'EHU LAGOON," was offered by Senators Cobb, Young, Soares, Henderson, George, Cayetano, Aki, Abercrombie and Chang, and was read by the Clerk.

By unanimous consent, action on S.C.R. No. 44 was deferred until Thursday, March 28, 1985.

SENATE RESOLUTION

S.R. No. 58, entitled: "SENATE RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO NEGOTIATE FOR THE LEASING OF SUBMERGED LANDS FOR RECLAMATION, AT THE EXPENSE OF THE LESSEE, AND APPROVING THE DEVELOPMENT OF SUBMERGED LANDS AT KE'EHU LAGOON," was offered by Senators Cobb, Young, Soares, Henderson, George, Cayetano, Aki, Abercrombie and Chang, and was read by the Clerk.

By unanimous consent, action on S.R. No. 58 was deferred until Thursday, March 28, 1985.

STANDING COMMITTEE REPORT

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 808) recommending that House Bill No. 421, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE," passed Second

Reading and was placed on the calendar for Third Reading on Friday, March 29, 1985.

ORDER OF THE DAY

THIRD READING

House Bill No. 275, H.D. 1:

By unanimous consent, action on H.B. No. 275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, March 28, 1985.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

Senator Soares then asked if the chairman of the Ways and Means Committee would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Soares inquired as follows:

"Mr. President, will the committee chairman answer a question regarding the bill to be heard tonight? Will it be on the S.D. 1 or the new S.D. 2?"

Senator Yamasaki answered: "House Bill No. 463, H.D. 2. Are you..."

Senator Soares interrupted: "H.D. 2, S.D. 1, right?"

Senator Yamasaki answered: "S.D. 1 and the chairman is recommending a draft 2."

Senator Soares stated: "That's what I'm asking."

Senator Yamasaki continued: "And we will have copies of S.D. 2 distributed to all members."

Senator Soares asked: "This afternoon, before tonight's meeting if possible?"

Senator Yamasaki replied: "Yes."

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:53 o'clock a.m.

Senator Toguchi introduced to the members of the Senate, Bonnie Hee, wife of Senator Hee.

The Chair then remarked as follows:

"The Chair would like to take this opportunity to apologize to some of the people who came to the decision-making hearing at Ways and Means yesterday. The hearing had been scheduled for 2:30 o'clock p.m. However, I asked the chairman of the Ways and Means Committee to postpone that hearing until 7:00 o'clock in the evening. He did acquiesce and I'm sorry for the inconvenience caused because of the rescheduling of the hearing. Again, the Chair apologizes to the people who sat and waited."

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 28, 1985.

FORTY-FIFTH DAY

Thursday, March 28, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Joseph Sanders, Pastor of Nuuanu Baptist Church, after which the Roll was called showing all Senators present.

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

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

Senator Chang introduced the officers and political action committee members of the United Public Workers, led by the state secretary-treasurer, Adaline Uhrle.

Senator Mizuguchi then introduced Coach Les Murakami and the University of Hawaii Rainbow Baseball Team as follows:

"Mr. Vice President, it is my honor to introduce to you and members of the Senate the honorees that are seated on the Senate floor this morning.

"With us today is Coach Les Murakami who, on March 16th of this year, gained his 500 victory as coach of the University of Hawaii Rainbows.

"Les Murakami started in 1971 as head coach of the UH Manoa baseball team with the dream of developing a major power in baseball and, ultimately, to win an NCAA Division I championship. In 1971 he started the baseball program as a club sport without any facilities and over the years he has put the UH Manoa baseball program on the 'map,' so to speak.

"His first victory came on March 27, 1972 when he beat BYU 6-to-5. Over the last 14 years, Coach Murakami has recorded a 507 win, 198 loss record that amounts to a 719 winning percentage. He is one of only 26 coaches in college baseball to achieve the 500 win mark so it is a great accomplishment to reach the 500 win plateau.

"For the record, Mr. Vice President, may I include in the Journal a 'Countdown to 500' (Honolulu Star-Bulletin, March 1985) that lists Coach Murakami's accomplishments.

'Following are the noteworthy steps in Murakami's march to 500 victories (with his overall record at the time of each win in parentheses):

'No. 1 (1-4-0)—March 27, 1972, UH 6,

Brigham Young 5. Three walks, an error and Rich Maltby's RBI single bring home pinch-runner Chester Murata in the bottom of the ninth. Steve Shinohara gets the win.

'No. 25 (25-33-0)—April 21, 1975, UH 13, Pacific 5. Gerald Ako runs his record to 8-1 and Ed Gilliam goes 3-for-4 with two triples in a Rainbow romp. Eric Okazaki, Shelly Drainin and Tom Bhagwat each have two hits.

'No. 50 (50-47-0)—March 27, 1976, UH 5, Cal Poly-Pomona 1. Reese Mitchell's five-hitter gives 'Bows split of doubleheader. Ron Nomura knocks in four runs with a single, double and triple.

'No. 75 (75-54-0)—March 11, 1977. UH 11, Gonzaga 6. Rick Bass has four RBI, including two-run single in seven-run fourth. Mark Olmos ups record to 4-0. Paul Mize and Mike Kelly pair hits.

'No. 100 (100-59-0)—April 24, 1977. UH 3, Pepperdine 2. 'Bows sweep twinbill as Derek Tatsuno saves win for Rich Olsen in seventh. Mike Kelly's three-run triple in sixth is the game-winner.

'No. 125 (125-73-0)—April 9, 1978. UH 1, California 0. Wade Maurico walks, steals second, takes third on a flyout and scores on a wild pitch as Derek Tatsuno wins fifth with 14-strikeout performance.

'No. 150 (150-77-1)—February 8, 1979. UH 2, Oregon State 1. Mark Olmos pitches three-hitter and fans 13. Vern Ramie's sacrifice fly scores Thad Reece with winning run in sixth.

'No. 175 (175-80-1)—March 8, 1979. UH 5, North Carolina 0. Derek Tatsuno fans 11 and Vern Ramie and Curt Watanabe pair hits. Watanabe singles Rick Bass home with deciding run in first.

'No. 200 (200-80-1)—April 10, 1979. UH 7, St. Mary's 6. 'Bows hang on as Gene Smith saves win for Jerry Stovall. Thad Reece goes 3-for-4 with three RBI. Tying run for Gaels called back in ninth when umps rule ball bounced off scoreboard for ground-rule double.

'No. 225 (225-94-1)—March 1, 1980. UH 11, Oklahoma 1. Bryan Duquette wins with 11-strikeout performance. Kimo Perkins, Thad Reece, Collin Tanabe and Greg Oniate pair hits. Reece's two hits and two RBI come in seven-run seventh.

'No. 250 (250-103-1)—April 18, 1980. UH 11, San Diego State 4. Eric Tokunaga knocks in three runs with two hits.

Howard Dashefsky has two RBI while Rick Bass goes 3-for-3. Bryan Duquette wins his seventh.

'No. 275 (275-114-1)—February 6, 1981. UH 14, UH-Hilo 4. Thad Reece has four hits and three RBI. Rob Amble collects three hits and Chuck Crim wins first game after season-opening loss that ended 15-game win streak.

'No. 300 (300-115-1)—March 27, 1981. UH 10, Cal State-Northridge. David Smith wins his sixth with 2-2/3 innings of hitless relief. Howard Dashefsky hits grand slam in first. Greg Vasquez' sacrifice fly scores Jay Erdhal with winning run in seventh.

'No. 325 (325-126-1)—February 6, 1982. UH 7, UH-Hilo 1. Ross Hayashi allows three hits in six innings of work to gain win. Peter Ho goes 3-for-4. Greg Vasquez has two RBI.

'No. 350 (350-134-1)—April 2, 1982. UH 9, Pacific Lutheran 2. Dan Penner pitches two-hit ball for seven innings. Lance Belen, Larry O'Connor and Howard Dashefsky pair hits.

'No. 375 (375-141-1)—UH 5, Nevada-Las Vegas 0. Bruce Walton allows two hits over six innings to up record to 9-0. Les Kakazu has two-run homer in fifth.

'No. 400 (400-147-1)—March 17, 1983. UH 12, Wichita State 9. 'Bows win walk-a-thon. Glenn Braggs knocks in two runs with his two hits and Bruce Walton up record to 6-0.

'No. 425 (425-158-1)—May 7, 1983. UH 9, San Diego State 5. Greg Oniate has three hits and two RBI while Randy Inaba is 2-for-2 with two RBI. Ross Hayashi wins in relief. Aztecs clinch Southern Division crown in second game.

'No. 450 (450-175-2)—March 30, 1984. UH 4, Lewis-Clark State 2, Joel Lono scatters 12 hits as 'Bows win last Easter Tournament game to break even at 3-3. Cano Garcia has two RBI.

'No. 475 (475-183-1)—May 19, 1984. UH 5, San Diego State 4. Greg Burlingame pitches complete game to give 'Bows WAC title. Kahai Shishido has a homer and two RBI. Mario Monico pairs hits.

'No. 500 (500-194-2)—March 16, 1985. UH 6, Murray State 5. Mike Campbell allows nine hits, but still salvages win. Mario Monico drives in winning run.'

"Many people have helped Coach Murakami and the UH program over the years and I know that he has a legion of

supporters here in the Legislature and in the community. He has publicly expressed his appreciation for the support by the Legislature and I know that he would want me to express his appreciation to those members of the Senate that have helped the program along over the years, particularly, the former and the present chairmen of the Higher Education Committee, Senator Abercrombie and Senator Holt; the former chairmen of the Ways and Means Committee, President Wong and Senator Cayetano, and the present chairman, Senator Yamasaki, for the financial support they have given the program.

"At this time, may I introduce Coach Les Murakami and the tri-captains of the team: Mario Monico (Farrington High School), Randy Inaba (Iolani High School), and Kelsey Isa (Maui High School). Accompanying Coach Murakami and the tri-captains are the members of the baseball team who are sitting in the gallery."

Coach Murakami and all of the players rose to be recognized. Senator Mizuguchi presented Coach Murakami with the congratulatory certificate and Senator A. Kobayashi presented the lei.

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:49 o'clock a.m.

Senator George then introduced the distinguished Mr. James Dale Davidson, founder and chairman of the National Taxpayers Union, an author, lecturer, scholar and businessman, who has degrees from the University of Maryland from Pembroke College, Oxford, England. Senator George added that "the National Taxpayers Union is a nationwide citizens lobby with a membership of 150,000 and growing."

Senator Matsuura, on behalf of the Senators from the Big Island, introduced Mr. Frank Lafita, Randy Ahuna and Francis Tsunizumi of the KIAA, Sharon Sheele and Dick West of the Chamber of Commerce.

DEPARTMENTAL COMMUNICATION

Dept. Com. No. 42 from the Office of the Auditor, transmitting a report entitled "Examination of the Use of Petty Cash Funds by State Agencies," Report No. 85 - 14, March 1985, was read by the Clerk and was referred to the Committee on Ways and Means.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 328 to 330) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 328, transmitting House Concurrent Resolution No. 37, H.D. 1, which was adopted by the House of Representatives on March 27, 1985, was placed on file.

By unanimous consent, H.C.R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was referred to the Committee on Agriculture, then to the Committee on Economic Development.

Hse. Com. No. 329, transmitting House Concurrent Resolution No. 42, H.D. 1, which was adopted by the House of Representatives on March 27, 1985, was placed on file.

By unanimous consent, H.C.R. No. 42, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ALL COUNTIES OF THE STATE TO DEFINE AQUACULTURE AS A FORM OF AGRICULTURE UNDER THEIR GOVERNING ORDINANCES, CODES, RULES AND REGULATIONS," was referred to the Committee on Agriculture.

Hse. Com. No. 330, transmitting House Concurrent Resolution No. 45, H.D. 1, which was adopted by the House of Representatives on March 27, 1985, was placed on file.

By unanimous consent, H.C.R. No. 45, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A STUDY OF THE MIGRATORY PATTERNS OF AHI AND MARLIN," was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 45 to 60) were read by the Clerk and were disposed of as follows:

S.C.R. No. 45, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE AT THE UNIVERSITY OF HAWAII," was offered by Senators Kawasaki, Abercrombie, Cayetano, Kuroda, Matsuura, Young, Hee, Fernandes Salling, Holt, Solomon, Toguchi and Wong.

By unanimous consent, S.C.R. No. 45 was referred to the Committee on Higher Education.

S.C.R. No. 46, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE HAWAII NEWSPAPER AGENCY, HONOLULU ADVERTISER, AND HONOLULU STAR-BULLETIN," was offered by Senators Kawasaki, Abercrombie, Fernandes Salling, Cayetano, Solomon, Hee and Toguchi.

By unanimous consent, S.C.R. No. 46 was referred to the Committee on Judiciary.

S.C.R. No. 47, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER RESEARCH CENTER OF HAWAII," was offered by Senators Kawasaki, Abercrombie, George, Fernandes Salling, Kuroda, Cayetano, Soares, Solomon, Hee, Toguchi, Cobb and Wong.

By unanimous consent, S.C.R. No. 47 was referred to the Committee on Health.

S.C.R. No. 48, entitled: "SENATE CONCURRENT RESOLUTION URGING CHANGES IN UNITED STATES POLICY FOR CENTRAL AMERICA," was offered by Senators Kawasaki, Abercrombie, Fernandes Salling, Aki, Cayetano, Solomon, Young, Wong, Hee, Toguchi and Soares.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Government Operations.

S.C.R. No. 49, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES TO ADOPT A POLICY OF NO-FIRST-USE OF NUCLEAR WEAPONS," was offered by Senators Kawasaki, A. Kobayashi, Abercrombie, Fernandes Salling, Cayetano, Solomon, Young, Hee, Toguchi, Matsuura and Wong.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Government Operations.

S.C.R. No. 50, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE IMPACT OF HIGHER RESIDENTIAL TELEPHONE SERVICE RATES," was offered by Senators Cobb, Hee, Chang, Aki, McMurdo, B. Kobayashi, Soares, Matsuura and Kuroda.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Economic Development.

S.C.R. No. 51, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION (DOE) AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES (DAGS) TO PREPARE A FEASIBILITY STUDY AND TO DRAFT POLICIES NECESSARY TO TRANSFER THE REPAIR AND MAINTENANCE FUNCTIONS PERFORMED BY DAGS FOR THE DOE, TO THE DOE," was offered by Senators Toguchi, Hee, Soares, Machida, Solomon, Abercrombie, Hagino, Matsuura, A. Kobayashi, Cobb and Holt.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Education.

S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU (LRB) TO PREPARE A REPORT ON COUNSELING SERVICES IN HAWAII'S PUBLIC SECONDARY SCHOOLS," was offered by Senators Toguchi, Hee, Soares, Machida, Solomon, Abercrombie, Hagino, A. Kobayashi, Cobb, Matsuura and Holt.

By unanimous consent, S.C.R. No. 52 was referred to the Committee on Education.

S.C.R. No. 53, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION," was offered by Senators Toguchi, Hee, Soares, Solomon, Abercrombie, Hagino, A. Kobayashi, Cobb, Holt and Matsuura.

By unanimous consent, S.C.R. No. 53 was referred to the Committee on Education.

S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PROVIDE ADDITIONAL TRAINING FOR ADULT CORRECTIONS OFFICERS," was offered by Senators Chang, A. Kobayashi, Yamasaki, McMurdo, Cayetano, Toguchi, Matsuura, Hagino, Fernandes Salling, Soares, Kawasaki, Mizuguchi, Cobb, George, Henderson, and Abercrombie.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Judiciary.

S.C.R. No. 55, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REPORT ON THE STATUS OF AFTER SCHOOL CHILD CARE ACTIVITIES AND A PROGRAM TO EXPAND THESE ACTIVITIES TO INCLUDE BEFORE SCHOOL CHILD CARE ACTIVITIES," was offered by Senators Toguchi, Abercrombie, Hee, Soares, Chang, A. Kobayashi, Matsuura, Holt, Cayetano, Henderson, Fernandes Salling and Cobb.

By unanimous consent, S.C.R. No. 55 was referred to the Committee on Education.

S.C.R. No. 56, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO REPORT ON ITS REQUIREMENT OF APPROVING DEPARTMENT OF EDUCATION COMPUTER ACQUISITIONS," was offered by Senators Toguchi, Hee, A. Kobayashi, Matsuura, Chang and Cobb.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Education.

S.C.R. No. 57, entitled: "SENATE

CONCURRENT RESOLUTION RELATING TO TRAINING OF EXECUTIVE CHEFS," was offered by Senators Solomon, Toguchi, Soares, Kuroda, Fernandes Salling, Cobb, George, A. Kobayashi, Holt, Matsuura, Chang, Hagino and Henderson.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Higher Education.

S.C.R. No. 58, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COOPERATIVE EXTENSION SERVICE TO DEVELOP AN EDUCATIONAL PROGRAM IN HAWAII TO EDUCATE CONSUMERS ON THE PURCHASING AND STORAGE OF FRESH FRUITS AND VEGETABLES," was offered by Senators Solomon, Kuroda, Holt, Cayetano, Toguchi, Soares, Fernandes Salling, George, A. Kobayashi, Cobb, Matsuura, Chang, Kawasaki, Hagino and Henderson.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Higher Education.

S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES PROGRAM," was offered by Senators Solomon, Young, Toguchi, Machida, Cayetano, Soares, Kuroda, Fernandes Salling, George, A. Kobayashi, Holt, Matsuura, Chang and Hagino.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Higher Education.

S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE IMMEDIATE IMPLEMENTATION OF THE 1979 DEVELOPMENT PLAN FOR THE STATE PARK AT OLD KONA AIRPORT," was offered by Senators Solomon, Machida, Toguchi, Soares, Kuroda, Fernandes Salling, Cobb, George, A. Kobayashi, Holt, Matsuura, Chang, Kawasaki, Hagino and Henderson.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Tourism and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 59 to 75) were read by the Clerk and were disposed of as follows:

S.R. No. 59, entitled: "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE AT THE UNIVERSITY OF HAWAII," was offered by Senators Kawasaki,

Abercrombie, Cayetano, Kuroda, Matsuura, Young, Hee, Fernandes Salling, Holt, Solomon, Toguchi and Wong.

By unanimous consent, S.R. No. 59 was referred to the Committee on Higher Education.

S.R. No. 60, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE HAWAII NEWSPAPER AGENCY, HONOLULU ADVERTISER, AND HONOLULU STAR-BULLETIN," was offered by Senators Kawasaki, Abercrombie, Fernandes Salling, Cayetano, Solomon, Hee, Toguchi and McMurdo.

By unanimous consent, S.R. No. 60 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

S.R. No. 61, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO PERFORM AN AUDIT OF THE CANCER RESEARCH CENTER OF HAWAII," was offered by Senators Kawasaki, Abercrombie, George, Fernandes Salling, Kuroda, Cayetano, Hee, Solomon, Toguchi, McMurdo, Cobb, Wong and Soares.

By unanimous consent, S.R. No. 61 was referred to the Committee on Health, then to the Committee on Legislative Management.

S.R. No. 62, entitled: "SENATE RESOLUTION URGING CHANGES IN UNITED STATES POLICY FOR CENTRAL AMERICA," was offered by Senators Kawasaki, Abercrombie, Fernandes Salling, Aki, Cayetano, Solomon, Young, Wong, Hee, Toguchi, Matsuura and Soares.

By unanimous consent, S.R. No. 62 was referred to the Committee on Government Operations.

S.R. No. 63, entitled: "SENATE RESOLUTION URGING THE UNITED STATES TO ADOPT A POLICY OF NO-FIRST-USE OF NUCLEAR WEAPONS," was offered by Senators Kawasaki, A. Kobayashi, Abercrombie, Fernandes Salling, Cayetano, Solomon, Young, Hee, Toguchi, Matsuura and Wong.

By unanimous consent, S.R. No. 63 was referred to the Committee on Government Operations.

S.R. No. 64, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE IMPACT OF HIGHER RESIDENTIAL TELEPHONE SERVICE RATES," was offered by Senators Cobb, Hee, Chang, Aki, McMurdo, B. Kobayashi, Soares, Matsuura and Kuroda.

By unanimous consent, S.R. No. 64 was referred to the Committee on Economic Development.

S.R. No. 65, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION (DOE) AND THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES (DAGS) TO PREPARE A FEASIBILITY STUDY AND TO DRAFT POLICIES NECESSARY TO TRANSFER THE REPAIR AND MAINTENANCE FUNCTIONS PERFORMED BY DAGS FOR THE DOE, TO THE DOE," was offered by Senators Toguchi, Hee, Soares, Machida, Solomon, Abercrombie, Hagino, Matsuura, A. Kobayashi, Cobb and Holt.

By unanimous consent, S.R. No. 65 was referred to the Committee on Education.

S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU (LRB) TO PREPARE A REPORT ON COUNSELING SERVICES IN HAWAII'S PUBLIC SECONDARY SCHOOLS," was offered by Senators Toguchi, Hee, Soares, Machida, Solomon, Abercrombie, Hagino, A. Kobayashi, Cobb, Matsuura and Holt.

By unanimous consent, S.R. No. 66 was referred to the Committee on Education, then to the Committee on Legislative Management.

S.R. No. 67, entitled: "SENATE RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION," was offered by Senators Toguchi, Hee, Soares, Solomon, Abercrombie, Hagino, A. Kobayashi, Cobb, Matsuura and Holt.

By unanimous consent, S.R. No. 67 was referred to the Committee on Education, then to the Committee on Legislative Management.

S.R. No. 68, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO PROVIDE ADDITIONAL TRAINING FOR ADULT CORRECTIONS OFFICERS," was offered by Senators Chang, Kawasaki, McMurdo, B. Kobayashi, Mizuguchi, Yamasaki, Cayetano, Matsuura, Hee, A. Kobayashi, Abercrombie, Cobb and Hagino.

By unanimous consent, S.R. No. 68 was referred to the Committee on Judiciary.

S.R. No. 69, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REPORT ON THE STATUS OF AFTER SCHOOL CHILD CARE ACTIVITIES AND A PROGRAM TO EXPAND THESE ACTIVITIES TO INCLUDE BEFORE SCHOOL CHILD CARE

ACTIVITIES," was offered by Senators Toguchi, Hee, Soares, Machida, Solomon, Fernandes Salling, Abercrombie, Hagino, A. Kobayashi, Holt, Cobb, Matsuura, Cayetano, Henderson and Chang.

By unanimous consent, S.R. No. 69 was referred to the Committee on Education.

S.R. No. 70, entitled: "SENATE RESOLUTION SUPPORTING THE NOMINATION OF THE PU'UHONUA O HONAUNAU TO THE WORLD HERITAGE LIST," was offered by Senators Solomon, Young, Cayetano, Fernandes Salling, Chang, Machida, A. Kobayashi, George, Toguchi, McMurdo, B. Kobayashi, Mizuguchi, Yamasaki, Aki, Holt, Cobb, Kuroda, Matsuura, Henderson, Soares and Kawasaki.

By unanimous consent, S.R. No. 70 was referred to the Committee on Tourism and Recreation.

S.R. No. 71, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE (B&F) TO REPORT ON ITS REQUIREMENT OF APPROVING DEPARTMENT OF EDUCATION (DOE) COMPUTER ACQUISITIONS," was offered by Senators Toguchi, Holt, Hee, Matsuura, Chang, Cobb and A. Kobayashi.

By unanimous consent, S.R. No. 71 was referred to the Committee on Education.

S.R. No. 72, entitled: "SENATE RESOLUTION RELATING TO TRAINING OF EXECUTIVE CHEFS," was offered by Senators Solomon, Young, Toguchi, Machida, Henderson, Cayetano, Soares, Kuroda, Fernandes Salling, George, A. Kobayashi, Cobb, Holt, Matsuura, Chang, Kawasaki and Hagino.

By unanimous consent, S.R. No. 72 was referred to the Committee on Higher Education.

S.R. No. 73, entitled: "SENATE RESOLUTION REQUESTING THE COOPERATIVE EXTENSION SERVICE TO DEVELOP AN EDUCATIONAL PROGRAM IN HAWAII TO EDUCATE CONSUMERS ON THE PURCHASING AND STORAGE OF FRESH FRUITS AND VEGETABLES," was offered by Senators Solomon, Young, McMurdo, B. Kobayashi, A. Kobayashi, Aki, Matsuura, Cayetano, Machida, Toguchi, Soares, Kuroda, Fernandes Salling, Cobb, George, Holt, Chang, Kawasaki and Hagino.

By unanimous consent, S.R. No. 73 was referred to the Committee on Higher Education.

S.R. No. 74, entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES

PROGRAM," was offered by Senators Solomon, Cayetano, Toguchi, Soares, Kuroda, Fernandes Salling, George, A. Kobayashi, Matsuura, Cobb, Holt, Chang, Hagino and Henderson.

By unanimous consent, S.R. No. 74 was referred to the Committee on Higher Education.

S.R. No. 75, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY FOR THE IMMEDIATE IMPLEMENTATION OF THE 1979 DEVELOPMENT PLAN FOR THE STATE PARK AT OLD KONA AIRPORT," was offered by Senators Solomon, Cayetano, Machida, Toguchi, Soares, Kuroda, Fernandes Salling, George, A. Kobayashi, Holt, Matsuura, Kawasaki, Cobb, Chang, Hagino and Henderson.

By unanimous consent, S.R. No. 75 was referred to the Committee on Tourism and Recreation.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 809) recommending that House Bill No. 264, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 810) recommending that House Bill No. 29, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and H.B. No. 29, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE HAWAII CONSTITUTION, TO CHANGE THE JURISDICTIONAL AMOUNT REQUIRED FOR JURY TRIALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 811) recommending that House Bill No. 267, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 811 and H.B. No. 267, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 812) recommending that House Bill No. 268, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 812 and H.B. No. 268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred until Monday, April 1, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 813) recommending that House Bill No. 382, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and H.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS' MILEAGE FEE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 814) recommending that House Bill No. 266, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 815) recommending that House Bill No. 171, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 815 and H.B. No. 171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 816) recommending that House Bill No. 1162, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by

Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 817) recommending that House Bill No. 460, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 460, H.D. 1, as amended in S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES, COSTS, AND EXPENSES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 818) recommending that House Bill No. 239, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

ORDER OF THE DAY

THIRD READING

MATTER DEFERRED FROM WEDNESDAY, MARCH 27, 1985

House Bill No. 275, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, H.B. No. 275, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Machida, Toguchi and Wong).

REFERRAL OF THE RESOLUTIONS

The President made the following committee assignments of a Senate concurrent resolution and a Senate resolution:

Senate
Concurrent
Resolution Referred to:

No. 44 Committee on Economic
Development, then to the Committee on
Ways and Means

Senate
Resolution Referred to:

No. 58 Committee on Economic
Development, then to the Committee on
Ways and Means

At 11:54 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

Senator Cayetano then rose on a point of personal privilege as follows:

"Mr. Vice President, every year there is convened the annual youth legislature which is modeled after this body and this year of course was no exception. The conference which is open to all high school students brought together about 60 teenagers from Kona, Hilo, Oahu and Maui for training in parliamentary and legislative procedure.

"There is a story in the Wednesday, March 27th edition of the Honolulu Star-Bulletin which I'd like to share with this body because I think it reflects the quality of the youthful participants we have coming to the Legislature.

"Let me quote the article in part. Among other things, Mr. Vice President, the youth legislature considered bills requiring mandatory use of seat belts and drinking age. And in the case of the bill requiring mandatory use of seat belts, passed by both the House and the Senate, it was vetoed by Governor Sarah Wang and Governor Wang said: 'I think wearing seat belts is a personal decision; it's not somewhere the state steps in.'

"Governor Wang is a senior at Hilo High School and I'm sure that Senators Henderson, Solomon and Matsuura are very proud of her.

"But more importantly, there was a

measure which is based on House Bill 26, to raise the legal drinking age from 18 to 21, and this was discussed but got killed on the floor on a floor vote. This is what Governor Wang said: 'By 18 people already have their morals and values set. When they're assuming responsibilities as adults, they're assuming penalties as adults.'

"The article goes on to say, 'Wang feels the federal government is "railroading" the drinking age bill through by withholding highway funds until such a law is passed. A resolution introduced at the youth conference urging the Legislature "not to adhere to federal pressure did pass," she said.'

"Mr. Vice President, the Majority Democrats have been concerned about putting up candidates for the 1986 gubernatorial election...I want to tell the members of this body that my search is ended."

Senator Cobb then said:

"Mr. Vice President, I would like to ask the chairman of the Transportation Committee for a copy of Governor Wang's veto message. I'm sure it will come in very handy during debate on the floor. Thank you."

Senator Kuroda then added:

"Mr. Vice President, I just want to add some remarks on the subject of the proposed bill to raise the drinking age.

"I think there is need to remember that there are some of us who support the proposal to raise the drinking age, not so much on the issue of drunken driving but the great problem of the very easy access of alcohol to sub-teens, and this is a big problem in the educational arena, and this is something we must address ourselves to although the more popular, romantic issue is this matter of drunken driving."

ADJOURNMENT

At 12:04 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, March 29, 1985.

FORTY-SIXTH DAY

Friday, March 29, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. Jerome Weaver, Deacon, St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senator Young who was excused.

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

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

Senator Toguchi rose and gave the following introduction:

"Mr. President and members of the Senate, as a former teacher and presently the chairman of your Senate Education Committee, it is my honor and pleasure this morning to congratulate two outstanding and dedicated teachers who were selected as the respective District Teachers of the Year.

"Mr. President, the State of Hawaii is committed to assuring the highest quality of education for our youth. One of the most important ingredients for creating this quality is the teacher. Mr. President, the Hawaii State Department of Education since the early 1970's has recognized island teachers with the Outstanding Teacher of the Year awards. Hawaii is fortunate in having many good teachers, and each year the school districts select a District Teacher of the Year. This year, I have the honor of introducing two of those—one from the Central District and the other from the Windward District. I'd like to apologize to the members, due to conflicts in their schedules, the Leeward honoree and also the Honolulu winner were not able to be with us this morning.

"Mr. President, first I'd like to introduce to this honorable body Mrs. Marjorie Woodrum who has served the Hawaii public school system for over eighteen years and has spent the last fifteen years at Aiea High School, teaching French, Spanish and Hawaiian language. Mrs. Woodrum has been an outstanding teacher at Aiea. We have heard many good things and she is very deserving of that award that was given to her by the Department of Education.

"Mr. President, the second honoree, this morning, with us is from the Windward District. She is Mrs. Geraldine Meade who has served the Hawaii public school system

for thirteen years and spent all thirteen years at Kahuku High School, giving her time to teach career guidance and coordinating student activities. Mrs. Meade, I think, has a reason to stay at Kahuku. Although Kahuku has been in the news lately, I want to assure members here that there are many good things happening at Kahuku and one of the reasons is Mrs. Meade.

"The Hawaii State Teacher of the Year was selected from the seven districts and that individual was Mrs. Margaret Fuchino and she is from Waimea Elementary and Intermediate School from the Big Island."

Senate Certificates were presented to Mrs. Marjorie Woodrum and Mrs. Geraldine Meade by Senators Kuroda and Hagino and leis were presented by Senators Mizuguchi and Hee. Senate Certificates will be sent to the other winners in the district via the Senators who represent those districts.

Senator Kuroda introduced some members of Cub Pack 147 from Alva Scott Elementary School in Aiea: Dean Uyeno, Kit Itokazu, Blaisdel Ayau and Robert Ayau. Accompanying them were Den Leader, Mrs. Barbara Ayau, and Den Mother, Mrs. June Uyeno, and his assistant Abraham Raguindin.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 261 to 274) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 261, informing the Senate that on March 28, 1985, he signed the following bills into law:

H.B. No. 269 as Act 2, entitled: "RELATING TO HOUSING LOAN AND MORTGAGE PROGRAMS"; and
H.B. No. 271 as Act 3, entitled: "RELATING TO HOUSING,"

was placed on file.

Gov. Msg. No. 262, submitting for consideration and confirmation to the Board of Barbers, the nominations of Christobal J. Quintana and David Boback, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 263, submitting for consideration and confirmation to the Contractors License Board, the nominations of Japo I. Yokoyama and Edward S. Kusuda, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 264, submitting for consideration and confirmation to the Board of Cosmetology, the nominations of Frances Y. M. Oh and Peter J. Jones, terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 265, submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, the nomination of George T. Okamoto, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 266, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Kevin Doyle, term to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 267, submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nominations of Dudley G. Akama and Robert L. Simich, D.O., terms to expire December 31, 1988, was referred to the Committee on Consumer Protection and Commerce.

Gov. Msg. No. 268, submitting for consideration and confirmation to the Land Use Commission, the nomination of Teofilo Tacbian, term to expire December 31, 1988, was referred to the Committee on Economic Development.

Gov. Msg. No. 269, submitting for consideration and confirmation to the Public Utilities Commission, the nomination of Hideto Kono, term to expire December 31, 1989, was referred to the Committee on Economic Development.

Gov. Msg. No. 270, submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nominations of Gladys E. Rodenhurst, William E. K. Allen, Jr. and Winona L. Resents, terms to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 271, submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nominations of Robert N. Kumasaka, Linda Mae Victor and Nancy E. Brown, terms to expire December 31, 1988, was referred to the Committee on

Education.

Gov. Msg. No. 272, submitting for consideration and confirmation to the Drug Product Selection Board, the nominations of the following:

Amelia R. Jacang, M.D., term to expire December 31, 1987 and
Leslie Bailey, Ph.D., term to expire December 31, 1988,

was referred to the Committee on Health.

Gov. Msg. No. 273, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nominations of the following:

Peter A. Sybinsky, Ph.D., term to expire December 31, 1988;
Joji Nouchi, term to expire December 31, 1986;
Jonathan S. Raymond, Ph.D., term to expire December 31, 1986;
Joyce E. Allosada, term to expire December 31, 1987;
David H. Luehr, term to expire December 31, 1987;
Rosalie Kasaba, term to expire December 31, 1986;
Ronald T. Hayashi, term to expire December 31, 1986;
Leland M. Yagi, term to expire December 31, 1986;
Katherine G. Takehiro, term to expire December 31, 1987;
Harold S. Y. Hee, term to expire December 31, 1988;
Masao Watanabe, term to expire December 31, 1988;
Richard Higashi, term to expire December 31, 1987;
Minoru Inaba, term to expire December 31, 1988;
Patrick R. Cullen, term to expire December 31, 1988;
Albert P. Moniz, term to expire December 31, 1988;
Eugene Yamamoto, term to expire December 31, 1988;
Kenneth A. Haling, M.D., term to expire December 31, 1988; and
Cullen T. Hayashida, term to expire December 31, 1988,

was referred to the Committee on Health.

Gov. Msg. No. 274, submitting for consideration and confirmation to the Commission on the Handicapped, the nominations of the following:

Kristin C. Mills, term to expire December 31, 1988;
Eloise A. Wetherall, term to expire December 31, 1985; and
Frederick W. Hoogs, term to expire December 31, 1988,

was referred to the Committee on Human Services.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 331 to 343), returning Senate Bills which passed Third Reading in the House of Representatives on March 28, 1985, were read by the Clerk and were placed on file:

Hse. Com. No. 331, returning S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE";

Hse. Com. No. 332, returning S.B. No. 34, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE ACTIVITY BONDS";

Hse. Com. No. 333, returning S.B. No. 62, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE";

Hse. Com. No. 334, returning S.B. No. 72, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES";

Hse. Com. No. 335, returning S.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS";

Hse. Com. No. 336, returning S.B. No. 110, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING";

Hse. Com. No. 337, returning S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS";

Hse. Com. No. 338, returning S.B. No. 194, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS";

Hse. Com. No. 339, returning S.B. No. 195, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS";

Hse. Com. No. 340, returning S.B. No. 218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AID DEALERS AND FITTERS";

Hse. Com. No. 341, returning S.B. No. 479, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATION OF TAXATION";

Hse. Com. No. 342, returning S.B. No.

1240, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE"; and

Hse. Com. No. 343, returning S.B. No. 1318, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DERELICT VEHICLE."

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 61 to 62) were read by the Clerk and were disposed of as follows:

S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A RECOMMENDATION ON THE COMPOSITION OF AN ALTERED BOARD OF DENTAL EXAMINERS TO INCLUDE A MORE PROPORTIONATE REPRESENTATION OF DENTAL HYGIENISTS," was offered by Senators Cobb, Hee, Cayetano, Chang, Aki, B. Kobayashi, Matsuura and McMurdo.

By unanimous consent, action on S.C.R. No. 61 was deferred until Monday, April 1, 1985.

S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was offered by Senators Holt, Toguchi, Fernandes Salling, Cobb, Cayetano, Kuroda, Hagino, Solomon, Kawasaki, Soares and Mizuguchi.

By unanimous consent, action on S.C.R. No. 62 was deferred until Monday, April 1, 1985.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 76 to 81) were read by the Clerk and were disposed of as follows:

S.R. No. 76, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO STUDY EMPLOYEE INNOVATION, PERFORMANCE, AND PRODUCTIVITY IN THE PUBLIC SERVICE," was offered by Senators Machida, Hagino, Matsuura, George, A. Kobayashi, Kuroda, Hee, Yamasaki, Cobb, McMurdo, B. Kobayashi, Toguchi, Holt, Chang and Mizuguchi.

By unanimous consent, action on S.R. No. 76 was deferred until Monday, April 1, 1985.

S.R. No. 77, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO STUDY EMPLOYEE 'BURNOUT' IN THE PUBLIC SERVICES," was offered by Senators Machida, Hagino, Matsuura, A. Kobayashi, Kuroda, Hee, Yamasaki, McMurdo, Cobb, B. Kobayashi, Chang, Toguchi, Holt and Mizuguchi.

By unanimous consent, action on S.R. No. 77 was deferred until Monday, April 1, 1985.

S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING A RECOMMENDATION ON THE COMPOSITION OF AN ALTERED BOARD OF DENTAL EXAMINERS TO INCLUDE A MORE PROPORTIONATE REPRESENTATION OF DENTAL HYGIENISTS," was offered by Senators Cobb, B. Kobayashi, Cayetano, Hee, Chang, Aki, Matsuura, Kuroda and McMurdo.

By unanimous consent, action on S.R. No. 78 was deferred until Monday, April 1, 1985.

S.R. No. 79, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT A SURVEY DURING THE 1985 LEGISLATIVE INTERIM OF PRIVATE BUSINESSES THAT DO NOT PROVIDE REST PERIODS TO THEIR EMPLOYEES," was offered by Senators Machida, Yamasaki, Holt, Mizuguchi, A. Kobayashi, George, Fernandes Salling, Kuroda, Hagino, Matsuura, Chang, McMurdo, Abercrombie, B. Kobayashi, Cayetano, Soares, Henderson and Toguchi.

By unanimous consent, action on S.R. No. 79 was deferred until Monday, April 1, 1985.

S.R. No. 80, entitled: "SENATE RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was offered by Senators Holt, Toguchi, Fernandes Salling, Cobb, Cayetano, Kuroda, Hagino, Solomon, Kawasaki, Soares and Mizuguchi.

By unanimous consent, action on S.R. No. 80 was deferred until Monday, April 1, 1985.

S.R. No. 81, entitled: "SENATE RESOLUTION URGING THE BOARD OF REGENTS TO FULLY AND CAREFULLY CONSIDER THE IMPACT OF IMPLEMENTING A TUITION INCREASE BASED SOLELY ON AN ARBITRARY PERCENTAGE OF EDUCATIONAL COSTS BASIS," was offered by Senators Holt, Toguchi, Fernandes Salling, Cayetano, Kuroda, Hagino, Solomon, Kawasaki, Soares and Mizuguchi.

By unanimous consent, action on S.R. No. 81 was deferred until Monday, April 1, 1985.

STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 819) recommending that House Bill No. 921, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by

Senator Hee and carried, the report of the Committee was adopted and H.B. No. 921, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 820) recommending that House Bill No. 1257, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 821) recommending that House Bill No. 355, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 355, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 822) recommending that House Bill No. 232, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 232, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF MASSAGE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 823) recommending that House Bill No. 352, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 352, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO SOLICITATION OF FUNDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 824) recommending that Senate Resolution No. 20, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 20, S.D. 1, entitled: "REQUESTING THE CHAMBER OF COMMERCE OF HAWAII TO DEVELOP WAYS AND MEANS OF IMPLEMENTING THE HAWAII BUSINESS CORPORATION ACT," was adopted.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 825) recommending that House Bill No. 181, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and H.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 826) recommending that House Bill No. 104, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 104, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

ORDER OF THE DAY

THIRD READING

House Bill No. 421:

By unanimous consent, action on H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE," was deferred until Monday, April 1, 1985.

RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a House bill:

House Bill	Referred to:	
No. 96	Committee	on

Government Operations

The Chair then made the following announcement:

"Again, just a reminder from the Chair that we'd like to ask all of the respective chairmen to have their Standing Committee Reports into the Clerk's office by 3:30 p.m., so that we can put them on a supplemental order of the day. And again, the appeal is for legislators to remain in the building for the purpose of signatures."

At 12:08 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.

AFTERNOON SESSION

The Senate reconvened at 5:40 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 275 and 276) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 275, informing the Senate of the withdrawal of the nomination of Allison H. Lynde to the Criminal Injuries Compensation Commission, term to expire December 31, 1988, under Gov. Msg. No. 259, was placed on file.

In compliance with Gov. Msg. No. 275, the nomination listed under Gov. Msg. No. 259 was returned.

Gov. Msg. No. 276, informing the Senate of the withdrawal of the nominations of the following:

Kazu Hayashida, term to expire December 31, 1985;
 Melvin Koizumi, term to expire December 31, 1986;
 Susumu Ono, term to expire December 31, 1986;
 L. Stephen Lau, Ph.D., term to expire December 31, 1985;
 Jack K. Suwa, term to expire December 31, 1986;
 James W. Morrow, term to expire December 31, 1987;
 Samuel S. H. Lee, term to expire December 31, 1987;
 James Kumagai, Ph.D., term to expire December 31, 1987;
 James J. Nakatani, term to expire December 31, 1985; and
 Jacqueline Parnell, term to expire December 31, 1987,

to the Technical Advisory Committee on Pesticides under Gov. Msg. No. 132, was placed on file.

In compliance with Gov. Msg. No. 276, the nominations listed under Gov. Msg. No. 132 were returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 344 to 349), returning Senate Bills, as amended, which passed Third Reading in the House of Representatives on March 29, 1985, were read by the Clerk and were placed on file, and by unanimous consent, action on said bills was deferred to Thursday, April 4, 1985:

Hse. Com. No. 344, returning S.B. No. 35, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII";

Hse. Com. No. 345, returning S.B. No. 93, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS";

Hse. Com. No. 346, returning S.B. No. 132, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES";

Hse. Com. No. 347, returning S.B. No. 189, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES";

Hse. Com. No. 348, returning S.B. No. 1224, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING"; and

Hse. Com. No. 349, returning S.B. No. 1365, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE."

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 827) recommending that House Bill No. 1231, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 1231, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 828) recommending that House Bill No. 465, as amended in S.D. 1, pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 829) recommending that House Bill No. 488, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 488, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 830) recommending that House Bill No. 479, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the majority of the Committee was adopted and H.B. No. 479, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 831) recommending that House Bill No. 502, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 832) recommending that House Bill No. 236, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 236, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 833) recommending that House Bill No. 160, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 834) recommending that House Bill No. 1243, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 1243, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 835) recommending that House Bill No. 112 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 836) recommending that House Bill No. 492, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," passed

Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 837) recommending that House Bill No. 111, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 111, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 838) recommending that House Bill No. 176, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 839) recommending that House Bill No. 674, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 674, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT AND RECALL LISTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 840) recommending that House Bill No. 522, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 522, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT," passed Second Reading and was placed on the

calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 841) recommending that House Bill No. 989, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 842) recommending that House Bill No. 188, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 843) recommending that House Bill No. 195, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 844) recommending that House Bill No. 1547, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and H.B. No. 1547, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on

Economic Development, presented a report (Stand. Com. Rep. No. 845) recommending that House Bill No. 1054, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 1054, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 846) recommending that House Bill No. 223, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 223, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 847) recommending that House Bill No. 231, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 848) recommending that House Bill No. 353, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD AND TENANT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No.

849) recommending that House Bill No. 1270, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1270, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 850) recommending that House Bill No. 129, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 850 and H.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 851) recommending that House Bill No. 1386, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 852) recommending that House Bill No. 33, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 33, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 853) recommending that House Bill No. 463, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 853 and H.B. No. 463, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Senator Yamasaki, for the Committee on

Ways and Means, presented a report (Stand. Com. Rep. No. 854) recommending that House Bill No. 1, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.B. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 855) recommending that House Bill No. 404, H.D. 2, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 855 and H.B. No. 404, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 856) recommending that House Bill No. 99, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 856 and H.B. No. 99, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 857) recommending that House Bill No. 60, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857 and H.B. No. 60, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 858) recommending that House Bill No. 184, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 858 and H.B. No. 184, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 859) recommending that House Bill No. 39, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 859 and H.B. No. 39, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 860) recommending that House Bill No. 1056, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 860 and H.B. No. 1056, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS OF INSURERS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 861) recommending that House Bill No. 1059, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 861 and H.B. No. 1059, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF HAWAII'S INSURANCE LAWS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 862) recommending that House Bill No. 1271, H.D. 2, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 862 and H.B. No. 1271, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 863) recommending that House Bill No. 1275, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 863 and H.B. No. 1275, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864) recommending that House Bill No. 1246, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 864 and H.B. No. 1246, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on

Ways and Means, presented a report (Stand. Com. Rep. No. 865) recommending that House Bill No. 614, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 865 and H.B. No. 614, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866) recommending that House Bill No. 1131, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 866 and H.B. No. 1131, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 42," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867) recommending that House Bill No. 166, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 867 and H.B. No. 166, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868) recommending that House Bill No. 263, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 868 and H.B. No. 263, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869) recommending that House Bill No. 354, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 869 and H.B. No. 354, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870) recommending that House Bill No. 208, H.D. 2, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 870 and H.B. No. 208, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871) recommending that House Bill No. 209, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 871 and H.B. No. 209, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872) recommending that House Bill No. 997, H.D. 1, S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 872 and H.B. No. 997, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873) recommending that House Bill No. 49, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 873 and H.B. No. 49, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874) recommending that House Bill No. 101, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 874 and H.B. No. 101, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875) recommending that House Bill No. 436, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 875 and H.B. No. 436, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876) recommending that House Bill No. 134, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 876 and H.B. No. 134, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 877) recommending that House Bill No. 144, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 877 and H.B. No. 144, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 878) recommending that House Bill No. 146, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 878 and H.B. No. 146, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 879) recommending that House Bill No. 147, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 879 and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 880) recommending that House Bill No. 174, H.D. 1, S.D. 1 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 880 and H.B. No. 174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on

Ways and Means, presented a report (Stand. Com. Rep. No. 881) recommending that House Bill No. 89, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 881 and H.B. No. 89, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882) recommending that House Bill No. 281, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 882 and H.B. No. 281, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 883) recommending that House Bill No. 363, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 883 and H.B. No. 363, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE," was deferred until Monday, April 1, 1985.

Senator Yamasaki, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884) recommending that House Bill No. 1350, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and H.B. No. 1350, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 885) recommending that House Bill No. 490, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 490, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 886) recommending that House Bill No. 720, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 720, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 887) recommending that House Bill No. 838, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 838, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAILER REGISTRATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 888) recommending that House Bill No. 284 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 284, entitled: "A BILL FOR AN ACT RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 889) recommending that House Bill No. 519, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 890) recommending that House Bill No. 776, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 776, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 891) recommending that House Bill No. 434, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 892) recommending that House Bill No. 262, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 262, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 893) recommending that House Bill No. 1061, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 893 and H.B. No. 1061, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 894) recommending that House Bill No. 108, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 108, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 895) recommending that House Bill No. 214, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 214, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 896) recommending that House Bill No. 824, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 824, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES UNDER SECTION 103-10, HAWAII REVISED STATUTES, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 897) recommending that House Bill No. 401, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 898) recommending that House Bill No. 153, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and H.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEMBERS OF BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 899) recommending that House Bill No. 194, H.D. 1, S.D. 1, as

amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 899 and H.B. No. 194, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION," was deferred until Monday, April 1, 1985.

Senator Matsuura, for the Committee on Energy, presented a report (Stand. Com. Rep. No. 900) recommending that House Bill No. 949, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and H.B. No. 949, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 901) recommending that House Bill No. 193, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 193, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 902) recommending that House Bill No. 1163, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD VICTIMS AND WITNESSES; RIGHTS AND SERVICES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 903) recommending that House Bill No. 1166, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1166, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM NOTIFICATION REQUIREMENTS OF

CONDITIONAL RELEASE CENTERS; FURLOUGHS FOR PRISONERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 904) recommending that House Bill No. 329, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 904 and H.B. No. 329, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 905) recommending that House Bill No. 333, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 333, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 906) recommending that House Bill No. 28, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 28, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 907) recommending that House Bill No. 1239, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 1239, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 908) recommending that

House Bill No. 1393, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 1393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 909) recommending that House Bill No. 453, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and H.B. No. 453, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 910) recommending that House Bill No. 40, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 910 and H.B. No. 40, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 911) recommending that House Bill No. 227, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 227, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 912) recommending that House Bill No. 230, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No.

230, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 913) recommending that House Bill No. 234, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 234, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 914) recommending that House Bill No. 311, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 915) recommending that House Bill No. 557, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916) recommending that House Bill No. 743, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 743, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII

INSURANCE LAW," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 917) recommending that House Bill No. 757, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 918) recommending that House Bill No. 759, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 919) recommending that House Bill No. 839, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 839, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 920) recommending that House Bill No. 995, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 995, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," passed Second Reading and was placed on the calendar for Third

Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 921) recommending that House Bill No. 1354, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1354, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 922) recommending that House Bill No. 1356, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 923) recommending that House Bill No. 1357, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 1357, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 924) recommending that House Bill No. 1360, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 924 and H.B. No. 1360, H.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 925) recommending that House Bill No. 1366, as amended in S.D. 1, pass Second Reading and be placed on the calendar for

Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 925 and H.B. No. 1366, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 926) recommending that House Bill No. 1489, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 1489, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 927) recommending that House Bill No. 346, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 927 and H.B. 346, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 928) recommending that House Bill No. 347, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 928 and H.B. No. 347, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 929) recommending that House Bill No. 240, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 240, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 930) recommending that House Bill No. 755, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHIC EXAMINERS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 931) recommending that House Bill No. 1285, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1285, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 932) recommending that House Bill No. 697, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 932 and H.B. No. 697, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 933) recommending that House Bill No. 830, H.D. 1, as amended in S.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 933 and H.B. No. 830, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," was deferred until Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 934) recommending that House Bill No. 558, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 558, H.D. 1, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 935) recommending that House Bill No. 265, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 265, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 936) recommending that House Bill No. 229, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 229, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 937) recommending that House Bill No. 235, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 938) recommending that House Bill No. 509, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April

1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 939) recommending that House Bill No. 520, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 520, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 940) recommending that House Bill No. 761, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 761, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

At 5:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:43 o'clock p.m.

At 5:44 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 9:00 o'clock p.m.

EVENING SESSION

The Senate reconvened at 9:27 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 853 (H.B. No. 463, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 853 be adopted and H.B. No. 463, H.D. 2, S.D. 1, as amended in S.D. 2, be placed on the calendar for Third Reading, seconded by Senator Mizuguchi.

Senator Henderson then offered the following amendment:

"SECTION 1. House Bill 463, H.D. 2, S.D. 2, is amended as follows:

1. By amending lines 10 to 15 on page 1

to read:

'Section 386-25 Vocational rehabilitation. (a) The purposes of vocational rehabilitation are to restore an injured workers' earning capacity as cost-effectively as possible and to return the injured worker to suitable gainful employment in the active labor force as quickly as possible.'

2. By amending lines 11 to 14 on page 4 to read:

'(h) Unless the employer approves, the rehabilitation plan shall not exceed 52 weeks.'

'(i) If the employee rejects the approved rehabilitation plan, the employee shall have no further right to vocational rehabilitation benefits.'

3. By amending line 2 on page 6 to read:

'the first [two days thereof] three calendar days thereof following the day of disability shall pay the injured'

4. By amending lines 8 to 12 on page 6 to read:

'cent of his average weekly wages. [In case the total disability exceeds five days, the compensation shall be allowed from the date of disability.]'

5. By deleting SECTION 6, lines 3 to 22 on page 15, and lines 1 to 4 on page 16.

6. By amending line 8 on page 16 to read:

'for the purpose of obtaining any benefit or payment under'

7. By amending line 10 on page 16 to read:

'for the purpose of avoiding any benefit or payment under'

8. By deleting SECTION 10, lines 2 to 22 on page 19, and lines 1 to 11 on page 20.

9. By amending SECTION 11 on pages 20 to 22 to read:

'Section 386-51 Computation of average weekly wages. Average weekly wages shall be computed in such a manner that the resulting amount represents most fairly in the light of his employment pattern and the duration of his disability, the injured employee's average weekly wages from all covered employment at the time of the personal injury. [In no event, however, shall an employee's average weekly wages be computed to be less than his hourly rate of pay multiplied by thirty-five.'

(1) Where appropriate and feasible such computation shall be made on the

basis of the injured employee's earnings from covered employment during the twelve months preceding his personal injury; but if during this period, the employee because of sickness or similar personal circumstances was unable to engage in employment for one or more weeks then the number of such weeks shall not be included in the computation of the average weekly wage.]

(1) The average weekly wage shall be the greater of the injured employee's earnings during (a) the seven calendar days immediately preceding the date of injury or (b) the four weeks immediately prior to the date of injury or (c) any consecutive 13-week period during the year prior to the date of injury. For purposes of this calculation, the injured employee's earnings shall include all earnings during the period selected, from any source whatsoever, so long as those earnings were from covered employment or were reportable for federal or state income taxes even if prior earnings were in another state.

[(2) Where an employee at the time of the injury was employed at higher wages than during any other period of the preceding twelve months then his average weekly wages shall be computed exclusively on the basis of such higher wages.

(3) Where, by reason of the shortness of the time during which the employee has been in the employment or the casual nature or terms of the employment, it is not feasible to compute the average weekly wages on the basis of the injured employee's own earnings from such employment, regard may be had to the average weekly wages which during the twelve months preceding the injury was being earned by an employee in comparable employment.

(4) In no case shall the total average weekly wages of any employee be computed at a lower amount than the average weekly wages earned at the time of the injury by an employee in comparable employment engaged as a full-time employee on an annual basis in the type of employment in which the injury occurred.

(5) (2) If an employee, while under [twenty-five] thirty years of age, sustains a work injury causing permanent total disability or death, his average weekly wages shall be computed on the basis of the wages which he would have earned in this employment had he been [twenty-five] thirty years of age.

[(6)] (3) The director of labor and industrial relations may issue rules for the determination of the average weekly wages in particular classes of cases, consistent with the principles laid down in the first paragraph of this section.'

10. By deleting SECTION 12, lines 18 to 22 on page 22, and lines 1 to 7 on page 23.

11. By deleting SECTION 13 on pages 23 to 29.

12. By deleting SECTION 14 on pages 29 to 42.

13. By deleting SECTION 15 on pages 42 to 44.

14. By adding a new SECTION 24 to read: 'SECTION 24. Section 386-85, Hawaii Revised Statutes, is amended to read as follows:

'Section 386-85 Presumptions. In any proceeding for the enforcement of a claim for compensation under this chapter it shall be presumed, in the absence of substantial evidence to the contrary:

- (1) That the claim [is for a covered work injury] comes within the provisions of this chapter;
- (2) ~~That~~ sufficient notice of such injury has been given;
- (3) That the injury was not caused by the intoxication of the injured employee; and
- (4) That the injury was not caused by the wilful intention of the injured employee to injure himself or another.'

15. By renumbering SECTIONS 7 to 27 of House Bill 463, H.D. 2, S.D. 2 starting from SECTION 6 forward.

Senator Henderson moved that the amendment be adopted, seconded by Senator Soares.

Senator Henderson explained the amendment as follows:

"Mr. President, Floor Amendment No. 1 contains about fourteen different parts or sections and I'd like to address each one of these sections with my explanation.

"Amendment No. 1: This amendment deletes the phrasing which requires that workers' earnings be returned as nearly as possible to their pre-injury level. The language of Senate Draft 2 is susceptible to misinterpretation, for what are the factors which determine whether near pre-injury level has been reached? To avoid this result, we recommend the language of the amendment before you.

"The second part of the amendment is to insert 'suitable gainful employment' for 'suitable work,' as this phrase is already defined in the Department's rules and regulations.

"Amendment No. 2: This amendment

proposes that the rehabilitation plan not exceed fifty-two weeks. Testimony received stated that plans generally ran between six to ten months, so a full year should be ample for all but a few cases.

"The amendment allows the employer to approve longer plans, if necessary. We believe a cap on the length of a plan is necessary, since some current plans have been approved for as long as four years and have included a college education.

"We believe that if an employee rejects the approved plan, he should have no further right to rehabilitation benefits. There is ample protection for the employee in the setting up of rehabilitation plans. Should an employee reject such approved plans, it's only fair that he have no further right to such benefits.

"Amendment Nos. 3 and 4: We suggest three calendar days following the day of disability, without a recapture period, as the fairest compromise without undue additional expense to the employer.

"The proposal in Senate Draft 2 does two things that increase costs and administrative difficulty. First, by continuing a recapture of five days, the jagged curve shown in Haldi's Report, page 47, would be as severe as it is presently.

"The jagged curve I just mentioned, for those of you who are unfamiliar with it, shows the distribution of cases processed. There is a marked increase in the number of lost time days immediately following the fifth day following the date of disability. This may reflect the incentives in the present system which reward workers who are able to stretch their absence from the job to six days, thereby enabling them to become eligible for retroactive benefits.

"The second problem with the proposal is that it, in effect, mandates the employer to pay sick leave for industrial disability days. While some employers, including the State, may have chosen to do this, either by policy or through collective bargaining, it was their choice and not something forced on them by statute. For employers whose sick leave plans do not provide full wage loss replacement (and that's the vast majority), this provision would either be meaningless or require a sick leave plan amendment. In effect, the provision does nothing but transfer costs of one program to another.

"Amendment No. 5: This language and this deals with attorneys' fees is a violation of the contract clause of the U.S. and Hawaii Constitutions. This clause forbids any law from impairing the obligation of contracts. I would remind you that no one has shown that payments of attorneys' fees by self-insured employers or payments to a

claimant's attorney have a bearing on the cost of administering claims for workers' compensation benefits.

"There is also a substantial impairment to existing contracts between attorneys and their clients. In addition, this is a clear violation of the attorney-client privilege in that it significantly broadens reporting requirements which are currently expected when a claimant's attorney submits his fees for services.

"Amendment Nos. 6 and 7 (This deals with the fraud section.): The inclusion of the word 'sole' in the penalty clause makes these provisions ineffective and inoperative. A person may have more than one purpose in attempting to obtain benefits. Providing that the sole purpose was obtaining or avoiding benefits or payments is a near impossibility. There are ample protections in the language for claimants or others, who are alleged to have reported falsely.

"Amendment No. 8: We look upon these provisions regarding the Accident Prevention Unit as a costly and unnecessary duplication of functions currently carried out by the division of occupational safety and health. This division, the first of its kind in the nation, is operating successfully, and should not be impaired by the reactionary response contained in Senate Draft 2.

"Amendment No. 9: One of the most unfair provisions in the present law is the provision providing for part-time employees to receive benefits as if they were full-time employees. At the same time, we are concerned lest an unusual earning situation should provide an injured employee with less than his average normal weekly wage.

"For these reasons, we propose the adoption of Dr. Haldi's recommendation for calculations of the average weekly wage.

"Dr. Haldi sets forth a three part solution which addresses this problem. He computes the average weekly wage of all workers on the basis of these workers' prior earnings. Under this scheme, all workers would be treated equally, giving each person the benefit of reasonable doubt about their prior earnings.

"To be specific, a worker's average weekly earnings would be the greater of earnings during (1) the seven calendar days immediately preceding the day of injury, or (2) the four weeks immediately prior to injury, or (3) any consecutive 13-week period during the year prior to the date of injury.

"Amendment No. 10 (This is the standing provision.): The HMSA proponent of this

provision, in testimony before the Ways and Means Committee, made it clear that this was not the proper way for these providers to protect their subrogation rights.

"Current law does not afford standing in court to pre-paid health care plan contractors for good reasons. Senate Draft 2 would allow the contractors the right to participate as interested parties for the sole purpose of asserting their subrogation rights against an employer or insurance carrier. Since compensability may be the issue on appeal, a determination may not yet be made as to whether a claimant is even in the system. To allow the health care plan contractor to participate at this point is patently unfair and not the law in any jurisdiction. This portion of Senate Draft 2 is special interest legislation at its worst. It's a lawyer's bonanza.

"Amendment No. 11 (This is the business advocate.): We have still heard of no business person who wants or sees any need for this alleged service to business. Furthermore, this function can be adequately performed by the insurance commissioner. The only possible justification for the establishment of a business advocate would be to remove the special compensation fund from the Department of Labor. However, giving that fund to the business advocate with his other duties would create more of a conflict than presently exists in the department.

"In addition, the establishment of a business advocate will cost the taxpayers of this state at least \$100,000 a year for the next two years, money that could be better spent on other needs.

"Amendment No. 12: It is possible that the establishment of a competitive state insurance fund might be of benefit to some employers. However, just because other funds of long-standing in other states have been successful, we cannot assume that a similar fund, without substantial reserves, would also be successful in Hawaii. Furthermore, if such a fund were implemented and failed, millions of dollars would be assessed against existing companies.

"In addition, establishing a state compensation fund would cost the taxpayers of this state at least half a million dollars a year for the next two years. (That's what's proposed in the bill.) Testimony received indicates that this amount is woefully inadequate to establish a viable fund, more rational estimates being in the neighborhood of \$3-4 million. Also, a state fund would have no effect on the rapidly escalating costs of the self-insured employers, including the state and the counties. We suggest a study of the feasibility of establishing such a fund. Clearly,

implementing such a fund without careful study would be a violation of the public trust.

"Amendment No. 13: This amendment merely deletes the money being used to establish the business advocate and state compensation fund.

"Amendment No. 14: And finally, Mr. President, this addresses the presumption section of the Hawaii Workers' Compensation Law.

"This amendment is the key to the workers' compensation problem in Hawaii. It returns Hawaii's presumption section to its original form as passed by the 1959 Territorial Legislature. Act 240, S.L.H. 1959, sets forth a presumption section which stated that ...it shall be presumed, in the absence of substantial evidence to the contrary: (1) that the claim comes within the provisions of this chapter. This is the approach used in New York, Alaska, Oklahoma, and Washington, D.C. It is also the approach used in the federal Longshoremen's and Harbor Workers' Compensation Act and is incorporated in a number of other federal laws; specifically, the Defense Base Act, the War Hazards Compensation Act, the Outer Continental Shelf Lands Act and the Nonappropriated Fund Instrumentalities Act. The Defense Base Act includes all workers on defense bases or subcontractors on foreign soil including any work in the actual related defense base areas. In Hawaii, the Nonappropriated Fund Instrumentalities Act is a very large area of law which incorporates all of the federal workers in the hotels, officers clubs and all of the civilian workers working for the federal government who are not covered by the Federal Employees Compensation Act.

"In 1963, Act 116 changed the wording to: '...(1) That the claim is for a covered work injury...' There have been no further amendments to this section.

"The Committee Report, Standing Committee Report 334 on S.B. No. 853 out of the Labor Committee in 1963 as reported in the Senate Journal for that year notes that: '...The language of the bill in its amended form is based in large measure, though not exclusively, on the recodification of chapter 97 recommended by Dr. Stefan A. Riesenfeld, Professor of Law, University of California in 'Study of the Workmen's Compensation Law in Hawaii' prepared by the Legislative Reference Bureau (Report No. 1: January, 1963)...'

"A reading of the study does not suggest any reason for the change to a 'covered work injury' from 'within the provisions of this chapter.' Standing Committee Report 334 on S.B. No. 853 makes no note of the

reason for the change either.

"The manner in which our Supreme Court has interpreted the current presumption clause has made it impossible to rebut. We propose to return to the original language especially since millions of dollars have been spent litigating Section 20 of the Longshoremen's and Harbor Workers' Compensation Act and since there now exists a large body of case law interpreting this section.

"Our amendment restores a balance of fairness between the interests of the employer and the employee. Thank you."

Senator Kawasaki rose to speak in favor of the amendment as follows:

"Mr. President, I speak in favor of the amendments with mixed feeling. I wish that we would not have to vote on the amendments all lumped together, all fifteen of them, because I find some of the amendments offered here are certainly logical, certainly gives credence to our purported desire to the business community who has suffered for many years, that we want to do something about correcting the abuses and the shortcomings of the workers' comp statutes that we have today. I would have wished that we would consider these amendments seriatim, so to speak, section by section or amendment by amendment. I find that I can't quite support Amendment No. 5, relative to attorneys' fees between the clients and the attorneys, but other amendments certainly make sense; certainly will bring the reforms that are badly needed.

"It seems to me that because these amendments are lumped together and thrown at us tonight, this evening's session, it seems to me the wise thing to do is to pass the amendments and pass the bill on Second Reading based on the amendments, and then on Third Reading to discuss the entire bill in the amended form so we can discuss it adequately. But, if I know what's going to happen tonight, this amendment is going to be turned down on the basis that it was a Republican sponsored amendment and the Democrats can't support it.

"This kind of posture, I think, is going to hurt the Democrats because some of these amendments do make sense. I would wish that we pass the bill, as amended, and then debate the amended bill to high heaven, for that matter, because this is a very important issue, perhaps the most important facing this Legislature, and just turning all these amendments down because they're lumped together, and we do this in a cavalier fashion, I think, is not giving credence to the stated, expressed view made all around this Capitol the last one or two weeks that we want to do something to improve the workers' comp statute.

"So, I speak in favor of the amendments proposed, with reservations about having all of these adopted in one form, fifteen of them together. I think this is unfortunate. I wish we could consider these amendment by amendment—this would make sense. In any case, this is not a judgment that I can make tonight because they're all lumped together. I therefore, regrettably, speak in favor of the adoption of the amendments."

Senator Soares rose to speak in favor of the amendments as follows:

"Mr. President, I certainly welcome the statements made by the previous speaker.

"I think it is very unfortunate and unfair that the amendments which have been proposed by Senator Henderson, which are well-conceived and well-researched, are being viewed as political and partisan.

"These amendments are not partisan. They offer solutions sought by small business, big business, everyone involved in the employment industry in the State of Hawaii. The calls and letters to our offices are from all walks of life. I agree with Senator Kawasaki that seldom have we been asked by such a cross section of the community, Democrats and Republicans alike, to respond to a particular issue, such as workers' comp, which is crippling business and industry in Hawaii.

"With thanks to the Chairman, we were able to discuss in committee these amendments with members of Ways and Means. As we sit here tonight debating these amendments, Mr. President, it is clear to me that, rather than focusing on the tremendous opportunity which we have to do something positive to strengthen and enhance the climate of business in our state, we are polarizing the issue into one of employer vs worker, labor vs management, Republican vs Democrat.

"Mr. President, these amendments were introduced as a package, rather than one by one, because we felt that was what was being asked of us. I suggest this: if we really want to help business, if we really want to take the bull by the horns, give the Senate the opportunity to buy these amendments in toto and go into conference with the House. Most of us sitting here tonight must acknowledge that we've talked to our constituents; we've told them we want to help business; that they're right we do need a sound business climate; that we're listening to them; that the time is now.

Mr. President, this is not a Republican vs Democratic amendment program. What we are trying to do is to set forth, in a concise and clear fashion, what each amendment will do for business. How much more do we

have to do in order for us to work together?

"Mr. President, I believe that this body can take a major step forward in producing a workers' compensation law that everyone can live with by adopting these amendments and letting them go to conference. Thank you."

Senator McMurdo rose to speak in favor of the amendments as follows:

"Mr. President, I would like to echo the Senator on my left, a concern for voting for them all at one time. There are some that I prefer over others. Nevertheless, I think they are definitely the kind of step that we should take tonight even if we were to amend some of them on Monday. They do contain the really critical changes necessary to put workers' compensation back on the right track. They will help to slow down the spiraling cost of worker's comp, which has been so hard on all business men, large or small, in this state.

"Senate Draft 2 of H.B. 463 has done little to improve Senate Draft 1 and without these amendments it is merely a sop to legislative conscience so that we can say we passed the worker's comp bill this year.

"I urge this body to consider carefully before you vote, consider these amendments carefully, and remember that there are as many Democrats in business as there are Republicans. This is a bi-partisan issue and it deserves to be considered as such.

"So, I urge you to consider voting for these. If you want to throw some of them out out on Monday, that's one thing, but let's not let this whole improvement to this bill go down the tube. I've had hundred and hundreds and hundred of letters on this, and I feel the same way. I'm sure every one of you have had tremendous amount of correspondence and people coming in, and I think it's time to give our businessmen the break they deserve. Thank you."

Senator Yamasaki rose to speak against the amendment as follows:

"Mr. President, I would like to go through the amendment and explain why these amendments should not be supported.

"Amendment No. 1: This amendment relating to vocational rehabilitation is unacceptable for the following reasons:

"One, the current language in Section 2 is tailored to Mr. Haldi's recommendation and found in page 80 of the Haldi report.

"It is Mr. Haldi who proposed that one goal of rehabilitation is to restore the injured worker's earning capacity to pre-injury state.

"Two, we have already amended Section 2 to accommodate the proponents concern that the goal of restoring pre-injury earnings is impossible to reach. We changed the language by providing 'as nearly as possible' to pre-injury earnings. This way there is no absolute requirement that the goal be achieved in each case. However, it is a desirable objective to strive for.

"Three, the proposal that 'suitable work' be deleted and other language be substituted would misdirect vocational resources.

"One reason why so much waste now occurs is because rehabilitation services are not directed to suitable areas. This phrase, 'suitable work,' is designed to focus services to make it cost effective.

"The duration of rehabilitation services will be cut short if rehabilitation services are directed to suitable work. This way rehabilitation costs are kept low.

"The proposal that vocational rehabilitation be limited to 52 weeks is arbitrary.

"While the Department of Labor did say that on the average most plans provide for less than 52 weeks, the Department did not support a cap.

"Testimony from rehabilitation counselors in both House and Senate committees is against the limitation proposed. Since these professionals work with the cases, they know that the fairest way to set the duration of the plan is case by case.

"There is also no justification to let the employer decide the duration of the plan since he or she has no professional expertise.

"Five, the proposal to waive rehabilitation benefits if the injured worker rejects an approved plan is not fair since under current rules a worker has a right to revise his plan once.

"Many times after rehabilitation plans are developed economic conditions change. There is no reason why the injured worker should be penalized for these conditions which require that the plans be amended or even be totally modified. Each case should be handled individually to be fair.

"Waiver of rehabilitation rights would also be inconsistent with the reopening rights under Section 386-89.

"Amendment No. 3: This amendment regarding waiting period has been partially accepted and partially rejected. The proposal that the three calendar day waiting period be set without condition is accepted. The part that has been rejected is due to the

following reasons:

"One, the proponent falsely claims that the proposal on recapture forces employers to pay sick leave and change their policies. All that the bill does is try to treat workers similarly situated the same.

"So, government workers who have a sick leave plan should not be paid workers' compensation. Same with employees of Hawaiian Telephone Company where by contract employees receive full wages. There should be no recapture for them.

"However, other workers who do not have sick leave plans should not be penalized. We only allow a recapture of disability benefits if their disability is prolonged for five days and if they do not receive other benefits.

"Two, by extending the waiting period we are depriving workers who are clearly entitled to benefits wage loss payments. The reason for the change in law is to reduce costs to the overall program.. However, in reducing costs we must do so fairly and equitably.

"Three, also the proponent claims there is abuse with the five day recapture period. To deal with this, the bill toughens up the penalties for fraud. In cases where there is abuse, benefits shall be suspended.

"We cannot condone what the abusers of the waiting period do if there is evidence of misuse. However, we must do so without unduly penalizing the vast majority of legitimate claimants who except for the waiting period would be justly entitled to benefits.

"Four, the current bill is a cost savings to insurance carriers. For employers to benefit from these changes they must amend their insurance policies to avoid double payments for sick leave and workers' compensation. By the present language we intend that employers receive the benefit without being unfair to the workers.

"Amendment No. 4: This amendment regarding computation of average weekly wages has been partially accepted and partially rejected. Our explanation for not accepting the amendment in whole is the following:

"One, the proposal which eliminates the 35 hour basis for calculating weekly benefits for part-time benefits is unfair to part-time workers since the effect of injuries in most cases deprives part-time employees of full-time jobs.

"Take the case of a part-time worker who suffers a back injury. The impact of the injury will cause total disability as it would

to the full-time worker. If the effect of the injury is total, the part-time worker is legitimately entitled to compensation equal to any other worker during the duration of total disability.

"If an employer is concerned that a part-time worker does not have incentive to return to his regular job under current law, light duty work can be offered to cut off benefits. In most industries where part-time workers are hired, this remedy is available to cut off the undeserving.

"Two, the proposal to treat part-time workers differently will have adverse social and economic effects.

"Under the prepaid health and TDI laws we have allowed employers not to cover employees who work less than twenty hours per week. In part, due to these measures, we encourage the creation of a large part-time labor force. This development has many adverse social effects to Hawaii.

"By adopting what this amendment wants to do, we encourage this type of economic development. The social welfare costs will only increase.

"Three, the proposal to change the basis for calculating the average weekly wages will be unfair to employers and injured employees alike. Under the amendment the compensation level will be based on the better of seven calendar days wages pre-injury or thirteen consecutive weeks' wages pre-injury. Under current law compensation levels are based on review of a year's wages. To shorten the period will result in illogical and arbitrary determinations of wage rates.

"As you know, we have adopted the proposal to change from 25 to 30 the benchmark to determine the wage rates of a youthful injured worker. We believe this change is warranted for the reasons he gave.

"Amendment No. 5: This amendment relating to the approval of fees for all attorneys and experts is rejected for the following reasons:

"One, our objective is to reduce costs. Currently only fees of attorneys and experts hired by injured workers require the Director's approval. Fees are reviewed by the Director of Labor to see that the hourly rates are reasonable and the number of hours charged are proper.

"It has come to our attention that attorneys representing employers and insurance carriers can and sometimes do expend a lot of workers' compensation program resources without any check. As part of our cost reduction objectives of the entire measure, we feel this provision is fair.

"Two, some claim that the law is unconstitutional. We are advised otherwise by attorneys. Furthermore, if it is unconstitutional when proposed against employers and insurance carriers, we can't understand why the proponent wants the current law which regulates attorneys of injured employees now. If the bill is unconstitutional as proposed, it is unconstitutional as the law now exists.

"Three, there is no rational justification for regulating attorneys representing claimants and not employers. This measure provides for fair treatment to all attorneys and experts.

"As you know, we have exempted in-house counsel from the coverage of this section since their fees are set regardless of services rendered under Chapter 386.

"Amendment Nos. 6 and 7 (Fraud): The amendment relating to the fraud provisions of the bill has been partially accepted. We agree with the part making mandatory the suspension or termination of benefits. The other proposal that we delete the word 'solely' from the section has been rejected for the following reasons:

"One, the proponent misleads us by asserting that the word 'solely' in the fraud section makes it 'ineffective and inoperative.' If this is true I ask how is it that the same approach and language is currently in use in other parts of our labor laws.

"For example, under HRS Section 378-32 the same words are used to prohibit an employer from discriminating or discharging a worker who has filed a workers' compensation claim. The word 'solely' requires the worker to prove that a workers' compensation claim is a 'sole' reason for his or her discrimination or discharge. If that provision is fair for the employer, this will be fair to injured employees and others who are covered by this anti-fraud bill.

"Two, it should also be remembered that this anti-fraud bill applies to health care providers, employers, insurance carrier representatives, as well as injured employees. It must be fair to all. It would be improper to penalize someone for other reasons except as it related to workers' compensation.

"There are other criminal statutes which cover fraud for other reasons. This bill is an additional provision designed to provide civil penalties for those who by false information seek undeserving benefits as well as those who use false information to deny a deserving worker benefits. Since this is a workers' compensation law, we seek only to control fraud within the system.

"The word 'solely' insures that we achieve this goal.

"Amendment No. 8 (Accident Prevention Unit): This amendment relates to the establishment of an accident prevention unit has been rejected for the following reasons:

"One, as Mr. Haldi confirms, one of the reasons for the high costs of workers' compensation in Hawaii is the relatively high accident rate here compared to other states. Mr. Haldi did not come up with any ideas to address the problem.

"The purpose of the unit is evident from the title of the section—accident prevention.

"Two, we recognized that currently employers who have good safety records do not receive financial incentives for continuing their efforts.

"By establishing an accident prevention unit which certifies the achievements of employers and by amending the insurance laws, we create a financial incentive which promotes job safety.

"Three, the proponent asserts that the unit duplicates present functions currently carried out by the Department. This is just not true.

"The OSHA program primarily involves citation of violators for unsafe conditions. There is little or no program designed to determine the causes of on-the-job accidents.

"Furthermore, there is currently no system established to identify high risk areas which account for the number of workers' compensation claims.

"Employers must receive the benefit of professional safety personnel and information which is available but not properly organized for use.

"Amendment No. 10: The amendment relating to standing to intervene in appeals has been partially adopted and partially rejected. The reasons we have refused to delete this section are as follows:

"One, insurance carriers should not receive a windfall from medical payments made by pre-paid health plan contractors which should be made by workers' compensation insurers. Currently these contractors are not allowed to intervene to protect their subrogation rights.

"The sole purpose of this section is to allow the contractors to assert their contractual rights.

"Two, the proponent mentions that this portion of the bill does not work toward

duplication or payment of benefits by the employer. This is not true.

"By allowing the pre-paid health plan contractors to get back from the insurance carriers what they are justly entitled to, we expect employers to receive returns ultimately. This is a matter that should be handled between the employers and the pre-paid health plan contractors.

"Another amendment which proposes to delete the business advocate from the bill is unacceptable for all of the reasons contained in the Standing Committee Report which justifies the establishment of this unit. For additional consideration, let me refer you to several developments which may not have been known by all:

"One, in Mr. Haldi's interim report it is indicated in a footnote on page 40 what the effect of taking into account investment income would mean a reduction of in insurance rates. Referring to our 1983 enactment of Act 263, Mr. Haldi states: 'Hawaii is not the first state to require an investment offset in the ratemaking procedure. Experience in Massachusetts, Minnesota, and New Jersey indicates that proper recognition of investment income in the development of rates for workers' compensation may result in a reduction of rates on the order of ten percent.'

"Mr. Haldi, in testimony to the House subject matter committee, reaffirmed his prediction that there will be a ten percent reduction if the intent of Act 263 is properly implemented.

"Unfortunately, the Act has not been implemented at all because there is no mechanism to assure proper compliance by the insurers under present law. Accordingly, the business advocate's unit is necessary.

"Two, I have additional reason to believe that the cost savings in reduced premiums may be even greater. It has come to my attention that certain insurance representatives have indicated that they may even be willing to roll-back premiums by twenty percent if we would consider deleting the business advocate unit.

"The importance of the business advocate is confirmed by such a statement.

"Amendment on the State Fund—this amendment which proposes to delete the competitive state insurance fund is unacceptable because the fund is necessary to provide a long-term solution to unfair, unreasonable, and excessive insurance premium increases. For the reasons stated in the Standing Committee Report, we oppose the proponent's amendment.

"It is also ironic that the amendment is justified on the grounds that further study is needed before implementation. We have had adequate time to study the insurance problem in the interest of employers whose interests are clearly in conflict with those of the insurance industry.

"It is also argued that this amendment is not proper because it does not affect the rapidly escalating costs of self-insured employers, including the State and County. The record indicates that the high cost area is on medical benefits which jumped from approximately \$11 million in 1979 to \$34 million in 1983. Medical benefits account for one-third of all statutory benefits paid for the injured worker. This is where the increase for self-insureds is the greatest. To address this problem, we have in this bill a provision requiring the Department of Labor to develop guidelines for the frequency of medical treatments and controls for overutilization. We also provide for new fee schedules for health care providers. We expect cost reductions in this area.

"Let's not get side-tracked by this type of argument on the state fund.

"Amendment No. 14 (Presumption): The three amendments relating to the statutory presumption that an injury is work connected is unacceptable for reasons previously outlined in the Standing Committee Report, pages 6 and 7. The following considerations need to be highlighted.

"One, testimony of Mr. Haldi and representatives from the insurance industry confirm that a change in the statutory presumption would result in a cost savings of about one or two percent.

"Obviously, any change in the statutory presumption cannot be based on costs savings.

"Having incorporated into this bill a number of provisions designed to cut costs estimated at ten to fifteen percent from statutory benefit areas, amending the statutory presumption in any way is totally unacceptable. Combined with the business advocate and the competitive non-profit fund, the overall impact of this bill should result in savings to employers of approximately 25 to thirty percent.

"Two, the proposal to reduce the standard of proof to preponderance of the evidence will virtually eliminate the current presumption. Preponderance of the evidence is the lowest level of proof known to our legal system.

"Some have falsely argued that injured employees always win under the current

presumption. Therefore, to assert that the standard of proof must be changed to give employers a fair chance. Based on a review of decisions by the Department of Labor, the fact is that in the areas of cardiovascular and cerebral vascular injuries, cases are more often lost by injured employees even under the standard of 'substantial evidence to the contrary.' I have examples of cases if any of you wish to read them in my office.

"Three, one of the proposals is aimed at carving out cases involving cardiovascular, cerebral vascular, mental stress and other injuries involving degenerative diseases. Establishing a two-tiered system in the presumption violates the equal protection clause.

"There is no valid rational basis to justify treating stress-related cases differently from single trauma cases. If anything, the need for the statutory presumption is more evident in those areas where the cause of diseases is unknown, exposure to hazardous employment stimuli is over a prolonged period of time, and where the employer has better access to evidence regarding the harmful exposure. Thus, the two-tiered approach must be rejected.

"I have read the opinion on the constitutional issue on the Deputy Attorney General transmitted and I note that the opinion does not help support his position. In the opinion letter it is stated: 'Any attempt to reinsert the distinctions or exclusions about which you inquire will require not only a clear statement of purpose and findings to support the requisite relationship between the purpose and the distinctions and exclusions, but also a rebuttal to the Senate Committee on Labor and Employment's finding to the contrary.'

"The proponent offers no factual support for his amendment. Your Committee on Ways and Means agrees with the findings of the Committee on Labor and Employment since there has been no medical, scientific or other evidence which supports the two-tiered approach.

"Four, this amendment which proposes that we return to the 1959 language of presumption, is unacceptable.

"In 1963 the wording of the original statutory presumption was modified based on a study of Dr. Stefan A. Riesenfeld, Professor of Law at the University of California. Many of the changes were intended to tighten up the provisions of the law.

"A review of the Standing Committee Report indicates that the language of the presumption was changed to clearly provide that work connection of injuries are covered.

"His attempt to revert to the old language is to negate the effect of the current presumption and persuade our Supreme Court to look into the federal courts to interpret our local laws. Workers' Compensation is a state program that should not be linked to federal interpretation of other laws.

"Finally, Mr. President, these amendments relating to the statutory presumption constitute the different approaches at undermining, diluting and virtually eliminating the effect of the current law. We are opposed to these amendments for the same reasons indicated in the Standing Committee Report, pages 6 and 7. In addition, I would like to point out the following:

"One, the Hawaii Supreme Court, in *Akamine v. Haw'n Packing & Crating Co.*, has defined what substantial evidence to the contrary is. It said: 'Substantial evidence is relevant and credible evidence of a quality and quantity sufficient to justify a conclusion by a reasonable man that an injury or death is not work connected.'

"We agree with the court's definition and believe in the judicial system to interpret and apply the standard of proof as appeals are presented.

"Two, the proposal in Amendment in the Amendment is aimed to differentiate the various standards of proof. No such clarification is necessary since the court is fully aware of distinctions.'

"Three, the amendment is a wholly inadequate definition of the standard. By eliminating the words 'evidence of a quality and quantity' from the Akamine definition, the proposal seeks to eliminate the heart of the current standard.

"Therefor, Mr. President, for the foregoing reasons I would like to urge that this amendment be defeated."

Senator Kawasaki spoke again in favor of the amendment as follows:

"Mr. President, the chairman of the Ways and Means Committee's explanation of his opposition and the Ways and Means Committee's opposition to Amendment No. 5, relative to attorneys' fees, I think, buttresses my position also in opposition to Amendment No. 5. The Ways and Means Committee report accompanying this bill very convincingly, (along with the arguments presented by the chairman of the Ways and Means Committee) show the need for providing in this bill a business advocate. These are two amendments that I do not quite agree with in the package of amendments submitted by the Minority Leader.

"Be that as it may, I think the other thirteen amendments provided in this package of amendments require, perhaps, more in-depth study and discussion, debate, and for that reason I think it would be very beneficial for this chamber to adopt the list of amendments as a whole and give us the opportunity to discuss further the need for the adoption of other amendments here which seem logical, as I said, with the exception of Amendment No. 5 and the amendment eliminating the business advocate as suggested by the Minority amendments submitted here. For that reason, I again speak in favor of adopting the amendments as a whole for further discussion before Third Reading vote is taken."

Senator Cobb spoke in favor of the amendment as follows:

"Mr. President, I'm going to vote for the amendment and I think a few brief remarks as to why are in order. First of all, I would like to incorporate the Vice President of the Senate's remarks in the first instance as my own, except for the word 'cavalier.'

"Second, I'm going to support this amendment in an effort, also, to insure with other Democrats that it is bi-partisan in nature and to be consistent with my earlier concerns on the subject of workers' comp that I expressed as a member of the Labor Committee when we had decision making in that particular committee.

"Third, I would like to point out that in my brief seven years in the Senate I have yet to see a single party line vote on any issue, and I hope I never do, and that even includes the time of the coalition when 10 and 8 had some very heated discussions and the plaster on the walls started to crack, and even in that caucus there was never a party line vote. And I think that's a healthy thing, and I hope it continues because it tells me that we try to settle things on the basis of merit of the issue and not party labels. I would like to assure my colleagues in the Minority that a lot of us don't consider things on party labels and I doubt very much if this one is going to be voted up or down just on a party label.

"Personally, Mr. President, many interests in our community do not want to see this bill passed, and I'm referring not just to labor, but also to people in insurance as well as to many business people. We are told that there was a 25 to 30 percent savings that could be brought about by the terms of this bill. What I don't understand is why business doesn't believe that; but obviously, they don't. I would agree that yes, presumption is an emotional issue, that the current court interpretations discourage many challenges to that presumption clause, thus the savings that could be effected by a change in the presumption

may be far more than two percent if further challenges were considered to have a reasonable chance. I heard of many cases that have been decided against employees, but very few in court. Most of them are at the initial hearing level. That's what concerns me is the level of court interpretation. Other experts from other states have told this: that our presumption clause is very similar to that in other states, if not identical to some states. Yet, the level of court interpretation is considerably different, and that seems to be one of the root problems.

"Almost a week ago, Mr. President, I personally asked the Governor to intervene to help both sides reach a solution on this issue. I feel tonight we're lost in a mountain of details, and yet the perception of business remains this bill should not pass. I personally want to see a work comp bill passed, and perhaps the Conference Committee will be our best chance to get a bill that is at least partially acceptable.

"I want to state very clearly that my vote tonight is not a vote of no confidence in the chairman who I think has done a tremendous amount of work and has genuinely tried to listen to the concerns of all sides, but instead, is a vote to improve the bill as a Senate position for a conference committee. What really causes me to support this amendment is that I hear the cry of our people for relief on work comp, and I personally feel, as one individual, if we ignore those cries we do so at our everlasting peril. If this bill remains unchanged, I will spend the rest of this weekend trying to talk myself into whether or not I should vote for it on Third Reading in order to have an improved product come out of conference. If we have a chance to improve it, we have a chance to improve that all important perception of what we're trying to do, then I think we should take it. Thank you."

Senator Abercrombie rose to speak against the amendments as follows:

"Let's get back to some fundamentals here. This is workers' compensation. It seems to me that a word ought to be said on behalf of workers this evening before we vote, inasmuch as that's been pretty much left out of the story. What I'm driving at here, Mr. President, is that for whatever the reasons, the workers are in fear...when I say workers, we're talking about everybody. Mr. President, if you for some reason are not enamored by my remarks at this moment, drift off into space and fall off the platform there, you might find yourself entitled to workers' compensation. In fact, probably if the speeches tonight are recorded and read to the hearing officer, they're bound to give it to you. But the fact remains that when we talk about workers'

compensation we're talking about virtually everyone in terms of whether or not an injury takes place and whether that injury is work related. That's what part of the argument revolves around. So, workers have fears. The employers have fears—anguish, because they find their premiums climbing all the time. And so, we find a situation where workers have been pitted against employers, employers against their employees, and the public confused by all the discussion about presumption and all the various other words and phrases that are utilized.

"Mr. President, I think that we ought to get to some of the simple, straightforward items involved in the workers' compensation bill. I have here the work injury statistics for 1983 and 1980 by way of comparison. Let's just try and get down away from the rhetoric and all the agonizing and just get down to some of the facts of the case.

"Mr. President, you take a look at 1980 and you see the total of reported accidents—47,725. You take a look at 1983 (These are the last figures available; the 1984 report will be out shortly), you see there were 39,013. That means in the last three years the number of reported accidents have actually gone down about 8,000 cases. Now, Mr. President, you take a look at these same statistics...these are the official statistics that all of the so-called premium rates are based upon...and you'll find that more than half of all these injuries, the 47,000 in 1980, involve cuts, lacerations, punctures, sprains or strain. You find in 1983, as a matter of fact, the percentage has gone up about another three percent, more than fifty percent, about 53 percent; so it's gone up...the same exact elements involved cuts, lacerations, punctures, sprains or strains gone up over 53 percent, more than half of the reported injuries.

"Now, what are we dealing with, then, when we get to this area that now has been put forward to the public as being of such gigantic importance mental disorders, nervous system disorders, heart attacks. Let's take that. That's stress, that's emotional distress, heart attacks, vascular disorders. What do we have? Mental disorders, 2/10 of 1 percent; nervous system disorders, 1/10 of one percent; heart attacks, 1/10 of one percent. You do not even have 1/2 percent. Other reports said it was higher than this. I think all we had to do was pick up the statistics and take a look at it and you could find out what it was. Nonetheless, it comes down to 108, 21 and 46, as against 47,725 cases, and yet this looms now in the public mind as being something of gigantic importance. Has there been some tremendous increase, then, in the last three years in these areas? No, mental disorders, 159; nervous system

disorders, 36; heart attacks, 75. Don't forget in the last three years we've also increased our population and our work force has increased, as well, so if you did a percentage increase, it might even be lower than it was in 1980. In any event, it is relatively steady state with respect to these so-called notorious items. I myself was swayed by this for a while until I dug in and did a little homework.

"What I'm trying to say, Mr. President, in very direct and I hope straightforward terms is the workers are not causing the premiums to rise because the kinds of injuries being reported and the recourse available isn't changing. The number of accidents actually is going down, but the premiums for the employers is going up. There can only be one villain in this, and it's not the employers and it's not the employees; it's the insurance company.

"And that's why I'm speaking against these amendments because if I voted in total on these amendments, I'd have to vote against one of the ideas that I didn't come up with exclusively, but certainly one of the points that I put forward to the chairman of the Labor Committee, and one of the points that he was working on simultaneously and others suggested as well here in the body—the state competitive insurance fund. I made it my business to study the insurance fund in two states—Arizona and California—and I want to point out...I just happen to have the Arizona one with me on the floor here this evening. I want to point out that the California fund has been in existence for decades. It's the fund that's existed in the state through two terms of then governor and now President of the United States, Ronald Wilson Reagan, is now existing in the state that is governed by Governor George Deukmejian, both of whom are acclaimed conservative politicians, governors, and now one the President of the United States whose conservative credentials, it seems to me, are entirely in order. Arizona is the state of Senator Barry Goldwater, a candidate for President of the United States and one of the outstanding conservative, elected officials in our nation. Arizona in no way, shape or form can be seen as a state with so called liberal leanings. In that respect, both of these states maintain state funds, statewide workers' compensation insurance services.

"I won't go into the details of how these insurance systems work. I might say that the one in California is rated as one of the best in the United States of any kind of insurance coverage, as against any kind of casualty, fire, etc. kind of insurance, the workers' compensation insurance fund there.

"As for the business advocate, which I also supported and supported in a memo to the Labor Committee chairman, I would not

like to see that removed, and cannot vote for the amendments, as a result, because I refer you to nothing further than what you might be expecting to pay for your telephone. While everybody is arguing and complaining about the so-called benefits received by telephone workers, I want to point out to everybody here that the telephone company is proposing to charge you twenty-some odd dollars a month for the use of your phone and I should imagine everybody here who has a phone is awfully glad that there's a consumer advocate that's going to try to represent all of us before the Public Utilities Commission with respect to whether or not those rate increases should go in. And, I have contacts also with lots of business people who've talked to me and my impression from that is that once we have this kind of discussion that they're only too anxious to have an advocate for them. I don't know if it's going to work entirely to my satisfaction, or to yours, Mr. President, but I think it's better to have an advocate there whose duty it is to try to see to it that insurance rates are not higher than they should be than to have no one there at all, and leave it to the tender mercies of the people who have been running it to this point.

"I want to say in conclusion that one of the arguments made to me was: well, Senator Abercrombie, you may be right about the insurance state fund, you may even be right about the business advocate—right in the sense that we should give it a try—but look whose going to run it, whose going to do it. Well, Mr. President, it's like the Constitution. The Constitution doesn't guarantee good government; it guarantees the opportunity for good government. I don't think that this bill is going to guarantee that the administration of workers' compensation is going to be improved. What it guarantees is the opportunity for it, and if the voters of this state are dissatisfied with the manner in which the administration is going to conduct it, they can let the elected officials of the state know at the polls. There's no question about that, and I think in 1986 that opportunity will readily be made available.

"In the meantime, it's up to us as legislators who do not do the administration. We're not responsible for the administration except indirectly to try to set the legislative framework within which that administration should take place. And I think that with the fraud provisions and some of the other medical provisions that are in this bill at the present time, that this is a good faith effort toward seeing to it that context is established on a rational basis. Whether it works or not remains to be seen and we should obviously be monitoring that.

"In the meantime, then, I do not think

that it is possible for us at this stage, then, to vote these items out of the bill as presented in the amendment package. I am an advocate of these items. I think that they are well documented in terms of being supportable in the available evidence and I think, therefore, that we should vote the bill through, and to the degree that further amendments are necessary and can be proved to be useful they should be taken up in conference. As things stand now, however, with this bill before us tonight and these group of amendments I do not see any other recourse other than to vote for the bill."

Senator Henderson rose to speak in favor of the amendments as follows:

"Mr. President, we've heard a lot of arguments, both for and against the amendments, but I submit to you that if we are to have meaningful workers' compensation reform in the State of Hawaii this year, we have to adopt these amendments.

"To allow a business advocate to be hoisted upon the business community is an outrage. We didn't hear one businessman testify that they needed a business advocate.

"We already have an insurance commissioner as far as studying insurance rates. If we need to beef up the insurance commissioner's staff, then that's what we should do. We certainly shouldn't create a whole new bureaucracy to hire attorneys, actuaries and what have you in this state.

"The state fund— we don't need a state fund, and if we do, we should find out from a study whether we need one.

"The state's had a lot of experience of getting in the insurance business. I give you Thrift Guarantee Corporation with a \$27 million liability tail on it. I give you the Patient Compensation Fund, a malpractice insurance fund started by the State of Hawaii. It went bankrupt with a \$7 million tail on it. We don't need to get involved in insurance business and if we do, we certainly should study the situation before getting into it. We shouldn't just jump right in and be over our heads with first step.

"Mr. Haldi came up with some 32 recommendations. The chairman of Ways and Means and the chairman of the Labor Committee have indicated that they've incorporated ten into the bill. That's less than a third of Haldi's recommendations, and some of those recommendations were only partially adopted. So, we haven't come close to adopting the recommendations that Mr. Haldi said we need in order to get our workers' compensation law back on track. Mr. Haldi recommended a two-working-day waiting period, not to exceed four days with

no recapture. We're proposing two calendar days because the Director of the Department of Labor and Industrial Relations said that would be easier for him to administer. Mr. Haldi proposed a 26 week recap on rehabilitation plan. We're proposing a 52 week recap.

"Mr. President, there are just so many things that need to be addressed in our workers' compensation law, but the most primary issue is that of presumption. Unless this state gets back on track, unless we get our laws back, our presumption law, Chapter 386, Section 85, unless we get that back to where it was prior to the 1963 amendment, and I submit to you that there is not one word in the standing committee report or in the Legislative Auditor's report, the Legislative Reference Bureau report, as to why that language was changed, we will continue to have problems with our Workers' Compensation Law. There's no justification for the change, and it took Hawaii right away from the mainstream of workers' compensation laws, the New York law, and the Federal law. It took us right away from it, and therein started our problem with workers' compensation. Believe me, that one change is the cause of the problem we've had with workers' compensation.

"So, I urge the members of the Senate to vote for these amendments. If you want to see real reform of the workers' compensation, we need to adopt these amendments. Thank you very much."

Senator Kawasaki rose again to speak in favor of the amendments as follows:

"Mr. President, it's ironic that Senator Henderson and I both speaking in favor of adoption of these amendments, but I do want to clearly define the reasons why I'm asking for the adoption of the amendments.

"First of all, I want it very clearly stated here that I advocate the creation of the state fund because I'm in complete agreement with Senator Abercrombie when he says the primary problem for the premium rates being so high is the greed of the insurance companies. That's very clear from our experience in the last five years. However, I disagree, as I said, entirely with the position taken by the Minority Leader saying that the business advocate is not needed.

"I think, notwithstanding some of the defects of some of the amendments here, there is value to be gained by adoption of these amendments so a full discussion can be had, and I'd like to request of you, Mr. President, that in the conference committee that is sure to follow between the House and the Senate in settling this issue that you do appoint Senators on the Ways and Means Committee who represent the Minority

point of view advocating these amendments to be adopted. That at least will assure us that discussion would take place between the House and the Senate, discussion on the need for some of these amendments that may be valuable and needed."

Senator Yamasaki spoke further against the amendments as follows:

"Mr. President, I forgot to explain that in speaking in favor of the bill but against the amendment that from 1972 to 1982, during the eleven-year period of the workmen's compensation, the actual premiums paid amounted to \$681,359,101, which is 100 percent of the premium.

"From 1972 to 1982 the insurers' actual paid claims amounted to \$339,452,952, approximately 50 percent. Also incurred but unpaid claims, contingent reserves were \$78,718,438 — 26 percent; and fee retention, \$163,177,211 — 24 percent of the total income 100 percent and it looks like this. The actual premiums paid, \$339,452,000 — 50 percent; retention, \$163,000,000 — 24 percent; incurred, \$178,718,000.

"The money for unpaid but incurred claims are kept in a contingent reserve fund for later payment. Pending payment, this reserve is invested to generate income. It is this invested income that should be reflected in the premium rates, and if the state fund is accepted, the business advocate is also accepted, we will find a tremendous decrease in the premium rates. The premium rates are increased because of increased benefits, increased retention and because invested income is not credited against premium price.

"Therefore, Mr. President, I feel strongly that by defeating the amendment and passing Senate Draft 2 would provide the kind of tentative cost reduction to the employers, and therefore I'd like to ask you and the members of this body, to defeat the amendment and have Senate Draft 2 pass on Monday and sent to the House for further consideration."

Senator McMurdo rose again to speak in favor of the amendments as follows:

"Mr. President, while we're talking about money being spent, I would like to remind the members of this body that Labor Director, Joshua Agsulud, said that to put this bill into implementation would cost at a minimum over \$1 million, which will ultimately be paid for by the taxpayers of the state. Thank you."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, failed to pass on the following showing of Ayes and Noes:

Ayes, 8. Noes, 16 (Abercrombie, Aki, Cayetano, Chang, Fernandes Salling, Hagino, Holt, B. Kobayashi, Kuroda, Machida, Matsuura, Mizuguchi, Solomon, Toguchi, Yamasaki and Wong). Excused, 1 (Young).

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 853 was adopted and H.B. No. 463, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was placed on the calendar for Third Reading on Monday, April 1, 1985.

At 10:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:09 o'clock p.m.

Stand. Com. Rep. No. 893 (H.B. No 1061, H.D. 1, S.D. 1):

By unanimous consent, Stand. Com. Rep. No. 893 and H.B. No. 1061, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," were recommitted to the Committee on Government Operations.

Stand. Com. Rep. 910 (H.B. No. 40, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 910 be adopted and H.B. No. 40, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak against the bill as follows:

"Mr. President, this is the bill, amazingly, that emanates from the committee called Consumer Protection Committee. This is the bill that removes all ceiling on interest rates chargeable by financial institutions on credit cards, on retail installment sales...it just amazes me. If there ever was a proposition to really subvert the interests of the consumer, I think this is the bill. And in view of the fact that we don't have too much time until midnight, I'll cut the discussion short, but I am prepared to speak against this and later, on 924, on Monday night till hell freezes over."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Stand. Com. Rep. 924 (H.B. No. 1360, H.D. 1):

Senator Cobb, moved that Stand. Com.

Rep. No. 924 be adopted and that H.B. No. 1360, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak against the bill as follows:

"This is the bill that I thought was well taken care of two weeks when in the Majority caucus we unanimously recommitted this back to the committee. However, the House bill came over and in the interim, apparently, the big guns from Merchant Street, specifically Alexander and Baldwin company, have visited many Senators' offices and have been successful in convincing some of these people that we should do away with the only vehicle that allows minority stockholders in any public corporation any chance to get information from possibly a minority director on the board of directors.

"This is generally stated to be the 'anti-Weinberg' bill. I don't even know Mr. Weinberg, but what this bill intends to do is to do away with what is a requirement, still today, in eighteen states of the Union that allows for cumulative voting, which is a device that assures minority stockholders of any corporation the ability to elect minority directors to the board of directors of any corporation. This is the only device that assures shareholders generally in a corporation the ability to get information that may be very relevant and pertinent to their decision whether to sell their stocks or hold their stocks or do whatever they want to with it. For us to enact a law to deny minority shareholders this ability to get legitimate information on stock companies in which they hold shares, it just amazes me. I would suppose that if this kind of proposition prevailed over here, Mr. President, you would not have had the problem or the benefit of input from dissidents that you've had in the past few years.

"This bill just amazes me and I'm at a loss to understand why this passes other than as Merchant Street has said in a February 24th meeting of A&B held in San Francisco at which time they sprung this proposition to do away with cumulative voting in A&B elections of directors. The A&B directors said to themselves, 'we will do this, we'll disallow cumulative voting because we know we can get the State Legislature, when they convene to pass a law favorable to us to disallow cumulative voting. I didn't think that the 'Big Five' merchants had this much clout around here, but I guess I'm rather naive.

"In any case on Monday night we'll be able to speak on this particular proposition, as I said, till hell freezes over."

Senator McMurdo also rose to speak on

the measure as follows:

"Mr. President, I fully concur with the speaker to my left here. There's another point that made me vote 'I do not concur' on this, and that is, that there is still the possibility that this is simply a piece of legislation that we're passing because of one man's interest in this particular stock. And that is another thing that concerns me, when we start passing that kind of legislation."

The motion was put by the Chair and carried, the report of the Committee was adopted and H.B. No. 1360, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, McMurdo and Kawasaki). Excused, 1 (Young).

At 11:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock p.m.

Stand. Com. Rep. No. 925 (H.B. No. 1366, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 925 be adopted and that H.B. No. 1366, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie rose to speak on the bill as follows:

"Mr. President, if I'm not mistaken, it has virtually the same wording as the other two bills which are to come, which have as amendments what is in fact and in substance the language in Standing Committee Report 925, so I speak as I say to vote for 925. But the idea that if that passes, then I would not like to see the same language incorporated into the other two bills because they involve important legislation and I hate to see the legislation perhaps jeopardized by some move which has to do with a separate bill. So, if we vote positively on this bill, it would seem to me, then, that there's on good reason to jeopardize the other two bills that contain essentially the same language as in this bill as part of many, many other elements in the other bills that need to be considered in conference."

The motion was put by the Chair and carried, the report of the majority of the Committee was adopted and H.B. No. 1366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April

1, 1985.

Stand. Com. Rep. No. 927 (H.B. No. 346, H.D. 1, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 927 be adopted and H.B. No. 346, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading on Monday, April 1, 1985.

Senator Matsuura then offered the following amendment (Amendment No. 1 to H.B. No. 346, H.D. 1, S.D. 1):

"Section 1. House Bill No. 346, H.D. 1, S.D. 1 is amended as follows:

1. By deleting entirely Section 3 on pages 28, 29, and 30.
2. By deleting entirely Section 4 on page 30.
3. By renumbering Section 5 as Section 3 and amending the renumbered Section 3 to read:

'SECTION 3. This Act shall take effect on July 1, 1987.'"

Senator Matsuura moved that the amendment be adopted, seconded by Senator Toguchi.

Senator Matsuura explained the floor amendment as follows:

"Mr. President and members of the Senate, I rise to speak in favor of this amendment.

"I am sure that you are familiar with this provision which passed this body with significant opposition several weeks ago. This bill presently faces much opposition in the House and most likely will not pass that body.

"For us to piggy back this same provision on three other House bills and put us in a position to vote for a bill with this unrelated amendment is not being fair to the members of the Senate.

"The Senate amendment deletes any reference to membership in a dental service corporation. Dental Service Corporation today requires that members be dentists.

"As I understand it, this law was enacted over twenty years ago by dentists to provide dental insurance for the public. Prior to this enabling legislation, dental insurance was not available. Membership in this corporation is composed of dentists who took the risk for the viability of the plan; hence, the high participation requirement of the dentist (one fourth of the dentists in the state).

"It is argued that this amendment would provide for more competition. The fact is, presently there is no law that restricts anyone from marketing dental plans. In fact, those who testified for this provision in the committee, the American Dental Plan and the Diversified Dental Plan, are now presently operating.

"Mr. President, I am most reluctant to amending any dental service laws because dental plan organizations are not regulated in Hawaii. Senate Draft 1, as amended does not specify who would be members of the corporation. As I read this draft, anyone can form a dental service corporation. This is what really concerns me. How is the consumer protected? I see a bonding requirement has been included; however, I don't think that is enough. Sufficient reserves must also be maintained to insure that services are rendered for the thousands of monthly premium collected.

"What guarantees are there to protect the consumer after a plan folds as in many other states?

"Mr. President, I am personally concerned with this situation and for this very reason and I introduced Senate Bill 1241 in this session to regulate all dental plan organizations. This is the approach we should take to benefit the consumer.

"In closing, Mr. President and members of the Senate, let's consider the merits of the bill and not resurrect an amendment which does not accomplish the stated objectives to provide better dental care."

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 13. Noes, 10 (Aki, Cayetano, Chang, Cobb, Fernandes Salling, Hagino, Henderson, B. Kobayashi, McMurdo, and Solomon). Excused, 2 (Kawasaki and Young).

Senator Matsuura moved that Stand. Com. Rep. No. 927 be received and placed on file, seconded by Senator Toguchi and carried.

On motion by Senator Matsuura, seconded by Senator Toguchi and carried, H.B. No. 346, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

Stand. Com. Rep. No. 928 (H.B. No. 347, H.D. 1, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 928 be adopted and H.B. No. 347,

H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator B. Kobayashi.

Senator Matsuura then offered the following amendment (Amendment No. 1 to H.B. No. 347, H.D. 1, S.D. 1):

"Section 1. House Bill No. 347, H.D. 1, S.D. 1 is amended as follows:

1. By deleting entirely Section 4 on pages 103, 104, and 105.
2. By renumbering Section 5 as Section 4.
3. By renumbering Section 6 as Section 5 and amending the renumbered Section 5 to read:

'SECTION 5. This Act shall take effect on July 1, 1987.'"

Senator Matsuura moved that the amendment be adopted, seconded by Senator Toguchi.

The motion to adopt the amendment was put by the Chair and, Roll Call vote having been requested, carried on the following showing of Ayes and Noes:

Ayes, 13. Noes, 10 (Aki, Cayetano, Chang, Cobb, Fernandes Salling, Hagino, Henderson, B. Kobayashi, McMurdo and Solomon). Excused, 2 (Kawasaki and Young).

Senator Matsuura moved that Stand. Com. Rep. No. 928 be received and placed on file, seconded by Senator Toguchi and carried.

On motion by Senator Matsuura, seconded by Senator Toguchi and carried, H.B. No. 347, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 1, 1985.

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

The Senate reconvened at 11:59 o'clock p.m.

ADJOURNMENT

At 12:00 o'clock midnight, on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 1, 1985.

FORTY-SEVENTH DAY

Monday, April 1, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Owens, Senior Pastor, First Presbyterian Church of Honolulu, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 277 to 286) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 277, submitting for consideration and confirmation to the Education Commission of the States, the nomination of Joseph W. Lapilio, III, term to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 278, submitting for consideration and confirmation to the Hawaii Education Council, the nominations of Doris M. Ching and John L. Knorek, terms to expire December 31, 1988, was referred to the Committee on Education.

Gov. Msg. No. 279, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Reverend Kenneth W. Smith, term to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 280, submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nominations of Bernadette Ledesma, Patty Yamamoto and John A. Rabanal, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 281, submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nominations of the following:

Robert K. Mole, term to expire December 31, 1985;

Stanley E. Rodrigues, Sr., Merrie K. Aipoalani and Karen G.S. Shimabukuro, terms to expire December 31, 1988; and

Kiyoko Akase, term to expire December 31, 1987,

was referred to the Committee on Health.

Gov. Msg. No. 282, submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nominations of the following:

Kathryn N. Kato, Saburo Ebisu, Ralph J. Kiessling, Roger E. Roach and James R. Yano, terms to expire December 31, 1988; and

Edward C. McCrea and Loretta T. Schuler, terms to expire December 31, 1986,

was referred to the Committee on Health.

Gov. Msg. No. 283, submitting for consideration and confirmation to the Technical Advisory Committee on Pesticides, the nominations of the following:

Kazu Hayashida, L. Stephen Lau, Ph.D., and James J. Nakatani, terms to expire December 31, 1985, or upon the expiration of the board, whichever occurs sooner;

Melvin Koizumi, Susumu Ono and Jack K. Suwa, terms to expire December 31, 1986, or upon the expiration of the board, whichever occurs sooner; and

James W. Morrow, Samuel S.H. Lee and Jacqueline Parnell, terms to expire December 31, 1987, or upon the expiration of the board, whichever occurs sooner,

was referred to the Committee on Health.

Gov. Msg. No. 284, submitting for consideration and confirmation to the Hawaii Housing Authority, the nomination of Fred K. Kwock, term to expire December 31, 1988, was referred to the Committee on Housing and Community Development.

Gov. Msg. No. 285, submitting for consideration and confirmation to the Commission on the Status of Women, the nominations of the following:

Juliette T. Sarmiento and Sharon N. Chiba, terms to expire December 31, 1985; and

Linda M. Colburn, Andrea L. Simpson, Rosie Chang, Sharon S. Narimatsu and Walette G. Pellegrino, terms to expire December 31, 1988,

was referred to the Committee on Human Services.

Gov. Msg. No. 286, submitting for consideration and confirmation to the Hawaii Criminal Justice Commission, the nominations of Joe S. Tanaka, Herbert K. Apaka, Jr., Cora K. Lum, Frank D. Slocum, George Iranon, Roland D. Sagum, Roy Chang and Harold J. Falk, terms to expire June 30, 1989, or upon the expiration of the board, whichever occurs sooner, was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 63 to 69) were read by the Clerk and were disposed of as follows:

S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO VETO ANY FURTHER USE OF DBCP ON MAUI PINEAPPLE FIELDS," was offered by Senators A. Kobayashi, Cayetano, Chang, Young, Hee, Fernandes Salling, Hagino, Cobb, McMurdo, Matsuura, Kawasaki, Aki, Mizuguchi, Toguchi and Abercrombie.

By unanimous consent, S.C.R. No. 63 was referred to the Committee on Health.

S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS," was offered by Senators Chang, Cayetano, A. Kobayashi, Matsuura, Henderson, Soares, Abercrombie, Hee, Aki, Kuroda, Hagino, Fernandes Salling, Holt, Yamasaki, McMurdo, Cobb, Young, Solomon, Toguchi, Machida and Mizuguchi.

By unanimous consent, S.C.R. No. 64 was referred to the Committee on Government Operations.

S.C.R. No. 65, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY PROBLEMS RELATING TO THE PROCEDURES NOW FOLLOWED IN COMPENSATING WITNESSES SUBPOENAED TO TESTIFY IN CRIMINAL PROCEEDINGS," was offered by Senators Chang, Cayetano, A. Kobayashi, George, Matsuura, Henderson, Abercrombie, Cobb, Hee, Young, Aki, Kuroda, Solomon, Hagino, Toguchi, Fernandes Salling, Holt, Soares, Yamasaki, Kawasaki, Matsuura and Machida.

By unanimous consent, S.C.R. No. 65 was referred to the Committee on Judiciary.

S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION URGING A STUDY ON THE FEASIBILITY OF DESIGNATING THE WATERS OF MAKAIWA BAY, SOUTH KOHALA,

HAWAII, AS A MARINE LIFE CONSERVATION DISTRICT," was offered by Senators Solomon, Fernandes Salling, Hagino, Holt, McMurdo, Matsuura, Aki, Soares, Young, Kuroda, Mizuguchi, George, Henderson, Machida, A. Kobayashi, Hee, Abercrombie, Cobb and Cayetano.

By unanimous consent, S.C.R. No. 66 was referred to the Committee on Economic Development.

S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII ISLAND TRANSPORTATION AUTHORITY," was offered by Senators Matsuura, Solomon, Henderson, Soares and Aki.

By unanimous consent, S.C.R. No. 67 was referred to the Committee on Transportation.

S.C.R. No. 68, entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM," was offered by Senator Matsuura.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Higher Education.

S.C.R. No. 69, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EXTENSION OF FEDERAL ENERGY TAX CREDITS," was offered by Senator Matsuura.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Energy.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 82 to 89) were read by the Clerk and were disposed of as follows:

S.R. No. 82, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO VETO ANY FURTHER USE OF DBCP ON MAUI PINEAPPLE FIELDS," was offered by Senators A. Kobayashi, Cayetano, B. Kobayashi, Machida, Young, Fernandes Salling, Hagino, Abercrombie, Hee, Chang, McMurdo, Matsuura, Cobb, Kawasaki, Aki, Mizuguchi and Toguchi.

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

S.R. No. 83, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REPORT ON PAY INEQUITIES IN THE DEPARTMENT OF EDUCATION," was offered by Senators Machida, Yamasaki, Henderson, Holt, Abercrombie and A. Kobayashi.

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

S.R. No. 84, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS," was offered by Senators Chang, Cayetano, A. Kobayashi, Matsuura, Henderson, Soares, Abercrombie, Hee, Kuroda, Solomon, Hagino, Toguchi, Fernandes Salling, Holt, Yamasaki, Cobb, Machida, Mizuguchi and McMurdo.

By unanimous consent, S.R. No. 84 was referred to the Committee on Government Operations.

S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY PROBLEMS RELATING TO THE PROCEDURES NOW FOLLOWED IN COMPENSATING WITNESSES SUBPOENAED TO TESTIFY IN CRIMINAL PROCEEDINGS," was offered by Senators Chang, Cayetano, A. Kobayashi, George, Matsuura, Henderson, Abercrombie, Cobb, Hee, Young, Aki, Kuroda, Solomon, Hagino, Toguchi, Fernandes Salling, Holt, Soares, Yamasaki, Kawasaki and Machida.

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

S.R. No. 86, entitled: "SENATE RESOLUTION URGING A STUDY ON THE FEASIBILITY OF DESIGNATING THE WATERS OF MAKAIWA BAY, SOUTH KOHALA, HAWAII, AS A MARINE LIFE CONSERVATION DISTRICT," was offered by Senators Solomon, Fernandes Salling, Hagino, Holt, McMurdo, Matsuura, Aki, Young, Kuroda, Cayetano, Mizuguchi, George, Henderson, A. Kobayashi, Hee, Abercrombie and Cobb.

By unanimous consent, S.R. No. 86 was referred to the Committee on Economic Development.

S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII ISLAND TRANSPORTATION AUTHORITY," was offered by Senators Matsuura, Solomon, Henderson, Soares and Aki.

By unanimous consent, S.R. No. 87 was referred to the Committee on Transportation.

S.R. No. 88, entitled: "SENATE RESOLUTION COMMENDING THE UNIVERSITY OF HAWAII SEA GRANT

COLLEGE PROGRAM," was offered by Senator Matsuura.

By unanimous consent, S.R. No. 88 was referred to the Committee on Higher Education.

S.R. No. 89, entitled: "SENATE RESOLUTION SUPPORTING THE EXTENSION OF FEDERAL ENERGY TAX CREDITS," was offered by Senator Matsuura.

By unanimous consent, S.R. No. 89 was referred to the Committee on Energy.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 941) recommending that the Senate consent to the nomination of Wilfred K. Watanabe, as Judge, to the First Circuit Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 197.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 941 and Gov. Msg. No. 197 was deferred until Tuesday, April 2, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 942) recommending that the Senate consent to the nomination of Frank Tokio Takao, as Judge, to the First Circuit Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 199.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 942 and Gov. Msg. No. 199 was deferred until Tuesday, April 2, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 943) recommending that the Senate consent to the nomination of E. John McConnell, Jr., as Judge, to the Second Circuit Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 198.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 943 and Gov. Msg. No. 198 was deferred until Tuesday, April 2, 1985.

ORDER OF THE DAY

MATTER DEFERRED FROM
FRIDAY, MARCH 29, 1985

THIRD READING

House Bill No. 421:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 421, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

THIRD READING

House Bill No. 264, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 264, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 29, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 29, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 267, H.D. 1, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 267, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 268, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 268, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 382, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 382, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURORS' MILEAGE FEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang,

Henderson, Kawasaki and Toguchi).

House Bill No. 266, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 266, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

Stand. Com. Rep. No. 815 (H.B. No. 171, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 815 was adopted and H.B. No. 171, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 1162, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 1162, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 460, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 460, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES, COSTS, AND EXPENSES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 239, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 239, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 921, H.D. 1, S.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, H.B. No. 921, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (George). Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 1257, S.D. 1:

By unanimous consent, action on H.B. No. 1257, S.D. 1, was deferred to the end of the calendar.

House Bill No. 355, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 355, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Chang, Henderson, Kawasaki and Toguchi).

House Bill No. 232, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 232, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 352, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 352, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 181, S.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, H.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 104, H.D. 2, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 104, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 1231, H.D. 2, S.D. 1:

By unanimous consent, action on H.B. No. 1231, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 465, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 465, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 488, H.D. 1, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 488, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 479, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 479, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 502, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 502, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House bill No. 236, H.D. 2, S.D. 1:

On motion by Senator Cob, seconded by Senator B. Kobayashi and carried, H.B. No. 236, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING,"

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

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 160, S.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 160, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HANSEN'S DISEASE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 1243, S.D. 1:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 1243, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE COOPERATIVE ASSOCIATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 112:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 112, entitled: "A BILL FOR AN ACT RELATING TO CHICKEN EGGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 492, H.D. 1, S.D. 1:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 111, H.D. 1, S.D. 1:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 111, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 176, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, H.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 674, H.D. 1, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, H.B. No. 674, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT AND RECALL LISTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 522, H.D. 1, S.D. 1:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, H.B. No. 522, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY RETIREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 989, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 989, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (A. Kobayashi and McMurdo). Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 188, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 195, S.D. 1:

By unanimous consent, action on H.B. No. 195, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1547, H.D. 1, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 1547, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING REGULATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (A. Kobayashi and Cayetano). Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 1054, H.D. 1, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 1054, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 223, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 223, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 231, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 231, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 353, S.D. 1:

By unanimous consent, action on H.B. No. 353, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1270, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 1270, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang,

Kawasaki and Toguchi).

Stand. Com. Rep. No. 850 (H.B. No. 129, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 850 was adopted and H.B. No. 129, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 1386, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 1386, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

House Bill No. 33, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, H.B. No. 33, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Chang, Kawasaki and Toguchi).

Stand. Com. Rep. No. 853 (H.B. No. 463, H.D. 2, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 853 and H.B. No. 463, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 854 (H.B. No. 1, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 854 was adopted and H.B. No. 1, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (George and A. Kobayashi). Excused, 3 (Chang, Kawasaki and Toguchi).

Stand. Com. Rep. No. 855 (H.B. No. 404, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded

by Senator Mizuguchi and carried, Stand. Com. Rep. No. 855 was adopted and H.B. No. 404, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 856 (H.B. No. 99, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 856 was adopted and H.B. No. 99, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and A. Kobayashi). Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 857 (H.B. No. 60, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 857 was adopted and H.B. No. 60, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 858 (H.B. No. 184, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 858 was adopted and H.B. No. 184, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUACULTURE ADVISORY COUNCIL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Cayetano, George, Hee and A. Kobayashi). Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 859 (H.B. No. 39, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 859 was adopted and H.B. No. 39, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," having been read throughout, passed Third Reading on the

following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 860 (H.B. No. 1056, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 860 was adopted and H.B. No. 1056, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATIONS OF INSURERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 861 (H.B. No. 1059, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 861 was adopted and H.B. No. 1059, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A REVIEW OF HAWAII'S INSURANCE LAWS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 862 (H.B. No. 1271, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 862 was adopted and H.B. No. 1271, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 863 (H.B. No. 1275, H.D. 1, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 863 be adopted and H.B. No. 1275, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, you will note in the committee report, in the third paragraph: 'Your Committee finds that this bill is only one example of many this session converting temporary personnel to permanent civil service personnel with all rights and benefits appertaining thereto. It has

become a way of doing business for state government to hire individuals on a temporary or non-civil service basis for a period of three, four, or five or more years, and then "reward" them with permanent civil service status. Your Committee finds that this method of operating state government must be studied during the 1985 interim and that your Committee on Ways and Means and the Committee on Labor and Employment should study this problem and related civil service procedures governing temporary and permanent positions.¹

"Mr. President, the reason I'm voting against this bill and, I believe, I voted this way in similar bills is that the individuals involved are in temporary positions even though they have passed examinations, that is to say, they are qualified. Nonetheless, they are temporary positions; they've been put into those positions without the opportunity for others to compete for that position.

"The principal reason that I find that unfair and the principal reason that I offer in support of that is in other areas of our employment in government, for example, in the university system you may hold a temporary position ... if that position is made permanent, no matter how long you've held that position, how many years, the fact that it is a temporary position means that you must go back to scratch. You must go back to step 1 and compete with anybody else who wants that position. You have no rights; you have no privileges; you have nothing that enables you to be protected even though your experience may qualify you for the job. Persons of equal experience in other jobs or in other places, in other states even, are able to compete for that job, and the choice is made.

"So, I don't think that it's fair then to argue that individuals should be 'rewarded,' as we say we are in fact doing in the committee report.

"I have sympathy for the individual involved, but, nonetheless, they know perfectly well what their situation is and it's the kind of thing that we should not be condoning at the very time we say that it's a problem, and it shouldn't occur, and that we should take steps to see that it doesn't happen.

"We, nonetheless, are going ahead and doing it. I don't think that's the correct procedure, most particularly when there are other individuals in the state in similar circumstances who do not have the same advantage nor will they ever have the same advantage.

"If the university can do it, it seems to me the rest of the State Government can do

it."

Senator McMurdo then remarked:

"Mr. President, I share the previous speaker's feelings on this. I will vote for the bill, but I do hope that we will remember and perhaps do some kind of study or something on this before this continues."

Senator Soares spoke against the measure as follows:

"Mr. President, I'd like to rise to speak against the bill and ask the Clerk to incorporate the comments made by Senator Abercrombie as my own. I will vote 'no.'"

The motion was put by the Chair and carried, Stand. Com. Rep. No. 863 was adopted and H.B. No. 1275, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Cayetano, Hee, Henderson and Soares). Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 864 (H.B. No. 1246, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 864 was adopted and H.B. No. 1246, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 865 (H.B. No. 614, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 865 was adopted and H.B. No. 614, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 866 (H.B. No. 1131, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 866 was adopted and H.B. No. 1131, H.D. 2, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO CHAPTER 42," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 4 (George, Henderson, McMurdo and Soares). Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 867 (H.B. No. 166, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 867 was adopted and H.B. No. 166, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 868 (H.B. No. 263, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 868 was adopted and H.B. No. 263, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF STATE TAX REFUNDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 869 (H.B. No. 354, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 869 was adopted and H.B. No. 354, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 870 (H.B. No. 208, H.D. 2, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 870 was adopted and H.B. No. 208, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (George). Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 871 (H.B. No. 209, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 871 was adopted and H.B. No. 209, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 872 (H.B. No. 997, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 872 was adopted and H.B. No. 997, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 873 (H.B. No. 49, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 873 was adopted and H.B. No. 49, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 874 (H.B. No. 101, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 874 was adopted and H.B. No. 101, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 875 (H.B. No. 436, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 875 was adopted and H.B. No. 436, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read

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

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 876 (H.B. No. 134, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 876 was adopted and H.B. No. 134, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 877 (H.B. No. 144, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 877 was adopted and H.B. No. 144, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 878 (H.B. No. 146, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 878 was adopted and H.B. No. 146, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 879 (H.B. No. 147, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 879 was adopted and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 880 (H.B. No. 174, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 880 was adopted and H.B. No. 174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT RELATIONS BOARDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 881 (H.B. No. 89, H.D. 1, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 881 and H.B. No. 89, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Stand. Com. Rep. No. 882 (H.B. No. 281, H.D. 2, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 882 was adopted and H.B. No. 281, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 883 (H.B. No. 363, H.D. 1, S.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 883 was adopted and H.B. No. 363, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Kawasaki and Toguchi).

Stand. Com. Rep. No. 884 (H.B. No. 1350, H.D. 1, S.D. 1):

Senator Yamasaki moved that Stand. Com. Rep. No. 884 be adopted and H.B. No. 1350, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Soares rose to speak against the measure as follows:

"Mr. President, I rise to speak against this bill. I'd like to refer the members to page 6 of the committee report on the bill.

"It reads: 'In addition, such a tax increase will result in a large amount of revenues above the expenditure ceiling. The ceiling may be exceeded by a two-thirds vote of the legislature. As the Committee on Taxation and Finance of the 1978 Constitutional Convention stated in its committee report' it goes to say, and finally at the last part of the paragraph, 'In a revenue surplus situation, how can we justify such a need?'

"The committee report actually refers to a large surplus at the end of the next two years, and the fact is that we are going to be in a very positive position, Mr. President, instead of having to ask for a tax increase. So I stand again, consistent with my previous statements, that we do not need any kind of tax increase.

"I am happy to see the committee report actually agreeing with me. I just can't see us, again, going into conference with a tax package, knowing full well that we are going through a very healthy first quarter and it looks as though the trend is the same for an economic gain in the second quarter.

"I ask all Senators to vote 'no.'"

Senator Abercrombie spoke in support of the measure as follows:

"Mr. President, speaking in favor of it, I would commend the previous speaker's attention and those who have similar concerns to the rest of the committee report, in fact the rest of the paragraph being cited. I think that's only fair. It will indicate that the situation that the good Senator was speaking of is being corrected in this tax revenue measure, and I will quote that, if I may: 'To this end, your Committee is amending this bill to provide new revenues, while at the same time providing some tax relief to our citizens and reducing the total tax burden for individuals, creating more equity in the system, and encouraging businesses to do business in Hawaii which will result in more revenues to the State.'

"In other words, Mr. President, I would put forward the idea behind this tax package, which must go into conference, is to provide tax reform and the idea is to bring tax relief to our citizens and find new methods of raising revenues which will sustain the public treasury for the various needs which are deemed to be in the public interest. This is a tax relief measure, not a tax increase measure."

Senator Yamasaki also spoke in support of the bill as follows:

"Mr. President, I agree with the last speaker that the section of the committee report that was cited by the Senator from 11th District was the Ways and Means explanation of the House version of the bill, and all of the sections of the House bill is explained in the first section of the committee report up to page 6, in the middle of the page, and as the last speaker has said, we have amended the bill to provide the Senate position on the tax measures that we have sent individually over to the House.

"So, therefore, I'd like to request there be a better understanding of what we're trying to do in the Senate version of House Bill 1350.

"I urge everyone to vote for the bill."

Senator Soares then asked if the chairman of the Ways and Means Committee would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Soares asked:

"Mr. President, will the chairman give us a ball park figure as to what he expects this biennium surplus to be. How much our surplus will be at the end of these two years?"

Senator Yamasaki answered:

"Mr. President, right now, I think according to our projections it's close to \$75-\$100 million."

Senator Soares further inquired:

"\$75-100 million before the first quarter?"

Senator Yamasaki answered:

"According to the financial plan that we have based, on the bills that we have sent over to the House."

Senator Soares continued:

"What does the Governor's budget reflect in the next two years for the surplus?"

Senator Yamasaki answered:

"I think it's more than that."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 884 was adopted and H.B. No. 1350, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (George and Soares). Excused, 1 (Kawasaki).

House Bill No. 490, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 490, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 720, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 720, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 838, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 838, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRAILER REGISTRATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 284:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 284, entitled: "A BILL FOR AN ACT RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 519, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 776, H.D. 2, S.D. 1:

On motion by Senator Abercrombie,

seconded by Senator Yamasaki and carried, H.B. No. 776, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 434, H.D. 1, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, H.B. No. 434, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 108, H.D. 2, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, H.B. No. 108, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETENTION OF CASHED WARRANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 214, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Senator Hee and carried, H.B. No. 214, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMITTEE MEMBERSHIP," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 824, H.D. 1, S.D. 1:

On motion by Senator Fernandes Salling, seconded by Senator Hee and carried, H.B. No. 824, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT FOR GOODS AND SERVICES UNDER SECTION 103-10, HAWAII REVISED STATUTES, AS AMENDED," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 401, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," having been read

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

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

House Bill No. 153, S.D. 1:

By unanimous consent, action on H.B. No. 153, S.D. 1, was deferred to the end of the calendar.

Stand. Com. Rep. No. 899 (H.B. No. 194, H.D. 1, S.D. 2):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 899 was adopted and H.B. No. 194, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCRETION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (George, Henderson and Soares). Excused, 1 (Kawasaki).

House Bill No. 949, S.D. 1:

By unanimous consent, action on H.B. No. 949, S.D. 1, was deferred to the end of the calendar.

House Bill No. 193, H.D. 2, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 193, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WILDLIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1163, H.D. 2, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD VICTIMS AND WITNESSES; RIGHTS AND SERVICES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1166, H.D. 2, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1166, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VICTIM NOTIFICATION REQUIREMENTS OF CONDITIONAL RELEASE CENTERS; FURLOUGHS FOR PRISONERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1

(Kawasaki).

Stand. Com. Rep. No. 904 (H.B. No. 329, H.D. 1, S.D. 2):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 904 was adopted and H.B. No. 329, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 333, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 333, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 28, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 28, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1239, H.D. 1, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 1239, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1393, H.D. 2, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 1393, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 453, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, H.B. No. 453, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 40, S.D. 1:

By unanimous consent, action on H.B. No. 40, S.D. 1, was deferred to the end of the calendar.

House Bill No. 227, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 227, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CEMETERIES AND MORTUARIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 230, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 230, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 234, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 234, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 311, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 311, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 557, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Fernandes Salling). Excused, 1 (Kawasaki).

House Bill No. 743, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 743, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 757, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 757, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 759, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 759, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 839, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 839, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 995, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 995, H.D. 2, S.D. 1, entitled: "A BILL FOR

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

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

House Bill No. 1354, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 1354, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1356, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 1356, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1357, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1357, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1360, H.D. 1:

By unanimous consent, action H.B. No. 1360, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1366, S.D. 1:

By unanimous consent, action on H.B. No. 1366, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1489, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1489, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 346, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 346, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 347, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 347, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 240, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 240, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 755, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHIC EXAMINERS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 1285, H.D. 2, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 1285, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 932 (H.B. No. 697, H.D. 1, S.D. 2):

Senator Chang moved that Stand. Com. Rep. No. 932 be adopted and H.B. No. 697, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Cayetano spoke on the measure as follows:

"Mr. President, I'm going to vote for this bill, but I would like to just make note of the fact that this requirement is only required of employees of the Department of Education.

"In my view, if DOE employees are required to do this, next session we should consider introducing a measure which would impose this duty on all state employees."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 932 was

adopted and H.B. No. 697, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Stand. Com. Rep. No. 933 (H.B. No. 830, H.D. 1, S.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 933 was adopted and H.B. No. 830, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 558, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 558, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 265, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 265, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 229, H.D. 2, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 229, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 235, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 235, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHARMACISTS AND PHARMACY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Fernandes Salling).

At 11:05 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:07 o'clock a.m.

House Bill No. 509, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 509, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 520, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 520, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 761, S.D. 1:

Senator Cobb moved that H.B. No. 761, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie asked:

"Mr. President, would the chairman yield to a question, please?"

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

"Mr. President, would you ask the chairman, with respect to page 7 of the H.B. 761, Senate draft 1, is it his understanding that this bill will be worked on in conference with respect to the additional language on page 7 starting with '... the board shall also ...' finishing with '... performance of administrators;' with the idea of determining exactly what the object of the arrangements are to be in the sharing of information with respect to the DSSH and the Department of Health?"

Senator Cobb answered:

"Mr. President, in response to the question, the answer is 'yes.' A request is being made for conference on this.

"I cannot speak for the House but we're certainly relaying the request for conference along with the reason thereof in terms of the language."

At this time, the Chair interjected:

"Members of the Senate, before taking a short recess, it is the Chair's intent to continue the discussion until the business at hand is concluded."

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 761, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

THIRD READING

House Bill No. 29, S.D. 1, H.D. 1:

By unanimous consent, action on H.B. No. 29, S.D. 1, H.D. 1, was deferred to the end of the calendar.

House Bill No. 1257, S.D. 1:

By unanimous consent, action on H.B. No. 1257, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1231, H.D. 2, S.D. 1:

Senator B. Kobayashi moved that H.B. No. 1231, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Machida.

Senator Fernandes Salling spoke on the measure as follows:

"Mr. President, I rise to speak in favor of this bill with some reservations.

"As I understand the problem right now, what we're going to do is to mandate that the counties shall take over the responsibility and the administrative control for sewage and wastewater treatment systems.

"Whenever we mandate counties to administer a program presently handled by the state, it follows by constitution that we should provide those counties the funds to appropriately administer these programs. I notice on page 3 of the bill, however, that the Department of Health shall have the duty to administer from the effective date of the act, which is 1985, until July 1, 1987, '... or until such time as the counties receive sufficient funding ... whichever comes first.'

"As I understand it, in 1987, should we be unable to provide the funding to the counties, the Department of Health will no longer be responsible for administering this sewage treatment system, and the function will be turned over to the counties despite the fact we may not have provided the funding to them as mandated by the constitution.

"In light of this, I would like to suggest to the committee chairman in conference that he consider removing the provision relating to the July 1, 1987 clause and let it state that the Department of Health will be responsible for the administration of this system until such time that the counties are provided the necessary funds to administer them."

The motion was put by the Chair and carried and H.B. No. 1231, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 479, H.D. 1, S.D. 1:

Senator Kuroda moved that H.B. No. 479, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator McMurdo.

Senator Kuroda spoke on the measure as follows:

"Mr. President, I have been accused of backing off from a position on this measure. The House has selected the humuhumunukunuaapuaa but there are some members of this body who disagree with that choice and in the ensuing discussion some of the Senators have turned to me and called me a 'manini,' and I think that that is uncalled for.

"Mr. President, recess please."

Senator Cayetano interjected:

"Mr. President, recess or not, I'm sick of all this. I move that we reorganize the Senate."

Whereupon, all Senators adjourned to the Minority caucus room.

At 12:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 12:55 o'clock p.m., the Senators re-emerged from the Minority caucus room. Senator Abercrombie took the podium, Senator Soares sat in the Majority Floor Leader's chair, Senator Cayetano sat in the Minority Floor Leader's seat, and Senator Wong was relegated to Senator

Abercrombie's seat.

Senator Abercrombie then remarked:

"Members of the Senate, we thank Senator Wong for being as gracious in his defeat as I was in mine when I was removed from power. This is government as Senator Kuroda has said, we've had a good discussion.

"We've heard one side and we've heard the other side. We've heard pros and we've heard cons. I think you all remember Senator Kuroda saying that. That's why we've tried to maintain him here as the Majority Leader.

"I'd just like to say in conclusion that we really appreciate the opportunity to play this April Fool joke on Dickie Wong."

At 12:57 o'clock p.m., the Senate reconvened with all Senators in their proper seats.

At this time, Senator Kuroda rose to speak in support of H.B. No. 479, H.D. 1, S.D. 1, as follows:

"Mr. President, the Senate has amended the bill. The House selected the humuhumunukunukuapuaa but the testimony during our committee hearing indicated that there should be a time limit in the naming of the state fish inasmuch as there are many other people who have come forward with names of other fish and the consensus among adults that a more scientific name should be applied.

"Although the word 'manini' is not a scientific word, there is considerable support for the manini; therefore, the committee has decided that the humuhumunukunukuapuaa should be the state fish for a period of five years."

Senator Kawasaki then said:

"Mr. President, while I'm voting for this bill, I do so with reluctance and sometimes I think I'm not doing the right thing here on these rare occasions.

"While the humuhumunukunukuapuaa has a very colorful and long name, longer than the fish itself, it is a very poor swimmer; it just waddles along in the water, and I should know, I've been skin-diving for perhaps two decades.

"Less the public gets the wrong impression, the humuhumunukunukuapuaa is the most inedible of fishes that frequent the Hawaiian waters.

"I hope the public is guided by the opinion of people who know fish. As a matter of fact, it is said that parts of the fish are poisonous so I would not suggest that you

cook this with black bean sauce, Chinese style, because you're going to be a very sick person after that."

Senator Hee then remarked:

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

"Precisely for the reason Senator Kawasaki mentioned, there are some of us who waddle around here and are quite venomous, but that, nonetheless, being the choice of the constituency, the humuhumu should prevail."

Senator Matsuura also spoke on the measure as follows:

"Mr. President, I rise to speak in favor of the measure.

"As some of you know, I was a co-introducer to this famous resolution. There's a remark that I placed in the House Journal that I would like to place in the Senate Journal.

"When the resolution was first introduced, I made sure that the 'unagi' not be a contestant. That is what I want to put in the Senate Journal."

Senator Abercrombie then remarked as follows:

"Mr. President, speaking in favor of it. I think everyone has had a good time with this issue, but something really marvelous has happened as a result of it.

"For those of us who have had the opportunity to attend various functions, for example, at the Waikiki Aquarium, a tremendous job that the aquarium has done ... Dr. Leighton Taylor at the aquarium, Friends of the Aquarium, school teachers and young people throughout the state ... you've seen the tremendous displays that have been made, including even the muppet type representations of the various fish. Contests were held; our local businesses participated; we've gotten posters out. The end result has been that great numbers of our young people as well as many of our older citizens have received a tremendous education in marine affairs that they've never had previously.

"We speak of ourselves, ours as an ocean state. We pass numerous bills including bills today with respect to aquaculture and marine affairs of one kind and another, right on up to and including the university.

"So, this has been a tremendous process for everyone in the state and I feel that especially since we turned the situation loose, if you will, to the public at large, especially to our young people across the

whole state, we must keep faith with them and be voting for the humuhumu.

"I might say, in conclusion, that I think in terms of public relations with the rest of the country and the rest of world, the song that incorporates the humuhumu into it have made that name familiar to people the world over. I think it will bring a smile to the faces of many, many people throughout the state, the country and the world when they become more familiar with it.

"So, as an educational device, as a marketing device, as an opportunity for us to celebrate those things that we all enjoy in Hawaii, I think the humuhumu is a good choice.

"It also does not prevent the aquarium itself, for example, of maintaining the lawiliwili as the symbol of the aquarium.

"So we can have an official state fish and we can represent perhaps some of the other fish that are popular in public mind in other ways and in other manners that keep them prominent as far as being able to be cited as being fishes in Hawaiian waters and near and dear to all of us for one reason and another."

Senator McMurdo then added:

"Mr. President, I just want to say that during the public hearing that we had, the school children showed that they had learned an awful lot about fish.

"I'm speaking in favor of the change that we made on the five years that the humuhumu will reign. I think this gives the next five years ... the school children down the line another opportunity to learn all of this. It was nice that the committee's open hearing went so swimmingly and I can assure you there was nothing fishy about the way the report came out."

Senator Holt then asked:

"Mr. President, will the chairman of the Tourism Committee respond to a question?"

The Chair posed the question and Senator Kuroda having answered in the affirmative, Senator Holt asked:

"Will the passage of this bill, and the reason I'm asking this question is because I have been, on occasion, bottom fishing and we happen to come across quite a few humuhumunukunukuapuaa. Will the passage of this bill mean that it would be illegal for me to catch the humuhumu?"

Senator Kuroda answered:

"Mr. President, that would not be so. It's only the naming of the state fish. There's no prohibition on catching the state fish."

Senator Holt continued:

"Thank you, Mr. Chairman. The only reason I ask that is because I just want to state, on behalf of all the other fishermen in the state, that we can go ahead and continue our fishing despite the fact that very often we will be catching the state fish. Thank you."

Senator Kawasaki then added:

"Mr. President, I just want to inform Senator Holt, as I said, this is the most inedible of all fish. For what reason would people want to catch it?"

Senator Holt answered:

"Mr. President, in response, the humuhumu does not live up to its name. When you put the bait in the water, it does not go swimming by. It is not what we want to catch."

Senator Toguchi then said:

"Mr. President, I am voting for this measure.

"I do quite a bit of recreational fishing and I just want to assure Senator Kawasaki that every humuhumu that I catch, I'll be giving to Senator Kuroda."

The motion was put by the Chair and carried and H.B. No. 479, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FISH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 195, S.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 195, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENFORCEMENT PROGRAM OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 353, S.D. 1:

Senator Cobb moved that H.B. No. 353, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie spoke against the measure as follows:

"Mr. President, I refer you to the second page of the bill, and I find it incomprehensible that we can have it before

us and would hope by the end of the discussion that the chairman will consider recommitting this bill.

"We have two different sections operating here, Mr. President, and I always think that's a bad way to do things. I call your attention to page 2, as I said, and on to page 3.

"In the one hand we're talking about 'Forfeiture, warning, notice to vacate, refunds.' and we go into a definition of a 'common nuisance.' And on page 3 we talk about 'Pets in rental units.' Even that, we're now down to, if you can believe this, seven points under 'Pets and rental units.'

"We talk about over regulation in government. It's absolutely incredible to me that we can get into that. You look on page 4 and it says 'The tenants may keep only those types of pets which may be permitted by the owner;'.
 "There are hundreds of categories of dogs, alone, that exist today. Is all that going to be enumerated?

"We're now down to types of pets. It seems to me it could be written a lot simpler, if what you want to do is deal with pet control in rental units. And we've managed to get through how many years of human existence without us having to write a bill about pets in rental units. That could be put right into your lease agreement, all the rest of these things right now.

"Why we have to pass a bill on it is absolutely beyond me. I'm sure my colleague to the right cannot possibly be for this kind of regulation when it is already possible for it to be done. So, there's no compelling need to do that.

"I would be against the bill not only because of those indications, but, Mr. President, I would like you or the chairman or anyone to define for me what this 'common nuisance' is beyond that which appears here.

"If you look on page 2, it says, '... within or upon the rented premises which act or condition ...' and then there's a bracketing out 'is defined as the offense of' and the word 'constitutes a' is substituted, and the phrase 'common nuisance' and you'll notice that bracketed out is 'in section 727-1.'

"Information given to us by our attorneys is that that was an obsolete reference, and I can understand why it is obsolete. I hope that people who have not had the opportunity to read it ... people in the gallery ... let me tell you what you're going to be involved in if you are a renter.

"A common nuisance is defined as the endangering of the public personal safety or

health; or doing, causing, promoting, maintaining, or continuing what is offensive, or annoying and vexatious, or plainly hurtful to the public;'

"Now, I'll have you define what is 'plainly hurtful to the public' ... and if you're going to talk about being 'offensive, or annoying and vexatious' that applies to everybody in the room at one time or another, and most certainly when it comes to, for example, someone trying to deal with small children who may be crying, who may be ill. That may be vexatious to other people and it may certainly be annoying. I was saying that this then is grounds of notice to vacate because you have a sick child?.

"I think it's outrageous to try and put across this kind of language ... 'or is a public outrage against common decency' ... a public outrage against common decency. I can't believe that any of this is enforceable. What constitutes 'a public outrage against common decency'?

"What if you were seen bringing a book that somebody disapproved of in terms of your reading it into a building. Is that a public outrage against common decency? 'Or common morality,' I would hesitate to even begin to describe what constitutes common morality. 'Or tends plainly and directly to the corruption of the morals, honest, and good habits of the people' ... does that mean we cannot eat fattening food? Does that mean that we cannot engage in whatever habit is considered by somebody to be a bad habit that you consider a good habit, for example, smoking?

"If the landlord feels that it is not a good habit to smoke, that that is a corruption of morals and most certainly is plainly hurtful to the public because the smoke would drift out and I might have to breathe it. Does that constitute grounds for notice to vacate?

"What I'm saying, Mr. President, is that this kind of language was removed for good reason because it is arcane, because it is obscure, because it tends towards abuse and most certainly it tends toward arbitrary and capricious enforcement.

"I maintain that it is impossible for anybody in this room, attorney or not, to tell me what the plain meaning of all that language is in terms of your tenancy. I can, however, say that if it is passed, it's liable to end up in a lot of harrassment for people who otherwise do not deserve it.

"Now, if there is a problem with people being a nuisance, why cannot that be written, what the rules and regulations are with respect to apartments?

"I'm signing a lease agreement with my mother right now for the apartment that she's moving into in the next month. My

nephew has just signed a lease for an apartment and there is a rule that they had to appear in front of a group of other apartment owners. The rules were laid down in a face to face meeting, as well as in writing, as to what you could do and what you couldn't do. You have the choice of whether you want to move in or not with respect to what constitutes a nuisance to other people. All those things were laid out. Why do we need a law of this kind with the kind of abuse that's likely to happen?

"Mr. President, the final phrase there with all of the other things that I quoted to you is 'without authority or justification by law'. Is this going to be a situation where tenants are going to find themselves, or landlords for that matter, involved in annoying, offensive and vexatious suits, because of this language? I don't think it makes any sense.

"Mr. President, the Democratic Party is supposed to be the party of people. It is not supposed to be the party of property in the sense of the arbitrary assertion of property against people. The Republican Party certainly asserts itself these days as having similar inclinations and goals.

"What possible good use can this law be put to if it passes, and what mischief might be worked if this law passes, and that use is the use that is put in terms of people arbitrarily or capriciously utilizing this kind of language to carry out whatever designs they have on somebody they don't particularly care for. There is no justification for this kind of language. I do not believe there is an attorney, including our own, that can tell us what it means other than causing more trouble than the law is meant to deal with.

"Thank you."

The motion was put by the Chair and carried and H.B. No. 353, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LANDLORD AND TENANT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Hee, Kawasaki and Soares).

Stand. Com. Rep. No. 853 (H.B. No. 463, H.D. 2, S.D. 2):

Senator Yamasaki moved that Stand. Com. Rep. No. 853 be adopted and H.B. No. 463, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Fernandes Salling spoke on the measure as follows:

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

the bill.

"In doing so, I would like to express some of my reservations and also my hopes for the bill in conference committee.

"I think we all recognize the importance of this bill. All the interests have come to visit us to tell us how the present law affects them and how badly the law needs reform. They all offer a point of view and a solution. But in offering this point of view, I feel that lost in all the discussions, all the lobbying by business, labor, insurance companies, health care providers, lost because of the squabbling over particular provisions that may or may not decrease cost, is the philosophy behind our workers' compensation plan. And this is what I would like to focus briefly on today.

"The business community has embraced Mr. Haldi's specifics as if they were definitive answers to our escalating workers' comp costs. While the report has been helpful to their point of view, we must remember that Haldi himself cautioned that true cost savings will never be realized unless some basic considerations of workers' compensation laws are first addressed.

"Foremost of these considerations is the objective of our workers' compensation program. I think everyone will agree that the primary objective is to compensate those workers who suffer injury at the work place. As Haldi mentions, the way to achieve this objective is through an effective and efficient program.

"I quote from page 69 of the Haldi report: 'an effective system should provide (1) broad coverage for the working population, (2) coverage for all work related injuries and diseases; (3) sufficient medical care and rehabilitation services to achieve maximum and prompt restoration of the injured workers' physical condition and earning capacity; (4) substantial and prompt protection against interruption of income; (5) fair and equitable replacement of a high proportion of the spendable income lost by workers who suffer permanent disabilities; and (6) correct incentives to all concerned parties, i.e., injured workers, employers, insurance carriers and providers of rehabilitation services.

'An efficient system requires that: (1) a substantial portion of all outlays for workers' compensation should be used to rehabilitate injured workers and provide for their losses; (2) rehabilitation services be provided in a cost-effective manner; (3) the law, inclusive of all implementing rules and guidelines should seek to minimize the number of disputes and the cost of resolving fairly and equitably those genuine disputes that do arise; and (4) the system be administered effectively, with lowest

feasible overhead costs.'

"Given that these are the objectives of our program, let us examine how our current S.D. 2 addresses them, and for the sake of brevity, I will address mainly those provisions that have stirred the greatest disagreement.

"Waiting period and retroactivity — Hawaii has the shortest waiting period in the United States. Haldi has identified this short period plus the short retroactive period as one of the reasons for the large number of cases which involve indemnity payments. It is very possible and highly likely that people with minor injuries are encouraged to 'stretch out' their healing period in order to receive wage loss payments. Under our current system of determining wage loss indemnity payments, a large number of people with short-term disabilities actually receive more after tax income for not working than for working. Combined with any type of private wage supplements provided by employers, this amount can far exceed normal take-home pay. This is hardly the type of incentive that we should see in a system that wishes to encourage workers to return to work as soon as possible.

"The current S.D. 2 could conceivably make this problem worse, and has little chance of rectifying the problem. The language of the current draft allows retroactive payments if the 'injured employee had not received or become entitled to any type of full wage loss replacement for the duration of the waiting period.' Not only is this provision confusing in its tenses, but it is also nebulous enough to allow an employee who is temporarily disabled to continue collecting both workers' compensation wage-loss payments along with any payments made through an employers wage-loss plans, if the employers plan does not cover the entire waiting period. If we insist on maintaining retroactive payments for waiting periods, we should prorate any payments to exclude those days covered by private sick-leave or wage-loss payments. Otherwise, I ask, if we are providing the proper incentives for workers to return to work as soon as they are able.

"The presumption clause — I think we would all agree that it is better to err by compensating a possibly invalid claim than to err by failing to compensate a claim that was valid. And because the employee has no right to tort action, workers' comp should cover 'every type of injury or illness that is known to be caused by work, and any afflictions which may reasonably be related to work but which are not yet known to be caused by work.'

"It should not be our 'intent to include

such occurrences as: (1) illnesses caused by hereditary factors or by communicable or mental diseases that are not work related; (2) health problems arising from the normal aging process or life style; (3) injuries sustained from non-work-related accidents.' If we compensate workers for these types of illnesses or injuries it will convert the workers' compensation program into a broad-based system of unlimited health care plus income continuation for all workers, virtually without regard to cause. Although these types of claims are currently only responsible for a small percentage of the total costs, they have a great potential to add to costs in the future.

"In light of this, I feel that we need to change the presumption clause in regard to these types of injuries or illnesses to allow the system a chance to achieve equity in this area. Not only must we make our intent clear to the courts and the workers concerning this statutory change, but also to the disability compensation division's hearing officers. It is these officers who apply the presumption clause and 'whose decisions become the *de facto* decision in over 90% of all cases.' Because detailed written decisions are not required of these hearing officers, we have no way of knowing whether they interpret or apply presumption within evidentiary guidelines laid down by the court, or in a manner which goes far beyond the intent of the court. This leads me to the next item.

"The State Fund — although Haldi felt no need for a state fund, I feel that such a fund is both timely and essential. After speaking with a director of the California state fund, I realized that we are not able to make truly informed decisions on workers' compensation reform because we lack the necessary information to do so. The California system requires that hearing officers submit written decisions, that insurance and health care providers submit detailed reports and that any other participants in the system be included in some way in their data base.

"This allows the California state fund to instantly identify abuses by particular employees, employers, health-care providers, doctors, insurance companies, or hearing officers. They are able to use this data to correct problems that increase costs and abuse of the system. Hawaii keeps no such comprehensive records, has no system to interrelate such records, and doesn't even require hearing officers to submit detailed reports. How can we reform a system from which we can't elicit the relevant data to make our decisions? I am in favor of a state fund that would provide us with such information.

"A state fund that is administered by a private enterprise administration would also

contribute to controlling rates because (1) it would be non-profit; (2) it would include investment income reserves as part of the funds income; (3) it would enable us to get a true picture of the type of profits the private insurers are realizing, a picture we are not able to see due to the unfathomable accounting systems they use; (4) it could provide refunds of premiums paid; (5) it would provide for less delay or contest of worthy claims, while those that truly needed to be contested could be handled more effectively; (6) it would enable these small business who have demonstrated safety consciousness and effective safety records to pay rates that reflect these savings to the program; and (7) it will provide a model for the industry to determine minimum rates.

"I speak in favor of a state fund for unemployment insurance, but I have no desire to see this turn into an unlimited health care insurance fund that would be financially hazardous. Therefore, if we do establish such a fund, we must also enact the other necessary reforms to the system that would give such a fund a chance at survival. We must eliminate the incentives and disincentives that lead 'injured workers and claimants, employers, service providers, insurers, program administrators, appeals board to behave in ways that substantially raise costs without increasing the efficiency or improving the equity of the system.' The state fund should be set up and administered to ensure that valid claims are rapidly and equitably handled, and that specious claims are efficiently adjudicated. It is essential to the success of the state fund that all parties involved perceive it as being both impartial and effective, and not wasteful.

"The final provision I will comment on is the formation of an office of a business advocate. Although business has not requested such an advocate, I feel this office may contribute to the general well-being of the system. This office may provide for greater dissemination of information regarding rates and benefits, thus contributing to our decision-making. It may help keep rates down by serving as a watchdog on insurance companies, assuring that rates are neither excessive nor inadequate, and it will make sure that total returns to insurance companies are considered by the insurance commissioner when making premium rate decisions.

"In closing, let me say that many other changes to the current statute have been considered by this body as well as by our counterparts in the House. We have all heard many different figures that have been bandied about concerning savings to be realized if we adopt this or that provision. But what we as public servants must remember as we consider this bill in conference committee is that only a bill

which is fair to all concerned in the system will work. If there is any one group that feels cheated or neglected, it will create repercussions throughout the system.

"True workers' compensation reform must provide sufficient benefits to those who are deserving while at the same time deny those who would abuse the system. We must remove any incentives to anyone, be they workers, providers, employers, or insurers to subvert this purpose. Toward this end, we need to develop a common philosophy about workers' compensation in the conference draft. We can no longer afford the luxury of an antagonistic relationship between workers and employers, because it is the consumers, our constituents who finally foot the bill for this luxury. We need to see this spirit of cooperation toward this common purpose, or any nominal reform will be meaningless.

"This is my hope for the conference committee. It is a tall order but I hope they are successful.

"Thank you."

Senator McMurdo then said:

"Mr. President, I have great misgivings about this bill and I have considered voting 'yes' and to see what comes out of the conference committee. If I felt at all sure that this workers' comp bill would emerge from conference with a decent resemblance to the Haldi report or even better, I would vote for it. Since I have no hope that this will happen, I have no choice but to say I cannot support this bill."

Senator Henderson then spoke on the measure as follows:

"Mr. President, I rise to speak in favor of H.B. 463, S.D. 2, with some reservations.

"I call you attention to Standing Committee Report No. 853.

"On the first page, under the Purpose section, the report states that the purpose of this bill is to address a major insurance crisis brought about by the skyrocketing costs of workers' compensation insurance coverage in recent years. In fact, Mr. President, the stated purpose should be to address a major crisis brought about by skyrocketing costs of workers' compensation. Medical costs, wage replacement costs, and indemnity costs, all these actual payments, Mr. President, have increased on the average 20% per year, compounded for the last five years. As a symptom of this problem, Mr. President, insurance premiums have also risen an average of 20% per year, over the same five-year period.

"In this same section, Mr. President, the next sentence refers to a 54% premium increase in 1983, noting parenthetically that the 54% was 29% plus a 25% 'swing'. What the report fails to note is that a 25% swing works both ways: for some employers there was a 4% increase; for some employers there was a 54% increase. This sort of misstatement, Mr. President, discredits the committee report and causes all the findings to be suspect.

"The second paragraph of this section, Mr. President, continues the fiction that increases in insurance premiums are excessive and unwarranted.

"Under the section titled 'the Insurance Problem,' the report states that the fundamental cause of rising insurance premiums was a failure by insurance companies to consider investment income from insurance reserve funds in the rate-making process. The Twelfth Legislature amended the law to require the Insurance Commissioner to consider investment income in rate setting, but the commissioner has been unable to comply since the Legislature also required the moratorium on premium increases. However, if the fundamental cause of the problem has been corrected, perhaps insurance companies should be allowed to show what effect the so-called change in practice has had.

"Mr. President, the section titled 'A Non-Profit Competitive Fund' continues the fiction that insurance is the problem rather than the symptom. The report notes that California, Arizona, and other competitive state funds were established at the turn of the century. Thus, the funds were able to amass huge amounts over the years for investment. The California State Fund has a \$1.8 billion reserve fund; the Arizona State Fund has a \$400 million reserve fund; the Hawaii market, according to the report, is 'comparable to Arizona's' or equal to \$130 million, annually. If the market in Arizona is comparable to Hawaii, it would appear that the reserves should be comparable to Arizona's. Is the state prepared to fund the state fund to such an 'appropriate' level like \$400 million?

"Mr. President, the section titled 'The Business Advocate' is another area where the report attempts to confuse the real issues and draw attention away from meaningful changes which could be made to the workers' compensation law.

"The discussion of the 1981 Illinois case, suggesting that massive fraud by Illinois insurance companies was proven, is obviously biased. The trial court, says the Committee report, found more than \$1 billion in excess premiums were due Illinois employers because of the excessive rates.

The report continues: 'The case was settled on appeal.' and then suggests that the Brief for Plaintiff-Appellees be accepted as confirmation that 'the motives of insurers to inflate losses in the absence of auditing and regulation is evident.'

"This section also states that a business advocate is necessary to implement the Act 263, SLH 1983, provisions regarding investment earnings in rate making. Since the Insurance Commissioner has not yet had an opportunity to implement Act 263, this is an empty attempt, to say the least.

"Mr. President, the next section is entitled 'Other Cost Reductions.' We have seen two programs proposed that must increase cost to the taxpayers of Hawaii simply by adding highly paid employees to the state rolls and by providing huge amounts to start up a new insurance program. It is therefore difficult to understand this title: 'Other' reductions.

"Mr. President, we start with a 'preliminary note' that Dr. Haldi emphasized that Hawaii's statutory workers' compensation benefits are 'among the lowest' when compared with those of other states. Mr. President, Dr. Haldi's report on this subject reads on page 27: 'Comparison of major benefit provisions in Hawaii's statute with other states further indicates that, with few exceptions, Hawaii's benefits are neither higher than nor out of line with statutory benefits provided by other states.'

"Haldi goes on to say that the two-day waiting period in Hawaii's law is 'significantly higher' than other states. He further comments on the unusual feature regarding retroactive benefits, and then comments that Hawaii's workers' compensation law 'does not provide benefits higher than those provided by the typical state.' The discussion in the Haldi report is simply for the purpose of showing that benefit levels are not the cause of Hawaii's problems.

"The committee report continues, Mr. President, and points out with pride to the changes your committee has proposed to reduce costs. The first of these says that the waiting period has been increased from two days to three days and that the recapture period has been eliminated (sic). In fact, Mr. President, the recapture period remains unless the injured employee is paid full wage loss replacement. While this provision may lower the cost of workers' compensation, it must invariably increase the cost of sick benefits, and will make it difficult for some employees to resist staying out a little longer to recapture their three days. The net impact, then, Mr. President, is an increase in cost for sick leave at full pay as opposed to two-thirds, or some decrease in cost for employers

whose employees do not remain away from work for five or more days.

"The provision establishing guidelines is a true effort to improve the law. It will require a comparatively small amount of money to implement, and may well provide a cost reduction, but there has not yet been an official estimate as to the amount involved.

"The provision regulating attorney and expert fees will, as suggested, result in some cost reduction, but not enough to make a dent in any premiums. Further, despite the chairman's statement that he rejects the evidence that this provision is not unconstitutional, it probably does violate the U.S. and Hawaii Constitution.

"Assuming, Mr. President, that we ever find any fraud cases, the new penalties will have some effect. Dr. Haldi did not believe fraud was important, estimating less than 1% possible savings by eliminating fraud. It has been said that under Hawaii's present law fraud is unnecessary, that it is so easy to get compensation legally, one does not need to commit fraud. Nevertheless, the changes to the fraud provisions cannot help but have a beneficial influence on the whole state — employee, employer, provider, counselor and consumer.

"Regarding the 'prompt hearings' changes in sections 3 and 8 of the bill, Mr. President, we have been told, variously, that this is the most important cost reduction area in the bill, with 'target' cost reduction of 2% to 3%, and that nothing in this language really changes what the Division can presently do, and presently does. Let us assume, then, Mr. President, a 'target' (apparently defined as 'something we hope for') cost reduction of 1% to 1-1/2%.

"The changes to the reopening language, allowing no reopenings after 8 years instead of the present 10, should have as its primary effect reopenings about 2 years earlier than before.

"The Accident Prevention Unit and certification program will very likely have the effect of reducing accidents, as any safety program does, and therefore reducing costs. The certification program will assuredly reduce premiums since it mandates insurers to reduce premiums for those certified. Reducing accidents is a good thing, Mr. President. It seems to me, though, that a better way to do this job would be improving the existing program rather than creating a whole new program with its attendant costs.

"Mr. President, this brings me to the discussion in this committee report on the presumption. A Senator was quoted the other day as saying that the whole issue of

the presumption language in the Workers' Compensation Law was raised as a smoke screen to cloud the issue on the competitive state fund. This appears to be a masterful example of doublespeak, Mr. President, since the issue of presumption in House Bill 463 was raised long before the issue of the state fund. Further, Mr. President, the committee report repeats what surely anyone who has been paying attention to the issue should have realized to be erroneous by now — that is, that there is some relationship between presumption language in a Workers' Compensation Law and the Common Law Right-to-Sue for Torts.

"Mr. President, many states have no presumption language in their workers' compensation laws. California, in fact, has language which presumes the injury is not work related, and requires the employee to rebut that presumption — by the preponderance of the evidence. Furthermore, Mr. President, the original Hawaii law, adopted in 1915, has no presumption language. In 1915, the employee gave up the right to sue employers in common law action for torts — that is, for illegal acts such as negligence — in exchange for the right to receive benefits when injured in a situation arising out of and in the course of employment and without regard to fault. That is, even if the accident was totally the fault of the employee, the employer was liable for benefits. This was a good thing, Mr. President. Employees in 1915 tended to be not quite as progressive and compassionate, Mr. President, as most of us are today. It was very difficult for an employee to sue his employer in the first place, and far more difficult for an employee to be successful in the suit.

"Forty-four years later, Mr. President, in 1959, the presumption language was inserted in our law — hardly as a trade-off for the right-to-sue.

"In all of the testimony heard by House and Senate Committees on this measure, only one testifier advocated elimination of the presumption language. Generally speaking, it is appropriate for the law to make a little harder for employers to prove an injury is not work-related — unlike California. No one in the Senate, Mr. President, is advocating the elimination of the provisions of section 386-85, HRS.

"The discussion in the committee report, Mr. President, is detailed, but in many respects appears to be part of the doctrine that if you say something often enough, it becomes true. For example, Mr. President, look at the so-called two-tiered approach adopted in House Draft 2. Such language appears in several jurisdictions across the county. Surely in those states that have such an approach, there must be attorneys

of the caliber of those here who are so convinced of the constitutional defectiveness of this approach as is the Hawaii's Attorney General who states that the approach is not unconstitutional.

"Mr. President, the remainder of the committee report addresses areas which we discussed Friday evening, and I will not burden the Senate and you, Mr. President, with further discussion on these areas.

"Mr. President, this is not a good bill. It is nowhere near as good a bill as the committee report says it is. But, Mr. President, I think we need to pass a bill; I think we have made sure that the House will disagree if only on the section regarding the appropriation, and I think we should work on House Bill 463 in conference and bring out a meaningful piece of legislation to address the major economic crisis confronting Hawaii's business, employees, consumers, and taxpayers.

"Thank you, Mr. President."

Senator Abercrombie rose to speak in support of the bill as follows:

"Mr. President, I rise to speak in favor of the bill, of necessity because of some of the remarks made by the previous speaker.

"Mr. President, I will not burden you nor the body, either, by repeating what was said the previous evening. However, the previous speaker, my good friend and colleague, has indicated at least two areas in his remarks which reflect upon the words I had to say the other night and I would like to address my remarks in rebuttal.

"I think that, first, there is a misuse of the word 'doublespeak' with respect to 'presumption.' I don't know the literary capacity of whoever was aiding the good Senator in preparing the remarks, but the word doublespeak comes from an addendum to the book 1984 by George Orwell, which reflects upon on how an authoritarian society such as the one described in that book one was able to manipulate and maneuver opinion by virtue of manipulating and maneuvering language, and the word doublespeak is utilized as a particular kind of methodology utilized. It has to do not with the kind of thing that was mentioned by the good Senator in the context of the use of the word presumption.

"Doublespeak in 1984 has to do with minimizing the capacity to express emotion, minimizing the ability to describe a situation in terms other than the most elementary. If that is the case, I think that doublespeak may really more clearly apply to outfits like the Chamber of Commerce and others that have been utilizing the word 'presumption' in a manner in which

doublespeak is used in 1984.

"As I say, if something is good and something may be better, something is best, let's talk about good, plus good, double plus good, or bad, double plus bad, this kind of approach. It is meant to obscure; it is meant to provide an inability or to decrease the ability of people to describe with accuracy what is involved. I think that if that is the case, then surely my remarks do not constitute doublespeak. However, I think some of the propaganda that has been put forward by those who wish to make presumption the culprit in this area of workers' compensation, it may more appropriately fit them. I think they should look in the mirror before they make accusations about doublespeak.

"There is, however, another element in the book 1984 which does apply, and that is 'newspeak.' Newspeak is the situation where one word fits all, and in this instance I would say that presumption most surely has been utilized as a one word fits all item, such as was used in 1984.

"I was the person who utilized the word 'smokescreen' with its common meaning; that is to say, an attempt to obscure; an attempt to shield reality from the sight of one who wishes to see it.

"Now, in that instance, I think that the previous speaker indicated that times have changed. They certainly have, and I am perfectly willing to contend with whatever problems the presumption idea has put forward in the context of today's working life. I've tried to discuss that at length in committee. I've discussed it at some length with my good colleagues from the Republican Party, as well as in the Democratic Party, as well as with the chairman of the committee.

"The question here where presumption is concerned and where I raised it the other night, Mr. President, ... I thought was very straightforward. I don't believe that I was engaging in a smokescreen. I was trying to clear the air.

"The plain fact of the matter is, and you will notice in the remarks of the previous speaker, he did not refute what I said. I merely characterized what I said in a manner which in turn creates a smokescreen or continues the smokescreen.

"I said that the areas where presumption was involved in a public dialogue constitute a minor if not almost infinitesimally minimal area of the entire situation with respect to workers' compensation. I cited statistics filed for official publication which showed that the accident rate, as a matter of fact, had gone down by some 7- or 8,000 accidents between 1980 and 1983; that the

kinds of accidents that were injuries were associated with cuts, lacerations, punctures, strains and sprains had remained relatively constant, and more than half of those accidents, that is to say, tens of thousands of accidents and injuries, and that the elements that have now come into presumption in such great prominence: heart attacks, nervous diseases, mental diseases, etc., these kinds of stress, if you will, related injuries and their resolution constituted a small percentage ... as a matter of fact, in the tenths of percents, scarcely one or two-tenths of a percent of the cases.

"We are speaking about dozens of cases versus tens of thousands of cases. That's the context which I presented. It's not that I indicated in my remarks, if you will review them, Mr. President, will show that I thought that that was not important or that if it happens to the individual worker that it is of no consequence to that individual, but, rather, when we're talking about whether or not premiums can be reduced for the employers that have to pay them, it is a disservice to them to concentrate on areas which do not constitute the bulk, let alone any part of the bulk, of the cases to be settled.

"The previous speaker has cited some other instances where there are costs involved that need to be attacked and I don't disagree with those points at all. I do not want to have and I will repeat again, then, today, for the record, this public dialogue on presumption obscure and create a smokescreen as to what the real issues are involved, namely, that the workers are not benefiting from this precipitous rise in the insurance premium cost because it is all too easy to blame the workers, then, for those costs to the employer in terms of the premiums, even though the worker has had little or nothing to do with the decisions that are made as to what the rates are; let alone what the payments will be; let alone the circumstances under which those payments will take place in the workers' life.

"And it is a disservice to the employer who feels that he or she is burdened by these premium costs, wants something done about it and has touted to him or to her that it is the presumption situation which is causing this to take place. It may very well be that there are administrative elements and aspects associated with the presumption principle which need reform, which need looking at, which need to be changed entirely. And if that's the case, then, do it; but to attack presumption, itself, seems to me obscures and creates a smokescreen for that very kind of discussion.

"One further point, then. It is said constantly that those of us who have maintained that there are insurance

premiums and the rates earned, interest earned, income earned on the premiums are a key factor in the cost of workers' compensation. It's constantly said to us that insurance is not the problem, that we must be misstating the situation. I will just give you very briefly, Mr. President, ... but I will enter these charts and figures in the record, but just let me tell you that we do have a record from the Insurance Commissioner.

"The Report of the Insurance Commissioner of the Hawaii State Department of Commerce and Consumer Affairs, 1972-'82, a ten-year period. I will just refer to one or two columns very briefly for your information and to provide a perspective as opposed to a smokescreen for the members ... just a column on premiums earned, less loss of pay, that is commonly known as retention pay:

"Retention pay, 1972 - \$9,398,000, \$9.4 million; 1982 - \$64.9 million,' in a ten-year period; 1972, the retention incurred, that is, the premiums earned less the losses incurred ... all right, in '1972 - \$5.9 million; 1982 - \$28.3 million.'

"Mr. President, let's take a look at the estimated revenues from the program fund. Because there's been a moratorium, it doesn't prevent us from making assumptions, and I will tell you what they are as to what income might have been earned, estimated revenues.

"They are estimated and they are not accurate to the dollar, but I will tell you the basis upon which the estimation is made and give it to you again from 1972 and 1982 and I could give you all the figures in between and as I say, I will present them to you.

"Let me tell you, though, and tell the members that those figures have risen precipitously over the past ten-year period. Just revenues derived from the insurance industry from funds held in short term or long term accounts and invested in revenue producing investments, that is the estimated revenues that I'm taking about. Revenues derived from funds held either short term or long term accounts and invested in revenue producing investments, and I'm going to utilize a 10.5 percent return. I don't think that's out of line; I think it's probably pretty conservative.

"So if you look at the earned premium receipts placed in short term interest bearing investments in the year of receipt, in 1972 the interest revenue from incurred retention \$653,000. You know what it is in 1982? \$18.1 million, in the ten-year period. This is the time, don't forget, when accidents are going down and the number of accidents and injuries that we're talking about in the area of stress, etc., the

presumed new doom machine in workers' compensation, remain in the dozens, as opposed to the tens of thousands.

"Just one other figure, the incurred retentions placed in long term interest bearing accounts, compounded at 10.5 per cent: 1972 - \$1.8 million total interest revenues; 1982 - \$25.9 million.

"Mr. President, people may wish to maintain, if they will, and continue to maintain if they want to that the insurance companies are not making a bundle on workers' compensation and are not taking advantage of both workers and employers. If they wish to maintain that, they can do so, but they do so in the face of the facts, the financial facts, and that can easily be discerned just by a perusal of the information that is commonly available to anybody who wants to take the time to do it. The conclusion that I come to is that we are passing a bill ... I believe we have already passed a bill today to have a complete review of insurance, if I'm not mistaken a \$252,000 appropriation.

"In the past, I have been reluctant to vote for things like the Tax Commission review and all the rest of it on the basis that we could do it ourselves or the information was already available, but in this instance, I'm happy to vote for it so that we can clear the air once and for all with respect to what the insurance companies are doing to employers and employees in this state.

"We need to make this effort and I trust that in conference the thrust of the remarks made here, and in line with what Senator Fernandes Salling has presented, and the good faith effort of Senator Henderson, will be kept in mind."

Senator Machida supported the measure as follows:

"Mr. President, I have some written comments that I'd like to have entered into the Journal supporting the measure; however, I'd like to make some general comments on the bill at this time.

"Mr. President, as the subject matter committee chairman, it was my considered opinion when the session started back in January, and it still remains my opinion as we anticipate passing this measure on Third Reading and await further consideration during the conference deliberations, that the only way to achieve meaningful reform to reduce the cost of workers' compensation is for all sectors of the business community — working people, employers, insurance carriers, health care providers and others — to sacrifice a measure of their own interest. This, we all know, is easier said than done. Some have complied; others have not.

"Mr. President, the task has been an awesome one. We have before us House Bill 463, H.D.2, S.D.2, I feel that it is a measure that will achieve the goal of lowering the cost of workers' compensation. It is not a perfect document and should be worked on in conference deliberations and I will endeavor to do so.

"In closing, I would like to ask all members for the support of this measure so we can make this a perfect document after the conference deliberations are completed. Thank you."

(Senator Machida's written comments in support of the measure are as follows:

"A major issue that has faced the Legislature for several years has been the escalating cost of workers' compensation premiums to employers. The problem has been of sufficient magnitude and complexity for the Legislature to authorize certain actions designed to 1) moderate these costs; 2) examine the problem in a comprehensive manner; 3) hear out those involved in the program for their views and recommendations; and 4) deliberate carefully on the issue before deciding on what manner of changes are to be made to the program to contain its costs.

Your Committee on Labor and Employment has reviewed the reports prepared on the issue; conferred with the technical experts about the analysis, findings, and recommendations; and heard the various sectors involved in the Hawaii program on their views and suggestions.

Your Committee has as its purpose in the review and formulation of recommendations to:

- 1) maintain the integrity of the workers' compensation program of providing basic protection to employees who are injured or become disabled as a result of their work, and retaining the principle of excluding employers from other liability on account of work related injury or disability; and
- 2) consider program changes which address the major issue while not altering the fundamental purposes and structure of the program.

That is, your Committee sought to maintain a balance of these principles in addressing the issue of costs. Moreover, your Committee felt that as the problem can be attributed to the various program areas, its resolution should be sought from these areas. Towards that end, your Committee actively sought input and support of the various sectors for changes that would contribute to cost containment. Through this all, your Committee utilized the Haldi

Report as a frame of reference for discussion and deliberation.

As it is evident now, the Haldi Report fell short of providing the Legislature with a comprehensive analysis of the problems relating to the workers' compensation program costs in Hawaii. Specifically, data and analysis were lacking in areas of the insurance system and rate making, and in alternatives to the current system such as of state funds and open rating systems which were specifically identified in the specifications of the study prepared by the Legislative Auditor. Moreover, the report did not identify the considerable difficulties generated by the adoption of the recommendations proposed. The Department of Labor and Industrial Relations has estimated that such costs may be in excess of \$1.6 million, far more than what the administrative costs would be under the proposed bill.

I would like to report to this Senate body that despite the efforts made to secure some concurrence of the parties as to acceptable changes, a proposal satisfactory to all has not been achieved. We believe that we have here, however, is a bill which addresses the primary issue of cost containment, involves the 'giving' by all sectors, but still maintains the integrity of the program. I believe this is as fair a bill that is acceptable under present circumstances. It should be noted also that although much criticism of the proposal has been directed at claimant benefits, the rate of benefits to workers in Hawaii are not excessive and in some aspects lower than those in other mainland states.

The highlights of the bill are as follows:

- establishes a non-profit state competitive fund which will compete in the marketplace with other carriers that sell workers' compensation insurance in Hawaii
- establishes a business advocate to pursue the interests of employers in the establishment of rates for workers' compensation insurance in order to assure a fair and comprehensive review of insurance rates
- increases the waiting period from 2 to 3 days and eliminates the recapture provisions for those who become entitled to any full wage loss replacement during that period
- establishes guidelines for frequency of treatment and services of health care providers; regulates health care providers and establishes fee schedules for various services
- regulates fees of attorneys and expert

witnesses in benefit cases

- mandates prompt hearings and decisions on temporary total disability cases as soon as medical stability is reached in order to contain such temporary total disability costs
- increases fraud penalties and includes provisions for suspending and terminating benefits
- establishes an accident prevention unit within the DLIR to address the problem of higher job connected accident rates than in other mainland states, and to certify employers with good safety records to be used in the consideration of insurance premium reductions
- provides for the deductible options for medical benefits in insurance policies
- establishes Legislative guidelines on the purposes of vocational rehabilitation
- reduces the reopening of cases from 10 years to 8 years.

Mr. President and members of the Senate, I urge passage of H.B. No. 463, H.D. 2, S.D. 2.")

Senator Yamasaki spoke in support of the measure as follows:

"Mr. President, H.B. 463, H.D. 2, S.D. 2, represents a comprehensive reform of Hawaii's workers' compensation insurance law program. It is aimed at addressing what some have called a crisis, brought about by spiralling insurance premium increases as high as 54% in 1983.

"This bill is a product of a concerted effort by both houses of the Legislature to correct those conditions most responsible for those excessive rate increases.

"This measure reflects a problem-solving approach with one basic end in mind — to bring down the cost of workers' compensation. Each section of the bill is designed to correct or remedy in some way those factors which now threaten to undermine what was once characterized as our nation's best program of its kind.

"First and foremost, is the factor of excessive premium increases due to the failure of the insurance commissioner to consider investment income in setting premium rates. Some have suggested that high rates are merely a symptom of other problems in our statutory benefit system. I disagree. In 1983, the Legislature determined that the primary reason for inflated rates was the lack of consideration for investment income from reserve

accounts kept by insurers in setting rates. Today, these accounts total more than \$30 million per year. A reduction in rates of approximately 10% is expected, as Dr. Haldi predicted, with the full implementation of Act 263 of the 1983 session. By establishing a business advocate to represent the concerns and interests of businesses and employers (as opposed to those of insurance companies) in the rate filing and rate making process abuses of the past and future can be corrected and hopefully avoided.

"A second factor which accounts for inflated premium rates is the lack of sufficient market competition in workers' compensation insurance underwriting and sales. We have incorporated a non-profit competitive fund into the bill modeled after the California and Arizona funds which have a proven record of over a half a century. The cost-plus character of the insurance enterprise warrants a non-profit competitor to simulate further market controls which will lower premium rates in the long run.

"A third factor adding to the cost of workers' compensation is the high number of industrial accidents in Hawaii. To solve this problem the cooperation of employees, labor organizations, employers and government is necessary. We encourage the prevention of accidents by endorsing the concept of an accident prevention unit to promote educational programs, to make available safety professionals, and to certify good safety records. Those employers with such records are rewarded by premium reductions or dividends.

"A fourth factor which accounts for the high costs is the lack of effective controls on medical benefits where over-utilization has dramatically shown an increase in payments from \$11 million to \$34 million in just four years. A study into the problem reveals that one-third of all statutory benefits to injured employees is paid in medical expenses. We believe that the high frequency of treatments requires the establishment of guidelines, the promulgation of new fee schedules for all health care providers, and the imposition of penalties for violators. Furthermore, by increasing penalties for fraud and expanding the scope of the anti-fraud provisions of the current law, we send a clear message to all those who take undue advantage of the program that we will not tolerate such abuse.

"The fifth and final factor which accounts for the high costs is the lack of administrative controls by carriers and the Department of Labor and Industrial Relations over cases which account for extended wage loss.

- By allowing for medical deductibles to

employers and reducing the reopening period from 10 years to 8 years, we encourage employers to be more directly involved in case management.

- By increasing the waiting period from two days to three days and partially doing away with the recapture provision, we provide immediate cost reductions to employers and urge their speedy intervention in cases involving wage loss.
- By allowing preliminary decision soon after medical stabilization, we hope to stimulate employers and injured employees alike to address the need for prompt return to the active labor market of the disabled.
- By more specifically defining the objectives of vocational rehabilitation, we mandate that services be cost effective.
- By regulating attorneys' fees across the board, we seek administrative accountability of all who are involved in the delivery system.
- By requiring decisions from the Department of Labor within 60 days after hearings, we seek to eliminate bureaucratic causes to high costs in wage loss cases.

"Mr. President, we see through this bill the very same objectives of employers who have appeared in our halls this session. The bottom line on workers' compensation is cost reduction.

"Our best estimate is that this bill will result in savings to business from premium reductions and lowering of program benefit costs to approximately 25%. One part of these cost reductions can be expected by insurance reforms through the business advocate and the non-profit fund which we estimate at 10% to 15%. The other part is through benefit reductions and controls in cost areas where we estimate a reduction of over 10%.

"I call upon all of those who seek to improve Hawaii's business climate to act now, and to provide the much needed relief. This bill does not violate our prior commitments to the workers' compensation program and its philosophy; but it does deal with the five factors which account for the problem of costs.

"Mr. President, this is a big step forward in Hawaii for the first time in favor of employers. 1985 will go down in history as a historical year with the introduction of a state competitive fund to address the problem of costs in favor of the employers and to change the traditional way in which

premium rates have been addressed.

"Therefore, Mr. President, I ask for the wholehearted support of the members of this Senate on this bill."

Senator Cobb then spoke on the measure as follows:

"Mr. President, I rise to speak for the measure with reservations.

"The other night, during the debate on a proposed floor amendment, a question was asked, and I think quite legitimately so, what benefit or consideration is there for the workers either in this bill or in our discussions of a work comp?

"As I leaf through the bill, I can find at least five. One is the retention of the present presumption clause; two, are the fraud provisions which will discourage false claims and mean more benefits for those workers truly in need; third, is the requirement for prompt hearings on temporary total disability; fourth, is regulation on attorneys' fees and experts' fees; and fifth, is the accident prevention unit.

"My reservations are basically the same as those of the Senator from the 25th District and I would like to incorporate her remarks as my own for the purpose of expressing reservations.

"In addition, I see one problem contained either in the lack of the bill or the committee report and, that is, there's no specific legislative finding relative to the problem of court interpretations on the present presumption clause which has seriously discouraged additional challenges or questions being raised on that subject matter.

"A year ago, Mr President, we had a hearing in your Committee on Consumer Protection and Commerce relating to the insurance aspects of workers' comp and we found that the frequency of claims did result in lower benefits. In 1983 the same committee passed the now existing law that requires investment income to be computed in rate setting on workers' compensation insurance. The estimate at that time on the savings was 11 to 14 percent, and now that the moratorium is off, I'm going to be watching very closely to see that that kind of savings is implemented.

"Finally, Mr. President, I feel the real test on workers' comp will not be on Third Reading, but will come in the conference committee, in Conference Draft 1, when we have our final vote."

Senator Soares spoke against the measure as follows:

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

"House Bill 463, H.D.2, S.D.2, is a very bad bill, in my opinion. I'm against the idea of a business advocate that would do the job the insurance commissioner is supposed to do.

"I'm against the idea of a state fund, again creating a government-run insurance business involving staffing and funding at the expense of our taxpayers and probably costing millions of dollars.

"I'm against the idea of an accident prevention unit which would, at great taxpayer expense, duplicate the work already being done by OSHA, the Department of Labor, employers, and unions.

"I fully supported our Friday night's effort, Mr. President, wherein Senator Henderson provided 14 amendments and justified everyone of them carefully and clearly. I really believe that those amendments would actually take care of the problem that the bill now has going over to the House. I'm not so sure that we can rely on the conference draft taking care of the problem that we see. I'm a little afraid of that. But on the face of it right now, this bill is a bad bill. I cannot vote for it and I hope, just hope, that somehow we may be able to come out with a proper bill at the end of the conference. I don't think so. I think we're going to go through another conference again battling with one another and the bill coming out same as it is now.

"I'm going to vote against it now and against it then."

Senator Chang added his remarks as follows:

"Mr. President, I would just like to add a footnote to this discussion.

"When the matter of workers' compensation change first came up several years ago, the matter of the presumption clause was a term that was boldly tossed about and I have been rather eagerly awaiting a thorough and exhaustive analysis and discussion of that concept.

"After the report was submitted and allegations made about the effect and influence of that clause, I thought that the preparer of that report might have justification for his recommendations and so attended the House hearing on that report. The House Judiciary chairman proceeded to thoroughly dissect the analysis and recommendations of the consultant and, for all intents and purposes, destroyed the validity of that recommendation.

"However, as the bill progressed through

the House and Senate, the matter of the presumption clause and its influence and intent continued to be tossed about merrily by both the advocates and opponents of workers' compensation change.

"I have yet to see any attorney step forward and present a thorough, exhaustive analysis of the presumption clause as it is applied by Hawaii's state courts. I find that as a source of some puzzlement to me. The only attorneys who have presented themselves in public hearing to discuss the matter have invariably argued against any change and, based upon the record as presented in both chambers, I find that to be a very, very interesting phenomena.

"Thank you, Mr. President."

Senator Soares then remarked:

"Mr. President, may I have this information in the record against the bill?"

The Chair answered:

"So ordered."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 853 was adopted and, Roll Call vote having been requested, H.B. No. 463, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (George, McMurdo and Soares).

At 2:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:27 o'clock p.m.

Stand. Com. Rep. No. 881 (H.B. No. 89, H.D. 1, S.D. 2):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 881 was adopted and H.B. No. 89, H.D. 1, S.D. 2, 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, 20. Noes, 5 (Abercrombie, Cobb, Fernandes Salling, Kawasaki and Kuroda).

House Bill No. 153, S.D. 1:

Senator Chang moved that H.B. No. 153, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Chang spoke in support of the measure as follows:

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

"Mr. President, the committee report outlines for you the purpose of and justification for the bill. I respectfully request the members of this honorable body to read that report in the context of the historical circumstances which I will now briefly summarize.

"As the committee report indicates, Act 152 was enacted in 1984 to provide 'appointed, non-compensated members of boards and commissions with immunity from any civil action arising under state law, for damage, injury, or loss caused by or resulting from the member's performance or failure to perform an official duty. It expressly denies immunity to a member who acted with a malicious or improper purpose.'

"The intent of Act 152 was to provide protection to 'volunteer' members of boards and commissions from frivolous suits, suits extended as harrasment, and more importantly, suits which may be intended to intimidate or influence board and commission members in their decision-making.'

"What your committee found at that time, Mr. President, was that paid full-time policy promulgating government officers were already provided with the kind of qualified immunity which was provided in Act 152 and which is extended in House Bill 153 before us today.

"The rationale for that situation may be found in Professor Prosser's treatise on tort law, and I will read from that treatise on page 987:

'The complex process of legal administration requires that officers shall be charged with the duty of making decisions, either of law or of fact, and acting in accordance with their determinations. Public servants would be unduly hampered and intimidated in the discharge of their duties, and an impossible burden would fall upon all our agencies of government if the immunity to private liability were not extended, in some reasonable degree,...'

"Professor Prosser goes on from there to say:

'The considerable majority of the state courts take the position that there is no immunity where the inferior officer does not act honestly and in good faith, but maliciously, or for an improper purpose. The argument in favor of this position has been that the qualified privilege is sufficient to protect the honest officer who tries to do his duty; that official immunity should not become a cloak for

malicious, corrupt, and otherwise outrageous conduct on the part of those guilty of intentional abuse of power with which they are entrusted by the people;....'

and for this purpose, Mr. President, the courts have provided, in the majority of states that the standard 'malicious purpose or improper purpose' is the standard for breaching that qualified immunity.

"Your committee therefore recommended, in enacting Act 152, that the Legislature, in all fairness and for a public purpose extend that protection to volunteer members of boards and commissions. If I may read now from Standing Committee Report 538-84: 'Your Committee supports protecting "volunteer" board and commission members from frivolous suits, suits extended as harassment, and more importantly, suits which may be intended to intimidate these persons to influence policies and decisions. Such protection should encourage more people to contribute their valuable knowledge and experience in the community interest, and promote more open, deliberate policy and decision making in response to the general public.'

"Your committee amended the bill. It raised the standard of liability to an act for a 'malicious purpose or improper purpose.' This standard conforms with Medeiros vs. Kondo, 55 Hawaii 499, 1974, which is the controlling authority for the standard of liability of government officials.

"It's very important, Mr. President, to summarize what has been described thus far. What we found was that government officials, full-time paid officials of the government, promulgating policy for the State of Hawaii, were already extended a qualified immunity and this qualified immunity, an identical standard, was extended to those volunteer members of boards and commissions who are also seeking to effectuate state purpose.

"Now, as to what boards and commissions were covered by this extension of immunity, let me just briefly recount some examples.

"We have, for instance, the Board of Dental Examiners, which is not an advisory group, the Board of Governors for the East West Center Corporation, the Hawaii Community Development Authority, the Hawaii Housing Authority, the Hawaii Public Employees Health Fund Board of Trustees, which makes decisions on financial matters, the Board of Regents for the University of Hawaii, the Research Corporation of the University of Hawaii, and the Stadium Authority, among others.

"Mr. President, the members of the boards and commissions excluded by the enactment of Act 152 are very few. This

bill is needed to accomplish the purposes of Act 152 and fairly extend its protection to all persons similarly situated. For this reason, I recommend that House Bill 153, S.D. 1, be adopted by this body."

Senator McMurdo remarked:

"Mr. President, I would like to point out that although I was not in the Legislature during the Twelfth Session, I was quite aware of many things that were going on up here. I do remember that Senate Bill 152 started out as a knee jerk reaction to the heptachlor (contamination), and that the Board of Agriculture was originally what it was supposed to do (protect) - or one of the other bills like it, was supposed to do this - and that it was originally to be retroactive to before the heptachlor scandal came about.

"The way it is now, the bill went ahead, the retroactive bit was stopped, but there has been this immunity. Now, we want to extend this immunity ... I don't, but some people do ... to the Hawaiian Homes Commission, the Board of Land and Natural Resources. Both of these boards have a strong land trust obligation. Now, here we're going to grant them immunity when they have all this land they must be dealing with.

"The other one that we are adding is the Board of Trustees of the Employees' Retirement System. Now, we've just passed the bill which will give them the right to make all sorts of investments.

"I think that we are really being a little careless here in granting this much immunity. I don't think Senate Bill 152 should have passed in the first place and that the public perception of this bill is exactly what I said, that this was done to take the rap off the Board of Agriculture, if there should be one.

"I would vote against this bill."

Senator Fernandes Salling then said:

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

"The Hawaii law as it now stands provides immunity to certain members who sit on boards and commissions from any actions which they may commit that can be considered negligent or grossly negligent. They are presently held liable if it can be shown that their actions were malicious or done for an improper purpose.

"The bill that we have before us is going to extend that same immunity to those people that have land trust obligations, such as was mentioned, the Department of Land and Natural Resources, the Hawaiian Homes Commission.

"Now, in extending the immunity, what they're saying is that these board members with land trust obligations will no longer be held liable for gross negligence. They are now going to be held to the higher standard; you have to show that they have acted maliciously or with an improper purpose in order to show liability on the part of those board members.

"Now, the question is, would you want to extend this kind of liability to those boards and commission members that do have a higher duty of care with regard to their land trust obligations.

"It's been mentioned that the Hawaii Housing Authority does have dealings with land but the distinction to be made with them and these two land boards is the fact that Hawaii Housing Authority does not hold any land for the state; whereas, the Department of Land and Natural Resources holds those public lands in trust for the state, as does the Hawaiian Homes Commission for those native Hawaiians.

"The Hawaii Housing Authority, on the other hand, simply sells and deals with land but does not hold the land in trust for the State of Hawaii.

"The bill is even more dangerous, I think, because it goes one step further and it now is going to provide immunity from actions which are negligent or grossly negligent to those trustees that sit on the State Retirement System. Three of those trustees are elected. They are not volunteer members. Those trustees, it has been shown, are now controlling funds totaling \$2 billion as of June 30, 1983.

"We have recently passed bills out of this body over to the House which extends their discretionary powers so that they can make investments in land; they can now sell commodities. These people are acting more as a financial institution, and yet we are going to, by this bill, provide them immunity from actions which could be considered grossly negligent and hold them to the higher standard of malicious conduct and an improper purpose, showing in those cases some sort of deliberate, intentional type of conduct as opposed to a negligent type of conduct.

"Dealing with those kinds of money and managing the assets and the funds of the Retirement System, do we want to take this step and provide these people with the same kind of immunity that is presently enjoyed by other members, be they volunteers, paid, unpaid that sit on other boards and commissions.

"I would submit that a good analogy that we should consider when we look at the trustees of the Retirement System is that we should regulate them as we should have

regulated investment institutions to avoid problems such as we face with Rewald.

"Another example, perhaps, is the Bank Examiner. It may be not as good an analogy, but in that case, maybe we could find that actions were taken that were grossly negligent and yet under this immunity law that we have, board members would be immune for those actions unless one could show that it was done maliciously or for an improper purpose.

"To extend this immunity to these two boards, the DLNR and the Hawaiian Homes Commission, who have land trust obligations and who should be held to a higher standard of care, and also to the State Retirement System would be a dangerous move on our part in this Legislature.

"For these reasons, I ask all of you to seriously consider whether or not we should take this big step to grant these two departments and the State Retirement System the kind of immunity that other boards and commissions enjoy presently.

"Thank you."

At 2:43 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 2:46 o'clock p.m.

Senator Abercrombie also spoke against the measure as follows:

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

"Mr. President, I do not recall the vote made on 152. Because we did something wrong before is not a reason to continue it at this time. If anything, 152 then should be considered for changes perhaps to be revised or removed.

"Mr. President, in a time when we've gone through Watergates and have gone through hearings that indicated that there was incompetence, possibly malfeasance and misfeasance, when we have had example after example given to us of less than industrious application of the laws or utilization of the proper oversight and custody with respect not only to our laws but for the public welfare in health and in other areas, in our financial institutions, what kind of message is going to be delivered to the public in the midst of all of this, if we're going to provide this immunity and indemnification.

"Mr. President, we have before us, I think we have a list right here on the floor today, all kinds of commissions, all kinds of people whose names are coming up ... money will be spent by the taxpayers on this, Mr. President. No one is being forced, either to

run for office or forced to be on one of these commissions. And unless we're saying that this again is some kind of a reward to political cronies or some kind of a low grade adventure to be paid for by the taxpayers, people who serve on boards and commissions, at whatever level and whatever kind of obligation, should take their job seriously.

"Now, Mr. President, what we're saying here is very simple, that we're going to remove any incentive which at best can result in incompetence and at worst, corruption. Are we really going to say, speaking of immunity, that members of boards and commissions, as well as other officials in this state, are immune from corruption, are immune from the possibility of incompetence. I don't think so.

"When the phrase is used, 'frivolous suits, suits extended as harassment,' that's always used when you're the one who wants to define it as frivolous and being a harassment but for the citizen that brings that suit or the group that brings that suit, they don't believe it's frivolous, they don't believe it's harassment. And, besides, where it's government, government should be harassed. Government should be gotten after all the time, and all the boards and commissions.

"How many have I seen of these boards and commissions where people do not, as far as I'm concerned, take their duty seriously. And if I believe that they have done something that is not only against the public interest, but should be subject to suit, why shouldn't I be able to bring it? Why shouldn't I try and cause my neighbors to join with me in being able to bring a suit? That's the difference in this country, between us and many other countries, where to raise an objection at all sometimes is grounds for imprisonment or worse, that government should not be able to stand in some kind of position against the people where it cannot be brought to account.

"If anything, we can talk about the First Amendment about the petition for redress of a grievance. There are various and sundry ways that have been made available to us to petition for a redress of a grievance; among them is bringing suits against officials and members of boards and commissions in government if we believe those suits are warranted, and that should be judged by a jury. We're going to get to that before this day is out too.

"This is America, and we are not supposed to substitute our judgment or place the government in a position where it can dictate to the people. The people have to have recourse against the government officials and decisions made by government

in a manner and in ways that constitute civilized, justified approach to keep the civil peace. Every step that's taken that loosens that accountability and responsibility and obligation on the part of the government is a step backwards not a step forward.

"Speaking of being trustees, we're supposed to be trustees of people's freedom, the average person, the working men and women taxpayer in this state. Why do we pass things like this? What's the necessity for doing these things? Yet, we seem to do it day after day ... one more freedom after another of the average person in this state chipped away because we find it inconvenient, or someone with whom we are associated with in government finds it inconvenient to have to answer the public.

"Mr. President, I submit that neither you nor myself nor any member here is forced to be in this body. No one serving on these boards and commissions are being forced to do it. They are supposed to do it out of a spirit of public service and they should always stand ready to be accountable and responsible for what they do.

"By passing laws like this, we diminish that and it's another step in proving to the people of this state that we don't care what they think; that we do not hold ourselves nor members of boards and commissions and other officials accountable to them. We're reversing what it is that underlines the freedoms of this state and in this country. And if people think that's an over statement, believe me, all we have to do is go through some of the bills that we've been passing, everything that diminishes our responsibility and our obligations towards the citizenry. Everything that diminishes our responsibility and our obligations towards the things that make this country the free place that it is; in this state, the free place that it should be. That's the reason this bill should be submitted to either being recommitted or to be killed on the floor with a negative vote because we're supposed to stand for something, not just protect those who should not be protected."

Senator Hee rose on a point inquiry:

"Mr. President, will you ask the chair of the Judiciary Committee to yield to a question?"

The Chair posed the question and Senator Chang answered:

"Mr. President, may I hear the question?"

Senator Hee asked:

"Mr. President, would you ask the chair of Judiciary if this bill would apply to members of the Hawaiian Homes Commission?"

Senator Chang answered:

"Yes, it would, Mr. President."

Senator Hee continued:

"Mr. President, would you ask the chair of Judiciary if it also would apply to members of the Board of Land and Natural Resources?"

Senator Chang answered:

"Yes, Mr. President."

Senator Hee continued:

"Mr. President, would you ask the chair, if the recent negotiations between the Board of Land and Natural Resources and the Hawaiian Homes Commission with respect to the awarding of Shafter Flats in exchange for the airport ceded lands, which has been challenged by the Office of Hawaiian Affairs, were these members who have participated in this transaction of Shafter Flats be immune and indemnified from the constituents, namely, the Hawaiian people?"

Senator Chang answered:

"Mr. President, the question is not clear as to whether the inquirer is speaking with respect to the present law or the application of the bill to that past situation?"

Senator Hee continued:

"I'll restate the question. Mr. President, would you ask the chair that if these kinds of acts which resemble what has recently transpired between the Board of Land and Natural Resources and commissioners of the Department of Hawaiian Home Lands with respect to awarding or exchanging lands, such as Shafter Flats, in exchange for ceded lands ... if these kinds of transactions would occur subsequent to the passage of this kind of legislation, would those participants be immune from civil action by the Hawaiian people in this case?"

Senator Chang answered:

"Not, if those persons were found to have acted with malicious or improper purpose, Mr. President."

Senator Hee continued:

"Mr. President, I don't know how you define malicious or improper action or that it matters from the common man's perspective. Because of the response given by the chair, I will be voting against this bill inasmuch as it does not expressly clarify the right of redress by members of the community. I use this example because these kinds of exchanges between boards and trustees and commissioners often occur without redress and to provide immunity

from redress by members of the community who at the outset are at a disadvantage, is not proper and is not the kind of legislation which this body should enact. For those reasons, Mr. President, I will vote against this bill."

Senator Chang then said:

"Mr. President, in response to the last question implied by the previous speaker, the standard of malicious and improper purpose would be found in the vast body of case law, which as I mentioned is found in a considerable majority of state courts which take a position that there is a qualified immunity with respect to officers of state government. Thus, if one were to sue in the State of Hawaii, for example, the Comptroller who has exercise over vast amounts of money or the Director of Budget and Finance who also has investment duties, or for that matter the members of the board of trustees for the Employees Health Fund which is presently provided immunity, the standard of malicious or improper purpose would be applied because that standard is so provided by law.

"Thank you."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEMBERS OF BOARDS AND COMMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 12 (Abercrombie, Cobb, Fernandes Salling, George, Hee, Henderson, Kawasaki, B. Kobayashi, Matsuura, McMurdo, Soares and Toguchi).

House Bill No. 949, S.D. 1:

Senator Matsuura moved that H.B. No. 949, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Aki.

Senator Abercrombie spoke on the measure as follows:

"Mr. President, I rise to speak again on behalf of the people against this bill.

"It gets more and more discouraging as we watch the Democratic Party become something that it should not be. We're supposed to be the party of the people, not the party of property.

"Once again, we have a bill before us that will diminish the right of people to be able to deal with, in this instance, the developers, geothermal resources.

"I've brought up examples previously where other people think something is important. We could take wind farm; we

could talk about aquaculture; we should talk about zoning. We talk about putting up apartment buildings. We talk about those things which affect us as tenants.

"Are we going to be able to go directly to the Supreme Court? No, we will not. It's only when something is deemed in the economic interest of a particular individual or corporation, generally with big money, big power behind it, then we're only all too ready to accommodate them, and there are other bills coming.

"We're supposed to be protecting consumers; instead we're attacking them. We're supposed to be protecting our people; instead we're attacking them.

"If you're big enough and if you're powerful enough, then you can get someone to come in and try and make things easy for you. I've heard it said that this is supposed to protect the people who oppose this particular concept or the way it's being manifested. How can it possibly be said with a straight face? You have to have time to develop your evidence. When you are a volunteer group as generally these things are, where people are involved, or you come together on the basis of what is happening to you and meet one another, perhaps for the first time ... I can think of everything from the Date Laau Initiative recently, to, as I say, apartment owners, people in neighborhoods having to gather around the initiative with which they have not been confronted previously. When they have to come up against expert witnesses, they find themselves in difficulties having to do with the immediacy of the situation. And yet they're told that, in this instance, what's going to happen is, 'any other law to the contrary notwithstanding' ... that's all that's generally said ... everything else has been done to protect you, everything else that's been done to insure due process will be set aside ... an 'appeal of a contested case hearing under this section shall be made upon the record directly to the supreme court for final decision;'.

"Now, Mr. President, I'm not sure exactly what that means. Does that mean then that this issue as such with respect to, in this instance, geothermal resource subzones ... we concluded once and for all and no other basis can be raised for any question with respect to the designation provisions and land use of these subzones? Is that what that means? Final decision? That even if you come together and from your point of view discover that there is other bases upon which you wish to make an argument, that's it for you, because it's been decided in statute here that something called final decision will be a final decision in all aspects, all elements, regardless of anything else that's raised?

"It said that the reason we're doing

this is this is so important. Well, again, you see it depends on who it's important to, doesn't it?

"You see, I've raised issues here today about tenancy, for example, what's important to people, for example, a mother with a crying child. That doesn't mean anything to anybody. But that's annoying; it's vexatious; throw 'em out, who cares.

"We're supposed to be the people, the party that cares about people. But it doesn't make any difference. What makes the difference is, are you powerful enough to get people to come in here and get you special privileges. That's all that counts and that's what this is about. It's been said over and over again, oh, this is a big investment; this is going to have profound impact.

"We don't know if the investment can be made if people are going to be harassed. There's that word again, they are going to be harassed. It's going to be frivolous. You see, it's frivolous if you've got big money. It's harassment if you're a powerful person or corporation. But precisely because it is so important to the economy, because it's so important to the environment, because it's so important to the people involved in it, that's why the whole due process situation should continue to be made available, and we should go through it.

"This is another message being delivered to our people ... that we're going to run things regardless of what you think. We're going to push things the way we want to do it because we are in line and in league with people who have that kind of power. And until and unless you get that kind of power and can make that kind of impact on us, you're going to have to just trip along like everybody else, and you're going to have to take it. That's what this is about.

"I don't contest the idea that geothermal resources is an important decision to be made, but if it's an important decision to be made, it's important that the process be carried out in a manner not different from the process that anybody else carries out under other circumstances. It's even more important that we maintain the process because it has a high profile; because it is so important to the economy and to the community and to the social atmosphere that exist, not just on the Big Island but everywhere in the state.

"It's precisely those times when you have the big cases, when you have the high profile, when you have a notorious instance, that you have to make sure that people understand and believe that everybody is playing by the same rules. When you change the rules to suit the powerful, the rich, the influential, the message goes out once again that we've come a long way in the last 30

years in the Democratic Party in the State of Hawaii. We've come a long way to supplanting the very people that we said acted arrogantly, acted in their own interest, to do things that they wanted to because they were powerful. We look in the mirror and we see the very enemy we thought was vanquished.

"This bill and other bills like it should be defeated for that purpose and for that reason."

Senator Matsuura spoke in support of the measure as follows:

"Mr. President, I wish to speak in support of this measure.

"Mr. President, the intent of this bill is to streamline the judicial appeal process relating to a decision of an administrative agency authorizing geothermal land use activities.

"Under the Hawaii Administrative Procedures Act, Chapter 91-14, HRS, an appeal from an administrative agency's decision on geothermal activities must be first heard in the state circuit court before the Supreme Court of Hawaii will take jurisdiction over the case. Because the state circuit court is not the highest court of jurisdiction in the State of Hawaii, its decision is not a final judicial determination in all instances. Therefore, an appeal to the supreme court is required for an ultimate state judicial determination.

"Since the standards and criteria for judicial review in the Hawaii Administrative Procedures Act are identical for both the state circuit court and the state supreme court, there is a redundancy in the judicial review process. This redundancy concerns the review of the identical legal issues by the two courts.

"This bill seeks to eliminate this redundancy by having an appeal concerning geothermal land use matters to be appealed directly to the supreme court. However, the elimination of this intermediate and duplicative step does not jeopardize the right of an aggrieved party to have his or her day in court. Instead, the highest court in the state will hear a case in a more direct and expeditious manner. As a result, it will be an advantage to the vindication of legal rights by eliminating this duplication and the time, money and effort to receive a final legal decision from the highest court in the state.

"At the same time, geothermal energy projects will be able to proceed without undue delay awaiting legal appeals that take as much as three or more years to reach a final resolution. Appeals to the circuit court and the state supreme court are

automatic upon the filing of a notice of appeal irrespective of merit. And this is what is important.

"If for some reason you go up to the circuit court, examining the records that have been decided upon by the administrative agency, even if there is no merit, by making an appeal you go automatically to the supreme court under the same record that's going to be deliberated upon.

"Another intent of this bill is to relieve the circuit court of the burden of appellate duties, since its primary role is a trial rather than appellate court. This bill, and I repeat, this bill does not alter the procedure for legal appeals concerning other types of agency decisions.

"Thank you."

Senator Fernandes Salling then remarked:

"Mr. President, I recall when we considered this same bill as introduced in the Senate.

"It seemed there was an agreement that we had some principles at stake here, and that we had procedures in place that everybody was going to be asked to follow. Now we are coming here today and asking for an exception to those procedures that apply across the board to all people.

"The insult that I see here to those principles that we once held when we discussed the Senate version of this bill in caucus is the fact that we're saying, we acknowledge that we have some principles to abide by these procedures and not circumvent them for one or the other group. The insult though is to say, that's okay, we're just going to do it for five years.

"I submit to this body that there are many requests made by people who are in favor of geothermal, and there are a lot of us out there that favor geothermal, but we have to consider that year after year these groups have come in and asked for exceptions to the laws so that they can continue to develop their operations. Why shouldn't they be held to the same sort of procedures that apply to other industries out there that face the same kind of economic problems.

"Thank you."

Senator Abercrombie then said:

"Mr. President, I rise in rebuttal of Senator Matsuura's remarks. In fact, I rise to speak in rebuttal by quoting his remarks back to him. He's made my case for me. I ask you to pay strict attention to what he said.

"The reason we are to pass this bill which

gives an exception to these powerful people, as opposed to the rest of us, anybody else and I'm talking about business, I'm talking about individuals, is because this is a more direct and expeditious method. It saves duplication, time, money, and effort, and you can proceed without undue delay.

"Why shouldn't I or you or any other business be able to have a more direct and expeditious method? Why should the rest of us have to take the indirect methods, methods which are not expeditious? Why should the rest of us have to suffer duplication? Why should we have to put in more time? Why should we have to put in more money? Why should we have to put in more effort? Why can't we proceed without undue delay?

"But, the good Senator tells me, no, in this instance these people are supposed to have all these advantages that none of the rest of us have. And yet he says at the same time, this is not a precedent. And I would be willing to venture this, that it probably isn't until the next time that somebody rich enough, powerful enough, big enough, with enough compelling reasons come in and say they don't want to be bothered like the rest of us; they want to be direct; they want things expeditious; they don't want to have duplication in time and money and effort the other people, ordinary mortals, have to go through. There could not be a better argument to defeat this bill than the proponent's own argument.

"The exception will be made for the powerful, for the rich, for the influential; the rest of us can grub along just the way we always have. And that's what the Democratic Party is coming to."

Senator Cayetano, in support of the measure, stated:

"Mr. President, I'm going to support this bill. I was opposed to the bill in its original form.

"Mr. President, I think the points made by the previous speaker are very meritorious. They deserve great consideration, but I believe the previous speaker paints a picture which is not entirely correct and, for the record, that should be corrected.

"The fact of the matter is that in our judicial system today, we have carved out special exceptions for the kind of expeditious hearing this bill would provide. I cite for example cases which go from the board of labor appeals directly to the supreme court. We have done that in that area. I'm advised that cases which are heard by the PUC also go directly to the supreme court, so there are at least two instances or examples where exceptions like this have been carved out.

"Moreover, I think it's a misconception to somehow believe that the supreme court will accept every case that is filed with the clerk of the supreme court. The fact of the matter is that the supreme court, whether it be the State Supreme Court or the Supreme Court of the United States, has some discretion as to the kinds of cases it decides to hear or not hear. So, those remarks are intended to address the point that somehow this is the only exception that has been carved out in our law.

"It seems to me that the issue here is a policy one. The question is whether we want to make an exception in this case. My impression is that if one feels that this particular issue, the question of geothermal development, and without taking the side of the developer or the people who are opposed to it, if there are enough people in this body who feel that it's important enough to carve out what is a temporary exception, then the vote should be cast accordingly.

"Some of the remarks of the previous speaker seem to indicate that somehow this exception will benefit only the so-called rich and powerful. That is not entirely correct either, and we owe it to ourselves to make sure that we have the picture correct before we vote.

"The so-called redundant legal steps usually favor the powerful and the rich. It's usually the poor who are most affected by these so-called redundant legal steps because it is the poor who cannot afford legal counsel. So I think, in this particular case, we should take that into consideration.

"What is apparently happening on the Big Island is that there is a dispute between members of the community and those who are interested in developing geothermal energy. Apparently, the author of this bill feels strongly that the dispute may end up destroying the development of geothermal energy on the Big Island.

"But the fact of the matter is, what goes up to the supreme court is a record of appeal. The arguments on the merits are made at the hearing level and it is the record that goes up to the supreme court. It is, I think, misleading to say that this exception will prejudice the preparation of the case by members of the community who oppose the geothermal project. Under either scenario, whether it is the existing law that we're talking about or the exception carved out in this bill, if the community people were not ready at the hearing level, then they have a problem. That is where the preparation counts, not on appeal. The record goes up on appeal; the witnesses, the testimony, the expert testimony, the expert witnesses argue the testimony at the hearing level.

"I share many of the sentiments expressed by Senator Abercrombie and others who are opposed to this bill. But, as I said earlier, I believe this is a policy decision. I think all of us have to decide whether this particular issue is as important at this particular time, under the prima as set forth in this bill, to cover an exception as we have done with the PUC, and as we have done in labor cases. My own feeling is that, it is."

Senator Hee then remarked as follows:

"Mr. President, I will be voting against this bill.

"Let me say at the outset that I support geothermal, have always supported geothermal, and as a policy decision, as mentioned by the previous speaker, I would like to address my points to making policy on this floor and not specifically to geothermal, although let me recant a short history of geothermal, at least from my own personal experience in the Legislature.

"In 1983, the Legislature authorized the Board of Land and Natural Resources to establish subzones and, as a member of the House at that time and presently a member of this body, I still maintain that by doing that as a policy decision the Legislature effectively circumvented the existing process.

"That, notwithstanding, this Legislature has passed a bill to waive royalties now to geothermal developers. And, presently, we are about to take action on a bill which would now expedite the appeal process for the geothermal developers.

"At each step of the actions taken by the Legislature, we are told that, if this were not to happen the developers would pull out. In essence, very similar to what we were told by the solar business community that, if we did not extend the tax credits, their businesses would fold. Similar to, as a policy decision, that, if the Legislature did not raise the drinking age, the Federal Government would rescind \$17 million.

"These are the kinds of actions that I see happening, looking at it from a policy and not from a specific substance that this body will act on.

"My concern as a policymaker is that, what will be the next industry to use so-called threats or perhaps blackmail. Will it be manganese nodules? Will the Board of Land and Natural Resources carve out an area for the mining of manganese nodules and under the previous bill have immunity because some judicial body deemed that it was not maliciously intended. Or will this body act on various measures on leasing of the ocean, because some developer will say, without the expeditious process to go

straight to the supreme court, that privilege not accorded to anyone else but set as a precedent with the geothermal bill, will that take place?

"I think quite frankly this bill will set precedent, whether we choose to admit it or not, just as the previous bill has set precedent with respect to immunity. I think that my own view on this is that this does little or nothing for those directly affected by this legislation, namely, those who will contest such development.

"Whether they are right or wrong is not the issue, in my view. It is the right to process and if the appeal process is long and it takes time, then until we get a better system or, perhaps as a policy, that system might be a bill to say we will do away with the appellate courts and waive everything to the supreme court. If we do that as a policy, then fine. Then let us establish many supreme courts to handle the judicial overload which will surely take place.

"Speaking as one who sets policy and one who supports, unconditionally, geothermal, I would urge this body, because of its implications to other industries, because of its implications to those who will be directly affected at all levels, to vote against this bill."

Senator Toguchi then inquired:

"Mr. President, point of inquiry, please. I would like to direct it to the previous speaker, the attorney of the Senate, a person who is an attorney in the Senate, Senator Cayetano. May I direct a question to Senator Cayetano?"

The Chair posed the question and Senator Cayetano replied:

"Mr. President, with friends like Senator Toguchi, I don't need enemies. I will yield."

Senator Toguchi asked:

"Mr. President, I think after his talk I got a lot more confused here so I need to raise these questions.

"First of all, Mr. President, how and when do we determine if the circuit court is redundant in the legal steps?"

Senator Cayetano answered:

"Mr. President, my response is this.

"First of all, the word redundant was not my word. I was quoting the author of the bill. But let me give my impression of why the appellate process is set up the way it is; why we have one supreme court; why we have one appellate court; and why we have dozens of circuit courts, district courts, and boards.

"If we wiped out everything that was in between, the intermediate court of appeals, for example, our supreme court would be backlogged with cases and would never get anything done. The whole system, whether we like it or not, is set to weed out those types of cases which should not proceed further than a certain level. Thus, if a case proceeds, for example, from the hearing level and an appeal is taken to the circuit court which is provided under existing law, and the circuit court acting as an appellate court makes a decision and the parties decide not to go further, then it's dead.

"Let's say there's a decision in the circuit court and the losing party decides to appeal and it goes up to the intermediate court of appeals, and there's a decision there, the losing party may decide, thereafter, whether they want to proceed.

"The system is designed to weed out the cases as they go along. I don't know whether that answers your question, but I think that goes to the point of redundancy. As to how we determine whether it is redundant or not, I guess my answer is that the appellate system by nature, and for the reasons I stated, is deliberately redundant."

Senator Toguchi continued:

"Mr. President, then I would just like to raise this other point and it's based on his answer. He said the circuit court was to decide whether we should move it on to the supreme court...it's a weeding out. Then we are making that determination here. It's exactly what we're doing. We're deciding that it should move on. It's something that the circuit court should be doing. That was your statement."

Senator Cayetano responded:

"Mr. President, my statement described the existing system and not the system that is proposed under the bill for this particular issue. What I'm trying to say is that, should the bill pass of course, you'll bypass the circuit court and the intermediate court of appeals and go straight to the supreme court. It's a policy decision as to whether we want to do it just as we have decided we wanted to do it in the areas of labor appeals, in the areas of the PUC.

"You have to weigh the pros and cons and decide whether this issue is important enough. That's the only answer I can give to that."

Senator Toguchi continued:

"Okay. I would just like to raise another inquiry, my last point, last question.

"I'd like to ask the Senator how he argued

and voted on the ... we just had a bill and I think it was the board of labor appeals ... facilitated directly to the supreme court. How did the Senator vote and argue on that recent bill that just came out of the Labor Committee, this year?"

Senator Cayetano answered:

"Mr. President, I don't recall the bill. I really have no recollection.

"If the previous speaker wants to pursue this matter, give me the courtesy of a recess. I'll talk to the chairman if he can refresh my memory; I'll try to recall how I voted. I don't think it's particularly relevant to the issue at hand because I think that we are deciding this on a case by case basis. And as I stated earlier, from a policy standpoint, if you believe this issue is important enough then you should vote accordingly. If you feel that this issue is no more important, for example, as Senator Abercrombie stated then, a dispute involving landlord and tenants ... and I think there's a good case to be made there ... then, vote accordingly. That's the issue as I see it before us."

Senator Toguchi continued:

"Mr. President, I'll pursue this matter with the speaker as he suggested during recess. But I think it's important that I bring this up because the board of labor appeals was used as a precedent that we've had exceptions like that and that's why I pursued that in terms of how the Senator argued that situation.

"Mr. President, I just want to say that I will be voting against this bill.

"I can recall I was in the House when aquaculture was in its developmental stages. We did not consider a measure like this for that new industry. I think that if we start doing something like this we can extend this to other things. What if there is an effort to build a polluting factory here? Let's say that the factory would provide jobs, would provide economic opportunities. Can we make the same argument?

"Mr. President, I think the appeal process that we go through is very important. I disagree that it would not benefit the proponents and that it would be for the rich. I think that it's an advantage also, if you look at past cases like, for example, what happened out in the Windward side, Waihole-Waikane is an example of that where I think if we facilitated that process, I don't think that Waihole-Waikane would be a state ag park today. So, I say that it's necessary that we maintain the existing system and not tamper with it."

Senator Cayetano then inquired:

"Mr. President, would the previous speaker yield to a question?"

The Chair posed the question and Senator Toguchi replied:

"Yes, I will. I guess he doesn't want to talk about things during recess, so I will."

Senator Cayetano remarked and asked:

"Mr. President, no, this is an inquiry regarding the statement he closed with.

"Mr. President, would you ask the previous speaker how expediting the appellate process would benefit the rich, when it is the rich who can afford attorneys; when it is the rich who can afford delays, rather than the poor. I just don't understand that."

Senator Toguchi answered:

"Mr. President, I feel that the process that all parties will have to go through can be utilized by not only the people that have the money. I think that we have had situations out on our side where we've had access to legal aid attorneys and with their help, even though the process had been very long, they have been able to be successful in some of the cases. I just can cite that example."

Senator Cayetano continued:

"Mr. President, just as a response to that.

"What is involved in any kind of legal proceeding is a lot of costs, for example, for depositions, for subpoenas, for filing fees, and those costs are multiplied at each level the proceeding follows, whether it's the hearing level, whether it's the circuit court level, whether it's the level of the intermediate court of appeals, and whether it's the level of the supreme court. That will generate legal services; someone has to pay for that. It seems to me that it's common sense that the less of those kinds of steps there are, the better it is for the party that cannot afford the attorney."

At 3:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:57 o'clock p.m.

Senator Abercrombie then remarked:

"Mr. President, I'd like to, if I may, in brief rebuttal, bring the issue back to the bill as to what principle is involved.

"We've heard over and over again about policy decisions. I think we're talking about principles here because the policy wouldn't buy you a principle.

"I just want to reiterate for the members, before we vote, that if in fact poor people would benefit or could benefit or individuals and groups in the community, not ordinarily organized for purposes of a legal endeavor, can benefit by more direct access to the supreme court, or more direct access in any form in our judicial system, then shouldn't it be enacted across the board? Shouldn't we all have that same privilege, then? Shouldn't they have that privilege? Why should it be only in this particular instance? And, do we truly believe as has been said by other speakers that this will be the only instance?

"If it's to be judged on a case by case basis, isn't that an argument then that those who have access to the Legislature, not access to the courts but access to the Legislature, will be getting this kind of preferential treatment. And how is that to be applied then across the board in terms of the message that will be given to the citizenry?

"The situation here is that we are overruling the jurisdictions of the court by legislative action. That can be argued as being a legitimate endeavor. But if we are to do that and we are to pass laws of general application on the whole, then why are we not taking the same kind of attitude and applying the same kind of standard to the cases that I have just mentioned.

"We have review in a process; the Judiciary has a review in a process. We keep them separate for a check and balance. We are seriously interfering with that check and balance with what is proposed here.

"I conclude, Mr. President, by reminding the body of the argument made by the introducer of the bill, this is more direct, it is more expeditious, it saves duplication, time, money, and effort, and you can proceed without undue delay.

"Don't we all wish we could say and do the exact same things, Mr. President? I don't think this is the kind of message we want to deliver to the people of this state."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 949, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Abercrombie, Chang, Fernandes Salling, Hee, Kawasaki, McMurdo, Solomon, Toguchi and Young).

House Bill No. 40, S.D. 1:

Senator Cobb moved that H.B. No. 40,

S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

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

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

"You will note in the committee report that the Governor vetoed a like bill last year, and I think the Governor vetoed it for good reasons.

"One of the interesting aspects of this particular bill is that while, ostensibly, the bill originally was designed to take care of high interest rates that are chargeable by financial institutions on an extension of an agreement of sale, the concern was that for young couples particularly, buying into a home they bought an agreement of sale and they need to extend the agreement of sale, we don't want the interest rates chargeable in extending the agreement of sale to be too high.

"The bill provides that the interest chargeable to agreements of sale on a renegotiated basis would not be more than 4 percentage points higher than what was the interest rate charged on the original mortgage involved in that same parcel. This bill, however, is what I call the financial institutions' dream. It attempts to do what was never attempted in the past in the history of this state and that is, to completely remove all ceilings on interest rates chargeable to borrowers.

"And you know, in today's climate when you have to pay 18 percent when you borrow money on second mortgages, on uncollateralized loans and so forth, the only element that really suffers is these people who by economic circumstances cannot avoid borrowing money at these kinds of, what was ten years ago, usurious rates—18%, 24%.

"What this bill is going to do is to completely remove all ceilings on interest chargeable by financial institutions.

"And you know, I'm a little concerned. Much was said by Senator Abercrombie about protecting the interest of the ordinary person who is not represented by lobbyists around here, that the big, rich, and powerful people in this state have a lot of influence around here. Apparently, they do.

"I have seen, in my 19 years here, consumer interests subverted in the last six years like I've never seen it before. You know, in the old days all consumer interest bills were the purview of the Senate Committee on Judiciary. Well, six years ago or so ago, we spun off all bills relating

to consumers to make it going to a separate committee called, today, in my judgment, erroneously, the Consumer Protection Committee.

"And from what I've seen emanating from the Consumer Protection Committee in the last six years, I'm not quite convinced that we are protecting the interest of the consumers anymore. And this bill is a good example.

"Never before in the history of the Legislature has an attempt been made so brazenly by the financial institutions of the state, the banks, the savings and loans, industrial loan companies, retail merchants, people who provide credit cards, never has an attempt been made to completely remove all ceilings on interest rates.

"Passage of this bill will for sure substantiate the impression, rightly or wrongly, held in this community that if you are big and powerful, and you're well organized and you have money to buy fund-raiser tickets with, you can get pretty nearly all what you want passed by the Legislature. Passage of this bill would indicate to the general public that this is so.

"Today, I think some 14 states have removed all interest ceilings on certain categories of loans.

"Notwithstanding the fact that we claim that we are trying to protect consumers' interests here, in the last four or five years, I've seen a gradual erosion of interest rate ceilings that was ostensibly to protect borrowers who through circumstances beyond their control have to borrow money for one reason or the other.

"And the committee report talks about the concern for this young couple who has to renegotiate their agreement of sale and we don't want the interest rate chargeable to them to be too high, in any case, by the provision of the bill, not more than 4 percentage points higher than the interest rate charged on the original mortgage. But by the passage of this bill, what do we do about the young couple who went to a financial institution, they have been compelled to pay an 18 percent interest rate on the money that they borrowed, and possibly they put up for collateral whatever they could use as collateral. And they can't pay this loan, so it comes time for them to renegotiate the loan. By removing the ceiling, we leave this young couple at the complete mercy of the lending institution. The lending institution can say, we're going to renew your loan and we're going to charge you 30 percent, and you can't do a thing about it. Where is our concern for this category of consumers, if the passage of this bill is successful?

"We should have better concern about some of these people. And these people are not a few in this state. There are many people, beyond their circumstances, compelled to borrow money at high rates of interest. They have no place else to go.

"What about people who have the use of credit cards? I think the interest that we allow the financial institutions are very generous today. Removing the ceiling leaves no check on the financial institutions of this state as to what they can charge even on credit card situations.

"This morning or last night, within the last 48 hours, I got telephone calls from banker friends of mine, incidentally, presidents of banks, who asked me not to throw a monkey wrench in the passage of this bill, and I said, 'My God, you know the banks are doing real well, particularly two large banks.' As a matter of fact, the First Hawaiian Bank's last annual quarterly report showed that they are making good profits; likewise, with the Bank of Hawaii and Bancorp. The smaller banks, perhaps, are not making the kind of profits they should be making, I suppose.

"In any case, in the last few years we've allowed very generous statutes to help the banks in their effort to make money. And as to any confidence that we should have that the financial institutions would not exploit a bill that removes all ceiling, take a look at the charges you are charged by the banks today on overdrafts, on keeping a minimum balance in your bank account and your charge accounts. I think the banks have it good today.

"I think the deregulation of the banking institutions today really resulted in a disservice to the consumers of this state and this bill being passed is the last of the regulations that would somehow help the consumers.

"You know, it's said, well, let's have the open market dictate what interest rates are going to be charged by the banks. At least if there is a ceiling, there is an expression on the part of the Legislature to the financial institutions that, 'hey, we want to make sure that you people do not abuse this privilege that you have had the last five or six years in charging rates of interest that more than comfortable for most people.'

"For most people, their monthly payment does not really amortize the original loan. The principal of the loan rarely gets amortized. They're just about keeping up with the interest payments required on their loan. This is the kind of situation we're finding ourselves in today.

"And as to the open market argument, you know one of the problems we have as was

stated a few days ago, in this week's discussion, about the workers' comp abuses. That's an open market situation with the insurance companies, and look what they're charging in the way of premiums. That's not a regulated market. The insurance companies can charge whatever they want to employers for the workers' comp premiums. That's an open market.

"So my confidence in the ability of business people to use some discretion, to have some restraint on what they charge consumers, has waned considerably. And I maintain that like the 36 other states that at least have some kind of a ceiling on interest rates chargeable, let's maintain some semblance of an interest rate ceiling, even if that ceiling has to be rather high. Completely removing all ceiling, I think is going to be a field day for the financial institutions. And who suffers most, that segment of our population who could least afford to be exploited by the financial institutions.

"For that reason, I speak against passage of this bill."

Senator McMurdo then stated as follows:

"Mr. President, I'm speaking against the bill, and I share many of the previous speaker's feelings on this.

"Also, I'd like to add another thought. This bill takes the interest ceiling off of regulated lenders, retail installment sales, transactions of merchants, credit cards, and that sort of thing. And the questionable rationale here is that interest rates should be controlled by the marketplace, rather than by arbitrary ceiling set by law. But this same bill turns right around and discriminates against the private individual by establishing a ceiling on any agreements of sale made after the effective date of this act, and pegging it in at 4 interest points above the highest rate of interest charged on any mortgage on the property. Why? Because some young buyers have faced prohibitive interest rates when renegotiating an agreement of sale.

"Well, if this act were to take place, and indeed the marketplace did level out the interest rates, there shouldn't be any problem for this young couple in getting a better interest. But I do submit to you that if the marketplace will control commercial interest rates, it will do the same for those agreements of sale. There are still many people with mortgages way below the market today. Why should they be penalized by this bill?

"Thank you."

Senator Cobb then remarked as follows:

"Mr. President, I rise to speak in favor of the measure and in doing so, take account of some of the arguments or questions that were raised.

"First of all, on the matter of agreement of sales, the reason that provision was in there is because of the past clearly documented abuse in the area, and when we first moved under a federal allowance back in 1980 to raise the usury ceiling, I indicated at that time that we would be watching very closely what happened, and if there were areas of abuse that we would move to correct them. We have done so in this particular case.

"I think in conference, and this bill seems to be headed for that, the agreement of sale ought to be tied to a floating existing mortgage rate instead of a fixed lower rate so that it would also reflect market conditions.

"However, I think it's necessary to correct some of the statements that were made with respect to the number of states that have no limits and then get into the philosophical question about whether or not there should be limits at all.

"At the present time, on credit cards, of the 50 states, one state has a 30 percent limit; 17 states have no limit; 2 states have a 24 percent limit; 13 states have a 21 percent limit; 14 states have an 18 percent limit; one state has a limit below 18 percent; one state has a limit of 19.8 percent; and Hawaii is included in the category of 18 percent.

"When it comes to small business or corporate loans, 45 states have absolutely no limits.

"The category of \$30,000 second mortgages and loan to an individual, 34 states have no limits and another 4 to 5 have limits tied to the Federal Reserve Board rate, which floats on the free market.

"In terms of the \$5,000 unsecured consumer loan closed in to an individual, 21 states have no limits, and 6 states have a limit tied to a percentage figure over the Federal Reserve Board rate.

"In short, Mr. President, the clear direction, nationally, has been in the direction of deregulation.

"Although the remarks that I'm going to enter are long, I think it's necessary for a comprehensive understanding of the situation and with the indulgence of you and the body I would like to enter the following into the Journal.

"The market conditions in Hawaii and nationally have changed radically since May

31, 1980 when Hawaii increased the Chapter 408 limits to their present levels. Over the past five years, the Federal Government, under the Depository Insurance Deregulation and Monetary Control Act of 1980, has phased out federal restrictions on the amount of interest depository institutions could pay on their deposits.

"Since 1980, all limits on time deposits over 31 days in maturity are gone, as well as minimum requirements on money market deposit accounts, super now accounts, and ceiling free 7 to 31 day accounts for IRA and Keough investors. Furthermore, all minimum balance requirements will disappear as of January 1, 1986.

"While the cost of funds for lenders has recently decreased, volatile economic events in the past five years and the competition for short term deposits have caused lenders to change their policies with respect to extending credit and setting rates on all types of loans. Increasingly, variable rate loans are becoming common in Hawaii for both consumer and commercial transactions.

"The usury laws of the various states are historic reflections of ancient, social and religious notions from the time of Moses in the Old Testament that lending itself was distasteful and sinful. Hawaii's basic usury law, Chapter 478, HRS, can be traced back to roughly the same language in the Civil Code of 1859 with substantial amendments made in 1980. Our industrial loan company act restrictions go back to the 1930's. Ironically, our usury law was based on the old ancient English law, the 1714 Statute of Usury or what was commonly called the Statute of Hand, which ironically was abolished in England at the same time Hawaii was enacting it.

"Over the years, a number of exemptions have been added to the Hawaii law to recognize economic reality such as exemptions for loans over \$750,000 or supplemental laws enacted to regulate particular transactions such as the Retail Installment Sales Act.

"This long and complicated history has resulted in a number of inconsistent usury laws that have only historical justification and differ considerably from laws in other states. Because Hawaii depends upon funds imported from elsewhere to keep our economy operating, restrictive interest rate laws cause more damage here than in many other places.

"While considering arguments for the rate ceilings which are artificial government price controls for the use of money, the moral implications about usury and lending that developed through 1859, providing the background for current law, must be

remembered.

"I think the record is clear looking at it over the last five years, Mr. President, that states that have had restrictive usury ceilings have had less lending activity, less competition, less consumer choices, and any time the actual money market rates go higher than their present interest ceilings, no loans whatsoever. In fact, Mr. President, the experience in the State of New York confirms the existence and the benefits of the competitive market.

"In New York a survey was conducted on interest rates charged on certain loans by 20 commercial banks in the state over a three-year period, through 1984. Interest rates on most types of transactions in January 1983 varied approximately 7 percentage points, from 13 or 14 percent to roughly 21 or 22 percent.

"It is interesting to note that over the three-year period, the average rate for most consumer credit transactions was over 18 percent and the parallel rates in Hawaii and nationwide were at the same amount. Those over 18 percent transactions would have been prohibited in Hawaii were the pre-1980 ceilings in effect.

"As for the operation of credit cards, it is generally conceded that the service is somewhat more expensive and complex, together with the related cash advance feature and the interest rates on credit cards range from approximately 18 to 19.9 percent. By way of digression, Mr. President, I would point out, if an individual wants credit cards without a cash advance feature, there's quite often a savings of anywhere from 2 to 3 percent offered. And that is a consumer choice. I think it's important that the consumer should be able to make that choice, if he or she wants to pay a lower rate.

"I think it's also very clear that Mainland institutions will be aggressively soliciting Hawaii business if this law is passed. If this bill becomes law, we will be in the mainstream of competition with states on the Mainland.

"Finally, Mr. President, I think there are a few general observations that should be made.

"First, that competition is definitely to the benefit of the consumer, and that the more competition you have and the more consumer choices you have and the greater variety of consumer choices, the more the consumer can pick and choose and shop around and get the best deal.

"Secondly, that Hawaii consumers have a very high level of cost awareness.

"Third, the studies we have seen have shown that Hawaii consumers are not over extended in terms of their credit, and in fact have a better nationwide average savings.

"Fourth, that loan sharks are not deterred by usury laws; that if an individual is not going to follow the usury law and go on to loan sharking, that individual is already outside of the law.

"Mr. President, this bill, in effect, implements the principle that we've heard a lot of discussion about both inside and outside of the Legislature, and that is business deregulation, free enterprise, let the marketplace work. I think that's what this bill does. And if we're going to believe in free enterprise, believe that a free marketplace will provide the competition to the benefit of consumers in terms of consumer choices, then I think we should support this bill."

"Thank you."

Senator Abercrombie then spoke on the measure as follows:

"Mr. President, I'm speaking against the bill.

"I've heard some incredible defenses in my life of the indefensible but this last one matches anything I've ever heard in my experience. I suppose we should move from the last to the first.

"We believe in free enterprise and business deregulation. I wasn't aware that the previous speaker was a partisan of President Reagan, but apparently he is. I wonder if he is referring to the business deregulation that has resulted in the telephone company now telling us that they're going to try and raise our rates to \$20 plus a month, which I presume he is in favor of because he thinks that business deregulation is so terrific.

"If I am not mistaken, the previous speaker has just voted on regulations up and down the line with respect to geothermal, corporations ... he's got bills in here that we voted on today with corporations that if you dropped it on your foot you'd fracture it; you'd be walking around on crutches. And he stood up on this floor over and over again and stated how we're going to have more regulations with business and all the rest of it because that's what's needed. Now, all of a sudden when it comes to credit for the average person, we're going to deregulate.

"This same person, the previous speaker, has just had us pass a bill that takes a full page to explain how we're going to have pets in apartments — seven different steps

to try to figure out the kind of pet you can have in your apartment. But, he is for deregulation. That's what this bill does.

"Isn't it strange that when it comes to credit for the average person, the previous speaker is all for deregulating. And he mentions the very thing I have written here. Let me tell you and reiterate for you in case you missed it. What's the only other group that operates in a state of total deregulation? The Mafia, the loan sharks. I can quote you exactly what he said. The loan sharks are not deterred by usury laws, and he proposes to get rid of the usury law. That means the loan sharks will not be deterred. Who's going to be the loan sharks? The banks, the credit card companies, anybody that wants to come after you.

"What the previous speaker says is, if we pass this bill, we have now reached the level of the Mafia and the loan sharks. That's exactly what the situation is, where the desperate come and have to pay whatever it is that's going to be put to them. We've taken the whole lid off. It says right in the committee report here on usury: 'Your Committee has amended this bill ... by exempting from the usury law'

"And he's given us a brief history, all too brief history, of the usury laws. He's failed to define it, however.

"Usury is the unconscionable or exorbitant rate or amount of interest, that's what it is — unconscionable. He said himself, the loan sharks have no conscience. But that's what we're opening up the public to. And the classic definition of usury in its implementation has always been excess charging of interest over the legal rate. We're not going to alter the usury rate here, we're abandoning your concept entirely because there will not be any excess rate, because there won't be any rate at all. The rate will be whatever you can get.

"The previous speaker says that damage is caused by artificial government controls. Mr. President, I don't think we have enough time today for me to go over all the bills we've just passed in which the previous speaker has voted for which impose artificial government controls, which cause damage to the free market. We interfere with it constantly, all the time. Why, because we say there is a public interest to be served. Was not the vote just on the previous bill on the basis of what the public interest is supposed to be? A policy decision has been set, and the previous speaker voted for that policy decision. It's happening all the time. Yet, he's the chairman of the Consumer Protection Committee. My advice to the consumer in the street is, wear armor. You're not going to get any protection from the Consumer Protection Committee.

"The clear direction nationally set is not deregulation, as the previous speaker indicates, as the chairman and the committee indicates, but the systematic exploitation of the helpless consumer. It is taking place all across this country. And what the chairman of the Consumer Protection Committee wants us to do is join the parade. Because the consumer in this country is now at a point even more helpless than he or she has ever been before. That's the reason that we should join it? This is the trend, it said. This is the trend. We should join this trend.

"I reiterate, I stand here, a member of the Majority party in this state, the party of the people that's supposed to be standing for the interests of the common person, and here we are again presented with a bill that says, all bets are off, particularly if you are a commercial interest. Because if you are an individual, as have been pointed out by two of the previous speakers, you're going to be victimized, especially if you're young, especially if you're involved in an agreement of sale of housing. The item that is probably more important to more people in getting them started and the cause of more anxiety for them and more hope and frustration, an investment not only fiscally, but in terms of their dreams and hopes. And we say we're throwing you to those same sharks, and good luck to you.

"Credit cards. We heard the speech. Who could follow it? Percentages, states, 17 this, 27 that, the average person standing there is saying, you mean everybody is getting it the way I am? That's supposed to make you feel better, that you can point to a whole lot of other people that are being exploited?

"Percentages about this, percentages about that, competition on the Mainland. The final argument made by the previous speaker is that there's going to be competition now from the Mainland. Mr. President, I put it to you that we will shortly be taking up a bill sponsored by the previous speaker which is going to forbid people from the Mainland from being able to advertise here. The same competition that he's talking about he's trying to thwart. How? By governmental action.

"Now we're going to pass a bill on whether you can advertise and they're going to say that they're not regulated by the State of Hawaii, not that they are regulated by the Federal Deposit Insurance Corporation. Isn't that an artificial government control, an interference, the previous speaker says we should abandon if we really believe in free enterprise?

"The previous speaker has a curious way of citing statistics and citing principles as it suits his purposes opposed to being

consistent about their application when it comes to the bills that he wants us to vote for.

"The question here is what is the compelling need? I raised it before; I've raised it before today; I've raised it on other occasions and I will raise it at this time for your consideration, Mr. President, members of the body. What is the compelling need to remove all sense of restraint with respect to the interest rates and usury? There is no need. The argument is, oh, it's below what it could be. Does anyone really believe that in this monopoly game, that games will not be played by the great financial interests as has been shown over and over again with major corporations, where there is a market to which people do not have ready access other than as consumers per se? It's called price convergence.

"You don't have to actively conspire to come to a price convergence. We've seen that just with rates in hotels in Hawaii, for example. You don't have to sit down in a room and conspire to do these things. Does anyone really believe that that kind of competition is going to result in a break for the average consumer? I think not.

"The bottom line is that if we pass this bill, the message will go forth once again from the Legislature, and once again I say from the Democratic Party, that you are fair game as a consumer in this society for any loan shark out there, any of these people who otherwise and other circumstances would be considered usurers. We are here to protect the common person; we are here to see that they are not exploited; and I ask the members of the body to vote down this bill. It is not needed; it is unwarranted; and can only cause harm and pain to those least able to bear it."

Senator Cayetano then asked:

"Mr. President, will the chairman yield to a question?"

The Chair posed the question and Senator Cobb having answered in the affirmative, Senator Cayetano inquired:

"Mr. President, I'm very troubled by that part of the bill dealing with agreement of sales and I endorse the remarks made by Senator McMurdo on that matter. It seems to me that it is somewhat inconsistent to put a lid on agreement of sales and lift the lid on the other side. I'm not saying that I'm opposed to lifting the lid, but I have very strong feelings about the lid on agreement of sales.

"This bill has been around for some time, at least in one version or another, and my question to the chairman is, has either the House or the Senate ever considered tying the agreement of sale rate to some

mortgage rate?"

Senator Cobb answered:

"Mr. President, the answer is 'yes,' and will probably be further considered in conference with likely further amendments."

Senator Cayetano further inquired:

"Mr. President, well, then, I have another question.

"Was it considered in previous years?"

Senator Cobb answered:

"No, last year it was discussed briefly but the consensus at that time was to go with a fixed rate. It was brought up this year and I think it will be further discussed."

Senator Cayetano further inquired:

"It is my understanding that the House at one time wanted a 6 percent ceiling over the underlying mortgage and the Senate position was 2 percent; the counterpoint was 4 percent. Is that correct?"

Senator Cobb answered:

"That is correct."

Senator Cayetano then asked:

"The contradiction seems so obvious that I wonder why this was not considered last session. Can you give me an answer?"

Senator Cobb answered:

"Last year's bill that passed had set ceilings. This year's bill does not in terms of the other rates, at least in the Senate version, although what form it emerges from in conference will be difficult to say."

Senator Cayetano remarked and further inquired:

"The problem I have is that, of course if this bill goes over, I'm not sure that the House perceives the problem that I am raising. I mean, what have been your communications with the chairman of the House side about this particular section of the bill and does the chairman feel that there is a problem here?"

Senator Cobb answered:

"I have not communicated with the chairman specifically on this one section but I have been informed by yourself and others that he will disagree on this and there will be a conference on it."

Senator Kawasaki spoke against the measure as follows:

"Mr. President, I rise again to speak in opposition to passage of this bill.

"You know, we had a bill, Senate Bill 1141, go to the Consumer Protection Committee in the Senate, a bill designed to lift the ceiling on credit cards from the existing 18 percent to 21 percent. Hell, this bill, in one fell swoop, even removes the 21 percent ceiling that was proposed in that bill, 1141, by the banking institutions and people who do handle credit cards.

"There was a bill introduced, Senate Bill 1148, that would raise the ceiling for merchants charging interest rates on their goods sold to consumers. That bill provided for a ceiling to be raised up to 24 percent. Again, this bill, in one fell swoop, removes even the 24 percent ceiling requested and suggested by proponents of that bill.

"Much was said about letting the free enterprise system operate with no constraints by the government. Well, it just happens that we just passed a very important bill, a bill that, hopefully, will be beneficial to small business people and, wherein, we're now by statute are going to provide a state fund so that the state can get into the position of providing insurance for workers' comp for small business people. Talk about an impediment to our free enterprise system, on these people in the insurance business who've been charging such high premium rates unjustifiably and causing such a problem to small business people in this state.

"Well, we pass this impediment and we're going to say, the state is going into the business of providing insurance for workers' comp because we need this impediment; we need this so that it would stop the abuse on the part of insurance companies of overcharging in the way of premium rates charged to employers. So sometimes the free enterprise system doesn't work too well.

"Talk about the free enterprise system, at the request and the insistence and the pressure on the part of industrial loan companies, the Legislature very unwisely developed and passed the Thrift Guaranty entity, and what has happened? Again, the free enterprise system members, in this case the industrial loan companies, what did they do? They abused the privileges accorded them under the Thrift Guaranty program. They made insider loans; loans to each other; they never repaid these loans; they overextended their credit. And so what happens? The people of this state, the taxpayers, are now asked to pay the bill, the tab, that is the result of Thrift Guaranty, and that program which incidentally was requested by the free enterprisers, so to speak ... from my point of view, I have a very jaundiced point of view regarding the altruistic motives of free enterprisers,

particularly from the financial community ... it seems to me that passage of this bill again is acceding to their request ... never mind the consumer's welfare, just lift the ceiling.

"At this point, I'd like to request of the chairman of the Consumer Protection Committee if he can give us the number of states which today have lifted all ceilings on all loans, as suggested in the bill that we're talking about today."

The Chair posed the question to the chairman and Senator Cobb answered:

"Mr. President, I don't have the category for all types of loans. The information that I've received so far was on the types that I enumerated on credit cards, small business loans, second mortgage loans, and unsecured consumer loans, which are the majority but certainly not all of the loans made. I've heard reports, but I don't have the figures in front of me, of between 14 and 20 states that have either done so or in the process of doing so.

"That, of course, does not include the states that chose not to act under the federal preemption that was passed by the 1980 Congress in which the states had three years to act on usury, otherwise the national deregulation would have taken place. I understand approximately ten states took no action on that."

Senator Kawasaki continued:

"Mr. President, the statistics the chairman has quoted, I have right before me, but my inquiry was basically to find out how many states have done exactly what is proposed to be done by this bill; that is to say, remove all ceilings on all types of loans, and I doubt that there are too many of these states that did that.

"My count and the latest information that I tried to get from the Legislative Reference Bureau and the banks, incidentally, was that perhaps 14 states have done away with all interest rate ceilings. Probably 36 other states feel a compulsion to maintain some semblance of a ceiling on interest rates chargeable. I think we're in pretty good company to maintain the status quo at this point."

Senator Henderson spoke in support of the measure as follows:

"Mr. President, I rise to speak in favor of the bill. I think that we have to look at this as letting the free market prevail.

"The good Senator from the 16th District, when he goes down to the supermarket and buys razor blades, he doesn't have a ceiling that's put on the price he pays or that the

store can charge him for razor blades, soap, or shoes or pants or ties. There's no such thing as a state ceiling on razor blades. There shouldn't be a state ceiling on interest. Interest is a commodity like so many other things that we deal with in commerce, and there is no reason to put a fixed ceiling by law on interest rates. This bill is long overdue.

"The good Senator from the 19th District, where he stated that workers' compensation rates are open market. It's not true; those rates are filed by the Hawaii Rating Bureau and are approved by the Insurance Commissioner. I think, maybe, we should look at open rating in workers' compensation, especially if we have a state fund.

"I think we need to look at opening up the free market. That's where competition takes place; that's where the economic decisions should be made.

"I urge support of the bill."

Senator McMurdo then inquired:

"Mr. President, may I ask the good Senator from the Big Island a question?"

The Chair posed the question and Senator Henderson having answered in the affirmative, Senator McMurdo asked:

"Mr. President, I would like to know if he feels that it would be in the interest of the free market to remove a ceiling from those who wish to sell by agreement of sale as well?"

Senator Henderson answered:

"Mr. President, I do. However ... I think that there's been more abuse in the private sector with interest rates than there has been in the business sector.

"I think if there needs to be some regulation there, then maybe it should be tied to the current mortgage rates or second mortgage rates or something like that, certainly."

Senator Holt then said:

"Mr. President, I request a ruling from the Chair on a potential conflict."

The Chair inquired:

"Being that you are an employee of a financial institution?"

Senator Holt responded:

"No, I work for a loan shark."

The Chair answered:

"The Chair declares no conflict."

Senator Abercrombie then remarked as follows:

"Mr. President, I think the last point was actually well taken by Senator Holt for a different reason and I will speak just briefly to that.

"We're not contemplating in this bill a situation other than providing for that opportunity to hurt. Right now we have the regulation and when we talk about, for example, our private purchases, I do that with the funds available and often I can do exactly that with a credit card.

"And if I don't have the cash and I think that one of the previous speakers would have to admit that much of the business that's being done that is beneficial to business is being done because of credit cards. People have to take what comes their way in order to keep this economy rolling right now. That's one of the ways business gets done. I'm sure the good Senator is not opposed to business being done in that way.

"And as for the conflict ruling there, I don't think it's a question of the loan shark, it's a question of whether you're opening up the opportunity to become that. The only other group of people that has ever operated in that atmosphere before here within the living memory of everybody in this room has been anybody associated with organized crime.

"Now, if that's the image that we want to put forward, then we can certainly do it by voting for this bill. That's the point. We are here to protect the consumer, not to open up the opportunity for that kind of nefarious activity to take place."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 40, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Fernandes Salling, Hee, Kawasaki, McMurdo and Young).

Senator Kawasaki then added: "Mr. President, for the edification of members of this Senate, as a subject matter for one of my daily conferences with the Governor, I shall suggest that he veto this bill, too."

House Bill No. 1357, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No.

1357, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 1360, H.D. 1:

Senator Cobb moved that H.B. No. 1360, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie inquired:

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

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

"Mr. President, would you ask the chairman of the Consumer Protection and Commerce Committee whether this bill before us is an example of deregulation and the operation of the free marketplace?"

Senator Cobb answered:

"I think it could be characterized as that since it changes the cumulative voting provisions from mandatory to permissive and allows a business or corporation to make that determination rather than requiring it by government."

Senator Abercrombie then remarked as follows:

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

"I didn't quite hear the previous speaker. I think I got the gist of it; the tone of his voice was a bit weak.

"Mr. President, the free enterprise system is now apparently to get a big boost. If you were part owner of a company now, you're going to be told that you'll no longer be able to exercise your votes in a manner that you choose. It's going to be done for you by management already in control.

"We have had this bill before us previously, but now we have an instance in which once again if you are big enough and powerful enough you get your side considered and, in this instance, we have the individual — a rich individual, a powerful individual, an influential individual — is now able to take on a rich and powerful group of individuals, and we will find ourselves going through various contortions and distortions in the process, trying to settle what will happen with Mr. Weinberg and Alexander & Baldwin and anybody else that we can find

in between that we can help.

"I wonder when the people of this state, when they tune in, if they should happen to bother to watch the news anymore where the Legislature is concerned, inasmuch as what we do here has very little to do for them ... it's mostly at them, on them, over them, and very little with them. If they bother to tune or pay any attention, they will find that here we are once again trying to decide which of the powerful will succeed. And where is it coming from? It's coming from the Consumer Protection Committee again.

"We do have the word Commerce attached on the end and perhaps we should just get rid of Consumer Protection and put Commerce in it and leave it at that.

"Just referring to the committee report with respect to the cumulative voting, it says it 'can be used as a tactical device by which an undesired director may be forced upon a board thereby impeding governance of the public held corporation.' It's a publicly held corporation, by the way.

"Isn't that an interesting point upon which to base a law that we consider passage? An undesired director. I think it's good to pass laws against undesirables. Isn't that a grand way to make law?

"Let's find out who's undesirable and pass a law against them. I daresay that most of the people in this room are the sons and daughters, granddaughters and grandsons, great grandsons and granddaughters, etc. of people who were considered to be undesirable at one time or another. We are the beneficiaries of their struggle. We are the ones who are able to stand here today and make our voices heard, whether or not everybody likes it or not. We stand it for all by the vote, how it's cast. We are in the minority or majority, depending on what happens on a given vote. But, here we are saying that it's necessary to pass a law because someone may be thought undesirable by the majority. Because, you see, the argument is never made, Mr. President, with respect to cumulative voting on the majority side.

"It's awfully strange to me, regardless of the particular kind of voting, and I've heard it characterized, by the way, and an interesting analogy is 'plunking.' We used to be able to do that in this state. I thought that was a good idea. I daresay that there are some people sitting in their chairs right now who are the beneficiaries of plunking. (I hear a possible verification of that. I see a few smiles in the room.) I daresay that there are some people in this room ... perish the thought ... who may even have encouraged that kind of plunking in the past. Naturally, we're all above that now. It's very difficult

to do in single member districts. I happen to have thought that that was a good system. I got through that system. I suppose I got some plunks in my time and I suppose I was the victim of some in my time, but on the whole, I think the analogy is probably a fair one that most of the people in our state can understand.

"I suppose I won't be the first; I guess I'm the first on the floor, formally, today, to say I don't know Mr. Weinberg. I know a couple of people in A&B better. I mean, I've had an acquaintanceship with them over the years. I've never met Mr. Weinberg, and I won't be the last today to say that they don't know Mr. Weinberg and so on and so forth. I hope nobody says that they don't know A&B, because I can't believe we're living in a germ-free capsule.

"But the fact of the matter is, I daresay, most of us don't know Mr. Weinberg. We wouldn't know him if he was here today because he probably has his picture in the paper the same way Senator Henderson does, which is to say their high school graduation picture, so we probably wouldn't know him if he showed up.

"But the plain fact of the matter is that what we're doing here is trying to see to it that the present corporate enterprise, as conducted by Alexander & Baldwin and I suppose others in the same situation, will be protected by interference by the government. That's what we're doing.

"We think that that's going to benefit, or at least those voting for it think that will somehow be beneficial to the interests of the people of the state, and I have an idea that many of those who want to vote for this bill will be saying that that is their primary motivation and I have no reason to dispute it. I certainly dispute it with respect to its being put forward here by the Consumer Protection Committee.

"This bill is put forward by the chair because there is a belief that this is going to benefit the chairman or the interest that he espouses. There is no question of that in my mind. There are people in the public who believe otherwise, and my answer to that is that the A&B management will do exactly as it pleases with respect to land or anything else and that all provisions that we have in government and all that artificial interference that we talk about, preserving ag land for one, will still be in place regardless of what Mr. Weinberg's intentions are or are not as posited in his proxy statement.

"So, when we're voting here, what we're really doing fundamentally, if we're voting for this bill, what we're really doing fundamentally is saying that the minority cannot be represented, and that if you're in the majority you may vote. This is what

permissive means. Permissive means that you may vote to keep yourself in power and that you cannot be removed except by someone else actually being able to take over the company, rather than the board of directors.

"No one has said to me yet in this discussion of cumulative voting that the minority, with respect to cumulative voting, can do any more than elect a single or small number of directors and that cumulative voting cannot operate the same for those who hold the majority. If someone, after all, gains the majority of the stock or gains ownership of the company, he or she may do as he or she wishes, or that group may do as they wish. So that's not an issue as to who will control the company or not control the company.

"The question here is, will there be a voice on that board of directors that may very well point the direction that the company should be going so that you avoid the Castle & Cooke kind of situation. That kind of discussion is generally absent from the terms of disquisition that takes place on this issue and on this bill.

"Look what happened. We came within 30 days of Castle & Cooke going broke and for all we know it may still go broke because we don't know whether this merger is going to go through.

"I do know, however, that we do not have the opportunity to do anything about it and the people who think that this bill is somehow going to save them, and that is the bottom line for me, that we will be misleading people in this state into thinking that if this bill passes, somehow, mismanagement on the part of A&B or Castle & Cooke or anybody else will somehow ... this kind of mismanagement or the possibility of this mismanagement ... will be ameliorated, will be diminished in some way. And that is not the case.

"So I ask those who are thinking of voting for this bill, because they think that this will somehow form a protective shield for the A&B company or for any other company in Hawaii, for that matter, to think again. This bill will not do that. It will on the other hand suppress and oppress the possibility of the minority voice, whether we like that minority voice or we don't like that minority voice, from being heard on the board of directors."

Senator Kawasaki spoke on the measure as follows:

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

"I'm at loss to understand why this bill is before us today because I remember very clearly, in the Majority caucus considering a

similar Senate bill that was before us, that we overwhelmingly decided not to have this bill emerge. And I recall at that time, the chairman of the Consumer Protection Committee very piously and sanctimoniously told me, 'You know, I work for PRI and PRI supports this bill but I'm going to vote against it and I'm going to withdraw it back in committee.' Well, things have transpired since that time and perhaps I see a very clear, dramatic illustration of the point made by Senator Abercrombie that the rich and powerful and influential people in this state can do a heck of a lot in the way of influencing the Legislature, and in this particular case, the Senate of this State.

"I am at loss to understand why it is so imperative that we pass this bill today. Is it because 23 days from today the directors of A&B are going to meet in their annual meeting and that they would like to prohibit cumulative voting? Is it because PRI, (and Alexander & Baldwin today owns 25 percent of PRI) they're opposed to it? Could they be supporting this bill to do away with cumulative voting because Mr. Weinberg just happened to be one of the three directors who voted against Alexander & Baldwin purchasing a 100 percent of PRI that's been losing money for many years? Is PRI against this bill to do away with cumulative voting because the leaders of PRI, as I recall a few years back, was called to task by a minority director, Mr. Chalmers, if my memory serves me correctly, who strenuously objected to the fact of inside dealing by the leaders of PRI, inside dealing in the way of a half a million dollars of PRI money being borrowed by its chairman of the board at that time so he could purchase PRI stock on the stock option plans available to him. And the interest rate that he paid with the approval of 'the majority directors,' over the objection of the minority director, he borrowed this half a million dollars at 4 percent interest at a time when PRI was paying 12 percent, as I recall, on its own borrowings needs. Now, this is the kind of situation, if we had a minority director, this kind of information can go out to all of the stockholders of a company.

"By passage of this bill, we eliminate the chance of a minority stockholder electing a minority director, who may in his judgment, want to apprise all the shareholders of a company exactly what's going on at the top levels of the corporate entity, and particularly public corporate entities.

"Much has been said about this minority position that Mr. Weinberg holds, and I don't know Mr. Weinberg from Adam. Now, he just happens to have 25 percent of the total number of common stocks that is issued by Alexander & Baldwin. Now what does the chairman of the board, the president of the company, Mr. Pfeiffer own, what is the

number of shares that he owns? Notwithstanding the fact that this man has had a very productive and illustrious career at A&B for well over nigh over 20 years as stated in the annual report, Mr. Pfeiffer, notwithstanding his over \$1 million per year compensation for his position, happens to own only two-tenths of one percent of the stocks issued by Alexander & Baldwin.

"Now what about the other top leaders there? All combined, top management people own only 9 percent of the total common stock issued of Alexander & Baldwin. I began to wonder who and what group happens to be the minority stockholders in this particular case? Mr. Pfeiffer who holds two-tenths of one percent of the stock and the rest of the directors there that own, totally combined 9 percent, or is it Mr. Weinberg who has paid for 25 percent of the shares of Alexander & Baldwin.

"I think I must commend the Honolulu Star-Bulletin for one of its more commendable and objective editorials, and let me quote the editorial. Incidentally, they are high in praise of Mr. Pfeiffer. I think Mr. Pfeiffer has done a good job. But, actually, Mr. Pfeiffer or Mr. Weinberg is not the issue today. But just let me quote the Star-Bulletin's editorial which I thought was quite objective for that evening paper.

"The Star-Bulletin had said and I quote: 'In its fight against Weinberg, Alexander & Baldwin's management has made some tactical moves which are understandable, if not entirely to our liking.' That is to say, the paper's liking. And it goes on to say, 'Cumulative voting now mandatory, if requested in advance by any stockholder, makes it easier for dissident shareholders to place a representative on the board. It is a useful tool for stockholders. Directors should not be mere yes sayers for management.' And I might add neither should Senators be yes sayers for Big Five company managers and incidentally, a top bank president.

"The editorial goes on to say, 'Troubled Castle & Cooke might have profited from the wisdom of a Weinberg. Alexander & Baldwin also is wrong in criticizing Weinberg's other two nominees on the present board. It objects to his accountant and lawyer, two occupations useful in running a business.'

"As I said, I must pay Star-Bulletin a compliment for that very objective editorial.

"It is said that this is basically an anti-Weinberg bill. Nothing that is extant today, that is to say the mandatory feature of cumulative voting, prevents the present majority on the directorship of A&B from doing exactly what they plan to do.

"The only way Mr. Weinberg can take over, raid, or whatever word you want to use ... that he can take over A&B is for him to be able to purchase at least 51 percent of the common stocks available to him, and this takes a lot of money, notwithstanding Mr. Weinberg's great wealth. The only way he can profit is by the directors of A&B, the majority directors today, paying what is known as 'greenmail.' That is to say, in order to get Mr. Weinberg out of their hair purchase all of his stock at a price that's higher than what the market is commanding for that stock today. This is what happened in the case of Castle & Cooke.

"Now, if the directors of A&B want to do the job they've been appointed to do, then they can refuse to pay any 'greenmail'. They can refuse to sell Mr. Weinberg any stock at a price that is a premium over what is the market price of the A&B stock today. They can continue to convince the stockholders that what they are doing, the direction they are going with A&B, is in the best interest of the shareholders, thus, preventing Mr. Weinberg from picking up shares cheaply that are just thrown on the market.

"If, however, Mr. Weinberg has the resources to pay and offer shareholders holding stock today more than what is the market price today, a price that's very attractive, then this is good for the shareholders. Then the shareholders can decide whether to sell or not, whether they should they take profit. In any case it's good for the shareholders. I see nothing wrong with that.

"But passage of this bill to prevent cumulative voting is, as stated by Senator Abercrombie, a guarantee that a minority of shareholders would not be able to get very relevant and pertinent information from the top level, if the top level directors decide that they shall not share information to the general run of stockholders in the company for reasons of their own. And some of this could be perfectly legal. They would not be, perhaps, violating their fiduciary responsibilities. But minority directors, like the dissidents on this Senate floor here, sometimes can offer contribution to a majority that prevails.

"Passage of this bill prevents this minority voice to exist on a board of directors. This is bad.

"The reasons we have mandatory, cumulative voting in many states is because in the world of corporate entities, in the manipulations, the operations of corporate entities, cumulative voting is a very important feature.

"There is no rush for us to pass this bill just to meet the requirements of the present

directors of A&B in their annual meeting, 23 days hence. Let us not pass this bill; study the implications of this further and perhaps pass it next year if this becomes necessary and we see a need for it. And, incidentally, July of next year is the day that our Hawaii corporate law, passed by us in 1983, takes effect on July 1986.

"There's no compulsion for us to pass this today just to conform to the requirements of the A&B stockholders' meeting that is scheduled to take place on the 24th.

"I speak against this bill. It is a bad bill. We're going to regret what we do today and, certainly, Mr. Weinberg and his interest in accumulating A&B stock is irrelevant to the issue today.

"The issue today is do we allow minorities a chance to elect minority directors, who by the fact that they don't have the votes to begin with on the vote, would not be able to dictate to the majority, in this case the direction and the affairs of Alexander & Baldwin. I speak against this bill. I trust that you can see the implications in voting for this bill."

Senator Cobb then remarked:

"Mr. President, before speaking for the bill, I would like to ask for a conflict ruling since I am an employee of Pacific Resources, Inc."

The Chair responded:

"No conflict."

Senator Cobb continued:

"Thank you, Mr. President.

"I rise to speak in favor of the bill and in doing so I'd like to address some of the previous remarks.

"This bill was originally a part of the proposed model business corporation act that was before this Senate for a five-year period from 1978 until 1983. Because of the controversy involved on this particular question of cumulative voting, it was taken out of the bill and was agreed, or at least explained, that it would be addressed as a separate issue in the future, which obviously it is now.

"One of the previous speaker's remarks in terms of my statement on a bill and my employment with PRI, I think, was a state of confusion in terms of which bill I was referring to. There was a matter pertaining to alternate energy tax credits, which although I recognize that PRI was for, I was against and I voted accordingly.

"My decision in the caucus to recommit

this particular bill was an instantaneous one when I saw 11 hands go up. And if the same number of hands had gone up again, the same result would have happened.

"However, I want to make it crystal clear that I do not hold a management position with PRI, nor am I in a policymaking role with that company. The law department of that company has always, philosophically, favored such a change and has always so testified. I've had no management contact whatsoever for or against this particular measure.

"The case of PRI and Chalmers was alluded to, and while I recognize very clearly that PRI paid a premium to have Mr. Chalmers leave or sell his stock in the company, I think it's a good thing they did in hindsight, because it's been brought to my attention that, within the last eleven months, Mr. Chalmers has gone into Chapter 11 bankruptcy proceedings. Had he succeeded in taking control of PRI, we would have had one of our major companies here in the same predicament.

"Finally, Mr. President, in terms of addressing previous remarks, the testimony was very clear before the committee that no small shareholder has made a profit or a killing in a corporate takeover fight. It's only those large shareholders with either inside information or those who practice arbitrage in terms of betting on the open stock market that make any kind of profit whatsoever.

"And whether it was Castle & Cooke or A&B or PRI or anyone else, locally or nationally, the trend very clearly established is that the small stockholder does not make a profit when there's a corporate takeover fight, only the big ones do.

"Mr. President, I'd like to turn to the question of information being available to a minority stockholder. The fallacy of the argument lies in the mistaken assumption that minority shareholders do not have access to information and a voice in corporate affairs. The un rebutted testimony before the committee showed that minority shareholders of publicly traded corporations have access to full information concerning the corporation as matter of law and practice. The requirements of the Securities Exchange Commission, the stock exchanges, the statutes regulating corporations, the decisions of Hawaii courts, and the financial writers in the press furnish stockholders with an enormous fund of information.

"The testimony also showed that the shareholders do have access to officers and directors who are normally responsive to such information or request for information.

"In terms of the philosophy of passing a permissive rather than mandatory cumulative voting law, Mr. President, the testimony before the committee showed that presently 18 states have mandatory cumulative voting laws and that 32 states and the District of Columbia have permissive cumulative voting laws; thus if the Hawaii passes this it will join the ever growing majority of states that allow for permissive, rather than mandatory, cumulative voting.

"As for the philosophy behind it, I would like to quote, if I may, briefly, from an article in the Business Lawyer, quoting Dean Neal Jacoby, who is the Dean of the Business School at the University of California at Los Angeles, in a report to the Commissioner of Corporations in the State of California, in 1959, when the commissioner was considering a rule to require cumulative voting for directors of foreign corporations as a condition for permitting such corporations to sell securities in California.

"He said, and I quote: 'May I express my firm conviction that a rule requiring cumulative voting would impair rather than advance the management of business corporations in California. I am convinced that such a requirement would be in practice detrimental to the interest of stock holders. As an economist, I have spent some 25 years in the teaching, research, and writing on various aspects of business finance, including the forms and processes of corporate government. Apart from this, I am a director of four different corporations and a stockholder in at least 25 other business corporations. Consequently, my opinion emerges not alone from theoretical study but also from practical experience in corporate direction and ownership.

"The principal of compulsory, cumulative voting is wrong because it increases the probability of a divided board of directors, and such division stultifies action. Our world is changing very rapidly and if a business corporation is to succeed in maintaining its competitive position and in growing, it needs to act promptly in response to changing problems and opportunities. A board of uncontinual persons with divided views on basic policies will delay or prevent action which can have even worse consequences than taking a wrong action because it defers the day when a change of policy must occur. Cumulative voting has a superficial appeal as a means of assuring minority interests are represented. This rests on the false assumption that the public directors of a corporation represent only the management. In my observation and experience, public directors are typically alert and sensitive to the complaints of stockholders of all kinds.'

"Mr. President, not getting into the

question of whether or not this bill is a form of shark repellent, or is aimed at any one individual, or is protective of anybody in particular, or favors one group over another, I think we have to realize that the A&B annual meeting is going to occur on April 25 each year, and regardless of what year we're in the Legislature, we're always going to be running up against that annual meeting. So, it would be very difficult to divorce the practical effect of this bill from the meeting schedule of that particular corporation.

"However, Mr. President, I think the bill deserves support because of the merit of the question as to whether or not a business corporation should be able to function boldly and independently, without fear of internal dissension, as an executive organization, not as a legislative body. And for that I would ask the members' support.

"Thank you."

Senator Abercrombie rose to remark as follows:

"Mr. President, I rise to rebut the last remarks.

"Professor Jacoby's description about the board of directors being typically alert and sensitive of stockholders of all kinds I think would certainly be enhanced if they had minority voice on the directors. His description of the directors, as he viewed them to be, I think would be a very good description of the Politburo as it presently exists in Moscow, which is possibly the way Professor Jacoby would like to have it, I don't know. But I don't see that it's in our interest to propose that we have that same kind of institution.

"As for the annual meeting, I think that the chairman of the Consumer Protection Committee is being a little disingenuous, and I'd ask him to answer a question. Is he aware of the fact that the A&B directors have already voted, that should this bill pass, they will in fact remove the cumulative voting element in their bylaws?"

The Chair posed the question to the chairman of the Consumer Protection Committee and the chairman replied:

"Mr. President, I'm aware of that fact as well as the conflicting testimony that took place in the committee as to whether or not"

Senator Abercrombie interjected:

"Yes or no will be sufficient."

Senator Cobb continued:

"No, I would like to answer that question

in full."

The Chair allowed Senator Cobb to proceed.

Senator Cobb continued:

"Thank you.

"And I'm also aware that there was conflicting testimony in the committee as to whether or not any statement was made as to the certainty of passage of this bill. Both sides offered to produce affidavits to verify their account of it and so far to date none has been received."

Senator Abercrombie then continued:

"Thank you, Mr. President.

"The only affidavit I need is the confirmation by the chairman of the committee that he in fact knew that this had already been done by the A&B directors, so when he tells us that the annual meeting is coming regardless, and the practical effect is that that is happening, and what goes on here has nothing to do with what's going on at that meeting is simply not true.

"What's going to happen at that meeting is the board of directors will say the Legislature gave us the permission to go ahead and do what we've already decided to do. That's what the situation is.

"The final remark I have has to do with the idea of the executive organization. I presume that means that this is a legislative body or that there are legislative bodies that determine policies in one manner in which presumably dissent is allowed and that sometimes even thought to be conducive to the public good. Whereas, in an executive organization, as outlined by the chairman of the committee, presumably dissent is to be discouraged along the lines that he quotes so favorably from Professor Jacoby.

"I might state that we would be in a sorry state today if people, inside the executive in the Department of Defense, nationally, had not blown the whistle on the kinds of practices that were taking place, and many of the people who have done that have had to suffer for it, from their dissent from the majority, but the public in the United States of America has benefited from it by their sense of courage and duty because they pointed out practices that they thought were inimical to the interests of the people of this country. And I would point out, in the executive level of this state, we have had instances as recently as days ago in which individuals associated with the executive in this state have come forward to bring out areas of what they felt were against the interests of the people of this

state, in the areas of pesticides and in other areas of government, financial institutions and all the rest off it.

"Again I say, if the argument is going to be that the interests of the people of this state are best served by bowing to the interests of the powerful to see to it that the voice of dissent on any level, especially the executive level, is stamped out or oppressed or in any manner thought to be something that should be discouraged, we will all be the losers rather than the beneficiaries."

Senator Fernandes Salling also spoke on the measure as follows:

"Mr. President, I'm going to support this bill but I would like to express some reservations that I have.

"I think many of us have struggled with this bill and no matter how this issue is finally resolved, there will still be some lingering doubts about this legislation and whether this is the best solution.

"You'll probably agree with me, Mr. President, that this has been one of the most lobbied bills this session. Even for those of us who do not sit on the Consumer Protection Committee, we have met with a number of people who have wanted to bend our ear about this legislation, and the more you listen, the more you realize that this is one of those issues where there are sound arguments on both sides.

"I can truly understand the public benefits of mandatory cumulative voting. It is one of the strongest ways we can assure a minority voice and oversight of the majority in corporate board rooms. And often such guarantees are consistent with the democratic principles that we all hold very dear.

"Those who seek from us the permission to make cumulative voting optional have come to us with a real problem and fear. Throughout this nation, the stability of publicly held corporations is being threatened by the actions of outside interest, wishing to take control of the corporation and its lucrative holdings. The pattern has become familiar.

"Through the purchase of a sizeable share of a corporation's stock these outsiders become part of the minority interest in the company. Quite often their presence on the board is disruptive to the workings of the corporation and its ability to offer a sound return on the investment of stockholders.

"From what has happened in other states and with the recent experience of Castle & Cooke, we all know that this is a problem that can have catastrophic consequences in

Hawaii's community.

"In the end, Mr. President, I came to support this bill only because of the potential for harm that a takeover can have on any publicly held corporation in Hawaii. In most cases, experience has taught us that those wishing to gain control are thinking only to increase the immediate profitability of the company and the worth of their stock. Their decisions are made without regard to the possible effects their actions have on a community. They don't see their investment as part of a commitment to this community, and that is deeply disturbing to me.

"In the end, my support of this bill rests solely on whether I thought that there was any public benefit to continuing the present situation. I came to believe that there was not. Those who currently hold the reins of publicly held corporations have at least demonstrated some kind of commitment to our state, and in this situation that was quite important. When measured against the track record of some of these takeover artists, that became very important.

"Mr. President, may I sound a warning to those who hold the corporate reins in Hawaii. This bill gives you an advantage in the corporate board room. It came at the expense of a public policy which encourages representation of legitimate minority interest. For this privilege, I would hope that they would be sensitive to the demands and requests of minority stockholders and should it ever be found that this legislation has been used to overwhelm the interest of minority stockholders then let's again change the law back to what it currently is.

"Lastly, I think what is also troubling me is that this seems to be the only solution to the problem of possible takeovers to publicly held corporation in Hawaii. I don't have any other answer, but I feel that this may be an issue that we should look at more closely in the future. It may be one that would be good for a study or interim work. Either effort I think will be greatly appreciated."

Senator Kawasaki then added as follows:

"Mr. President, I feel compelled to respond to the statements by the good Senator.

"In my judgment, she really doesn't understand the implications of what the issue is all about.

"It's been stated, as I said, that this is an anti-Weinberg bill and it is not. The issue is very simply, do we, by the device of cumulative voting or mandatory cumulative voting, enable minority stockholders to be able to elect minority directors to the board

of directors of any publicly held corporation.

"Now, assuming Mr. Weinberg who holds 25 percent of the stock of A&B today, assuming that he has the wealth, the wherewithal to purchase 49 percent of the stocks of A&B. If the majority that's on the board of A&B or the majority of the stockholders of A&B decides that Mr. Weinberg, notwithstanding his having 49 percent ownership of the total number of common shares of A&B, shall not be a director, by a bill disallowing cumulative voting, he will not be able to take over the company; he will not be able to serve on that board.

"The only way that Mr. Weinberg could raid the corporation or take over and sell the assets of the company, land in this case, is only if he can get more than 50 percent of the total number of shares involved. And he can only do this by paying a price higher than what is the going price on the market for those shares. And if this happens, in my judgement, and shareholders decided that they will sell because the profit situation here is quite attractive, then it is a good that is occurring to the ordinary common stockholders of this company.

"The other way that Mr. Weinberg can personally benefit is, as I said, for the directors to agree to pay blackmail or 'greenmail' as it is called, and just pay a higher price for his shares than what he can get on the market just to get him out of the way. This happened in the case of Castle & Cooke and look what happened to Castle & Cooke's stock. It went down from \$18 to as low as \$11. Today it hovers around that neighborhood. And this was not a good thing that happened to the shareholders of Castle & Cooke stock today who regret the action taken by Mr. Wilson and the top management of Castle & Cooke.

"The issue has been clouded by the fact that everyone pictures this Mr. Weinberg as a greedy capitalist with a lot of money who's just raiding this corporation to profit himself personally. Now, any man who has 25 percent of the shares of the stock and who today, by the admission of the management of A&B, enjoys an annual dividend return in excess of \$6 million. No person like Mr. Weinberg, who's got that kind of a holding position in A&B, is going to do anything detrimental, basically, to the best interests of the shareholders of the stock in A&B.

"That issue aside, it is awfully important in a corporate setup for cumulative voting to be mandatory so that minority shareholders, if they have enough stock even if they are in the minority, to be able to elect somebody who may not be one of the majority directors. A dissenting voice in a corporate setup could be very useful.

"Can you imagine what would happen here right on this floor if we have no dissenting point of view and you, Mr. President, had full say as to what bills are going to pass or not pass? I think the fact that the Senate on rare occasions comes out with something very meaningful and useful and valuable to the people of this state is because we have a minority here, not only the Republicans but even the minority among the Democrats. You've seen an example of what discussion takes place among the minority in the Democrat group, dissidents, each of them arguing with each other on the merits of a bill, and this is healthy for the benefit of all of us here and, certainly, it gives thorough airing of issues before us.

"Likewise in a corporate setup, to be able to elect minority directors on a board of directors of a major corporation, notwithstanding every now and then, disgruntled points of view or dissension, a minority point of view is valuable even in a corporate setup. This bill will do away with any possibility of a minority point of view from ever existing on a board of directors of any publicly held corporation.

"There's no immediate need for this bill to pass, notwithstanding the April 24th meeting of A&B.

"And the chairman of the Consumer Protection Committee alluded to conflicting testimonies about what was said in a San Francisco February 25th meeting of the board of directors of A&B at which time someone representing the majority directors had stated, after they took action at the directors' level to do away from cumulative voting, that, 'notwithstanding what we did, which is contrary to the law in Hawaii today — don't worry about it the Legislature is going to pass our bill to do away with cumulative voting.' This is disputed; there is conflicting testimony both ways, but those who state that this statement was made are equally emphatic in saying that they can provide us with affidavits to show that this was the case.

"Be that as it may, I think perhaps it is an indication of what the Big Five companies think of their influence is around here and I must agree that they have quite a bit of influence over here. But if we are to give the people of this state a clear impression that we act quite independently around here, whatever the influence the Merchant Street merchants can wield around here, perhaps then we should not vote this bill today; hold it in abeyance, wait till after the directors' meeting or the shareholders' meeting on April 24th of A&B, and perhaps in the interim, take a good look at it and, next year, if we find an imperative need to pass this bill, then we can act on it at that time. But voting on it today, I don't think is the answer that we would like to convey to

the people of this state."

Senator Chang also spoke on the measure as follows:

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

"It seems to me that much of the discussion heard today is based on a mistaken analogy between governmental institutions and commercial institutions.

"It has often been said that democracy is the least efficient form of government but it's the best form that we have, and I've seen nothing in the operation of this august body to convince me otherwise.

"Corporations, on the other hand, are engines of commerce, and as a device for aggregating capital in order to fuel these engines the American corporation has known no equal. And it is this very distinction, this very dependence on these engines of commerce for efficiency and effectiveness that creates this need to reexamine and change the device of cumulative voting.

"Because of recent changes in the American banking and financial picture it is now possible for raiders of corporations to utilize vast sums of capital in order to disrupt corporate operations and, in this disruption, weaken these engines of commerce and make these engines prey to not only raiders in our own country, but to persons who have access to international funds.

"Mr. President, the Democratic Party is committed to outlining and establishing the foundation of a new economic order for Hawaii in the midst of a very troubled international, national and local situation. In order to quickly achieve this new order, it is necessary to provide for ways in which people and programs that the party has traditionally served, may be supported by a stable and progressive economic order. Retooling the engines of commerce and realigning these engines with the Democratic government is a necessary step in the achievement of this order and for this reason I support the bill."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 1360, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Hee, Kawasaki, McMurdo and Toguchi).

House Bill No. 1366, S.D. 1:

On motion by Senator Cobb, seconded by

Senator B. Kobayashi and carried, H.B. No. 1366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

House Bill No. 1489, H.D. 1, S.D. 1:

By unanimous consent, H.B. No. 1489, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING," was recommitted to the Committee on Consumer Protection and Commerce.

House Bill No. 240, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 240, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

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

"Mr. President, I oppose this bill and refer the members to page 60 of the bill.

"Mr. President, we've heard a ringing defense today of the so-called free enterprise system from the chairman of the Consumer Protection and Commerce Committee. I ask the members to tell me how this principle is being enunciated in this bill except in contradiction to the remarks previously given to the presumed effect of the vote taken.

"It says, 'A foreign financial institution.' I presume what they mean here is not necessarily somebody located in Taiwan or Australia, but probably one of the other states of the Union. 'A foreign financial institution whose principal office is not within this State' etc., etc., etc., 'shall not be considered doing business in this State by reason of engaging in the advertising or solicitation of savings accounts or investment or other certificates in this State by mail,' (that involves the federal mail, I presume, unless it happens to be one of the private companies that's doing it) 'radio, television, magazines, newspapers or any other media.'

"What we're saying here is that we're now going to define and interfere with the First Amendment rights of speech and say that you are not doing business ... we're going to create a fiction, in other words.

"Now you know perfectly well, Mr. President, if you, in the wisdom of your campaigning for example go to the radio, the television, the magazines or the newspapers in this town, they're going to demand cash from you, as a matter of fact. I don't think we get credit at the newspaper, not you and I anyway; we don't get credit at

the newspaper. You have to pay in cash and I presume that that's doing business and that will be seen as an expenditure by the Campaign Spending Commission. Yet, we're going to define here that taking out an ad is not doing business in this state for purposes of this section ... 'provided that in any advertising or solicitation by mail, or in any media which is directed primarily to persons in this State, there shall be a conspicuous statement made that the institution is not supervised or regulated by this State.' Now, what we're really talking about here is the financial institutions.

"If you take a look at the title of the bill, 'A Bill for an Act Relating to the Commissioner of Financial Institutions,' and what that director shall do and not do. This goes back to the bank examiner in her quest to look forward rather than backward, taking a look at the past as to what the bank examiner has done or not done or what the Office of Consumer Affairs has done or not done with industrial loan companies, it says let's look forward; let's forward and let's prevent anybody from competing from out of the state. Yet, the very arguments that have been made by the chairman of the Consumer Protection Committee have been towards the encouraging of this. One of the reasons we're told to vote for the credit bill or taking the ceiling off of credit and loans is going to encourage competition from all over the country.

"Now the chairman knows perfectly well that the other institutions that he's speaking of have to be under the Federal Deposit Insurance Corporation and, if they were, they could say so. But no, we're going to insist that they say are not supervised or regulated in this state. To what purpose? To try to imply to the depositor-investor in this state that somehow these companies are not financially sound, or they are like the companies we have here. Perish the thought.

"This is all that it is. It's a clear contradiction of the arguments in the previous cases. I don't see how there is any justification whatsoever for this. If there is to be an admonition that they must state what they do have by way of protection for their request that people in this state invest or deposit money with them, that seems perfectly reasonable. We require the same things of our own people. What protections do you provide and let people judge whether they are adequate or not? Instead, we enter a negative.

"I don't believe that this can be sustained in court. I don't see there's any reason to have this here except to interfere with the ordinary activity of commerce and business, which has been defended stoutly on this floor today, over and over again. And yet here we come in and tell business that it

cannot be done when there is no rational ground for doing it whatsoever, other than to perhaps to try to protect business in this state which is undeserving of protection.

"If the business in any other state is a legitimate business, soundly managed and protected in terms of insurance, for example, Federal Deposit Insurance Corporation is the example that I'm using in this instance, then I don't see why it can't say so just as our own financial institutions can now say so, particularly with respect to industrial loans.

"So I don't see any purpose in this bill other than to stand as a beautiful demonstration of how you can say one thing to get a bill passed one time and try to do another thing in another bill, another time, even though the contradiction is so blatant that how one can stand in good conscience and support it is beyond me."

Senator Cayetano also spoke on the measure as follows:

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

"Mr. President, my signature is free and clear on the committee report. I recall at the hearing, I thought this bill, especially the amendment on page 60, was silly and I have to blame myself for signing the committee report rather than trying to kill this bill in committee.

"There's a little history on why this amendment, stated on page 60, is there.

"Two or three weeks ago, maybe a month ago, the members of this body may have read a newspaper article which related how the bank examiner had stepped in to prohibit Coast Savings from advertising for business in this state.

"At the hearing on this bill, I questioned the bank examiner as to what her statutory authority was for making that kind of decision with respect to Coast Savings. Her answer was that it was not clear; there was nothing expressly stated in the law but she felt that implied in the law was a prohibition against out of state financial institutions advertising for business in this state. Coast Savings' attorneys, of course, disagreed, but because Coast Savings is a large, respected financial organization, they agreed to step back until this matter could be looked at more thoroughly by the bank examiner.

"The problem I have with this amendment is that it is a bill of illogic. If the members will look at the amendment on page 60, starting with (b), and let me preface my remarks by stating that the only way the State of Hawaii can regulate a foreign

financial institution is for that institution to do business in this state; otherwise, we can't regulate them. I mean, you don't have to be a lawyer to understand that. That's something that is pretty well known.

"In the first part of the amendment, it goes on clearly to state that a foreign financial institution which does not have a principal office in this state is not doing business in this state, if it advertises for business in this state. So, that takes it out of our jurisdiction.

"Then in the second half of the amendment, it goes on to say, however, if that foreign financial institution should advertise in this state then 'there shall be a conspicuous statement made that the institution is not supervised or regulated by this State.' Now how can you possibly enforce this since we don't have jurisdiction over the institution because it's not doing business in this state, according to the first half. How can we enforce this?

"The conclusion I have come to is that this must be a regulation on our local news media. It seems to me that they would be the ones who will have to carry the burden and require Coast Savings or whatever foreign financial institution, which wants to advertise in this state, to have such a statement in their ads before they are published in the newspapers or broadcasted on the radio or television. Now if that's the case, then it seems that the local news media may have a real argument on whether this violates the First Amendment.

"But there's even greater illogic and inequity. Let us assume that Coast Savings advertises in the Wall Street Journal, a publication read religiously and almost daily I understand by Senator Henderson. The Wall Street Journal is published nationwide and the State of Hawaii has no regulatory powers over what the Wall Street Journal publishes, so how will we enforce this against out of state publications such as the Wall Street Journal or the New York Times or any other newspaper that is published outside of this state and sold here, assuming we can even enforce it against the Honolulu Star Bulletin, Advertiser, or Channel 9, 2, 4 or any of the other news media that we have here.

"I'm sorry, maybe I'm a bit slow but the illogic just hit me maybe just a couple of hours ago and so I want to bring it to the members' attention and I would ask that the chairman take a recess to consider what I've said and maybe consider recommitting this bill because the rest of it, it seems to me, is nothing vital. In fact, all it does is change the name, bank examiner, to commissioner. It's amazing, it's this thick and that's about what it does.

"So I would ask that the chairman, if we can have a recess and talk this over, reconsider or consider recommitting this bill because I think that it makes absolutely no sense to me. It can't be enforced.

"Maybe I'm wrong. If some of you feel that it can be enforced, that it makes sense, please give me some time and explain it to me because I can't figure it out."

Senator B. Kobayashi spoke on the bill as follows:

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

"I will agree that the last page having to do with advertising may cause some people to question this bill but, unlike what the previous speaker says, there are sections of this bill which are highly important. There are at least four sections in which the commissioner is allowed to adopt rules pursuant to Chapter 91.

"In addition to that, the various thrusts of this bill would shift responsibility from the current director of consumer affairs to this new commissioner for financial institutions, and that involves a major reorganization and improvement, I would suggest, in how that department operates."

Senator Abercrombie then asked:

"Mr. President, maybe I'm going to make an inquiry at this point. It seems where consumer protection is concerned you have four or five different things get jammed into every bill. Is this bill properly before us then? If there are three or four other things and this got added in, is it properly within the purview of the commissioner?"

The Chair answered:

"I would think the title of the bill will be broad enough to include the subject matter being discussed at this time; therefore, it becomes a property of the bill."

Senator Abercrombie continued:

"Mr. President, all right.

"Then just in rebuttal to the last remark, briefly.

"We cannot keep on passing bills or make an argument to pass a bill because there are a couple of good things in it, supposedly, and then have the chairs constantly inserting other things into it to accomplish something else that don't add up. So then we're forced to all the time to keep voting for bills, especially bills with a particular subject matter. There's one I can think of that where inevitably you may not agree on

everything that's in it but it's all relevant to the point, and that's the budget bill. Not everybody may have the same view on what is in the budget but you vote for the budget bill because everything at least is addressed to it.

"But here you get changes in names and the commission and all of a sudden advertising pops in at the end. One, you're talking about a nuisance and all of a sudden the pet law appears. And it appears in another bill. We get two pet laws.

"We have all this coming up in there. I can't see that that's the reason. In other words, the previous remarks are not a reason to pass this bill. We just had an argument made, at least twice now, that the thing doesn't make any sense. I understand that that's not necessarily a deterrence in this body. You know, that may be a big thrust forward for it, but on the other hand, every once in a while we ought to surprise ourselves when we realize that it doesn't make any sense say, well, okay, we won't pass it this time."

Senator Cobb then rose to speak on the measure as follows:

"Mr. President, I rise to speak in favor of the measure.

"The language on page 60 was added at the request of the now existing bank examiner in testimony before the committee to address the question of whether or not Coast Savings could or could not in fact advertise here.

"The bill, unlike some assertions to the contrary, is intended to state that, yes, out of state advertising by financial institutions is allowed. All that the bank examiner sought, and the committee at least agreed, was let's have a disclosure that this is not a Hawaii institution and not regulated by Hawaii law.

"The language which the bank examiner presented is patterned identically after Section 8505 of the California Financial Code which provides virtually the same language. This is found on page 60. I would assume that if it has been in the California Financial Code that it has been tested and found to be constitutional. If it is not, I will certainly be willing to change the language and I've been told that the language question can also be addressed in conference, but I think there is perfectly good source and authority for that particular language, particularly when it addresses the question of in state publication. True, you cannot force a disclosure on an out of state publication, but when the letter or the newspaper is published or mailed in your own state, you certainly have the right to seek that kind of

disclosure without inhibiting competition, and this bill does not prohibit that kind of advertising."

Senator Cayetano then added:

"Mr. President, first of all, I disagree with Senator Kobayashi that this is a critical or important bill. If the members will peruse the bill itself, you will find that this is a reshuffling within the Department of Commerce and Consumer Affairs to create something that's called the Examiner of Financial Institutions or Division of Financial Institutions whose responsibilities are now handled by the bank examiner.

"As far as the rule-making provision, certainly that rule-making provision relates to the commission and that's going to be created in this bill. The present bank examiner, I'm sure, has the same kind of authority, if not the director of the department itself.

"With respect to the remarks made by the chairman, the fact that this amendment is contained in the California law is interesting but not necessarily compelling to me. I mean, the words speak for themselves. The illogic, it seems to me, just is obvious on its face.

"Maybe the answer to my concerns may be posed in the form of a question to the chairman. How will this be enforced? How will the advertising requirement ... and it seems to me that it has to be enforced against local media because certainly it's not enforceable it seems to me against out of state media ... how will it be enforced is question one.

"Second, if Coast Savings or any other institution does not want to comply since the first part of the amendment says they are not doing business in this state, how are we going to regulate them?

"Simple questions, I just want some answers."

Senator Cobb responded:

"Mr. President, the enforcement will go to precisely the same way that the enforcement of massage advertising would take place in the yellow pages of the directory. It would be up to the publishing institution to follow the law and insist on the requirement of the disclosure. That bill was passed earlier and it was in response to the problem of prostitution. The Police Department was in support of it, the Board of Massage was in support of it, and Hawaiian Telephone was also in support of it, and they stated that the cleanest way to do this, the easiest way to do this is to simply require in the law that the yellow pages directory require a license.

"The same principle would apply here that a disclosure would be required for such advertising. Just as the general contractor is required to disclose a contractor's license number to do advertising in certain publications, and that has withstood constitutional scrutiny."

Senator Cayetano continued:

"Mr. President, I assume the general contractor's license the chairman is talking about is held by a contractor who is doing business in this state, I mean, within the definitions of doing business in this state as set forth or established by our court rulings and our statutes.

"All right, if this is going to be enforced against the media, what is the sanction against the media if the media chooses not to comply because it perceives this as being an infringement of their First Amendment rights. How will we then enforce it against the media?"

"Senator Cobb answered:

"Mr. President, the language, as presently drafted, has no sanction."

Senator Cayetano then said:

"Anything that does not have a sanction, Mr. President, is unenforceable by definition. So in my view, that's a good reason to kill this bill."

The motion was put by the Chair and carried and H.B. No. 240, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Cayetano, Hee, Kawasaki, Soares and Toguchi).

House Bill No. 265, H.D. 1, S.D. 1:

On motion by Senator Chang, seconded by Senator Cayetano and carried, H.B. No. 265, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 6:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:30 o'clock p.m.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

THIRD READING

House Bill No. 29, H.D. 1, S.D. 1:

Senator Chang moved that H.B. No. 29, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie spoke on the measure as follows:

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

"From what I consider just to be the most fundamental basis of all the bills we've considered today, everything has come down to something here that is related to the most basic right that any man or woman can have in this state or in this country and that's the right to a trial by jury.

"What's stated here, and this is in the Constitution, Mr. President, what's stated here is that if we put this out, and you know that the capacity to pass an amendment is very high when it's on the ballot, but then the amount will be determined by law, which means in the Legislature instead of by the people. And all I'm maintaining, very simply, I don't know how it can be put any more simply and it's a question that we should decide on that basis, do you believe or do you not believe that the average man or woman should decide for themselves whether or not they want to have a trial when they believe a wrong has been done to them and get their opportunity to stand in front of the judge and the jury and make their case and hope that their friends and neighbors, their peers will agree with them. And that's the sum and substance of what this is all about.

"And the other part of it is that no one is entitled to tell somebody else as to what's important or not important to them. A thousand dollars, I know what's going to happen, we're going to raise it to five or ten or fifteen thousand dollars. That's not right. It's up to the individual to decide. Is it worth it to them to go and try to seek a redress in front of that jury?

"That's the most fundamental thing that there is in this whole country. It's the last bastion and the last offense that the average person has is to stand up and say, I'm going to sue, I don't have to take it. We shouldn't take that right away from him and we shouldn't decide for them what the amount is that makes it worth it to them to go in to get their day in court.

"I'm for voting 'no' on this bill so that the average person is able to maintain their day in court."

Senator Cayetano also spoke on the

measure as follows:

"Mr. President, speaking in favor of the bill, I think it's important to understand the question that this bill poses.

"Essentially, what the bill does is simply to put the question before the people. And I have to say that the remarks of the previous speaker are inappropriate to this bill because whether or not we should have jury trials for disputes exceeding a thousand dollars is not the question before us.

"The question before us is whether this question should be put to the people. It calls for a constitutional amendment, and unless anyone has problems with the process of letting the people decide whether there should be a change to an amendment to the Constitution, I see no reason why we should not pass this bill."

Senator Chang then remarked:

"Mr. President, very quickly, the purpose of this bill is to propose an amendment to Article I, Section 13, of the Hawaii State Constitution to change the jurisdictional amount required for jury trials in civil cases. That's one important distinction to keep in mind. We're not referring here to jury trials in criminal matters. It would allow the Legislature to establish the jurisdictional value for civil cases.

"Presently, the State Constitution preserves the right to a jury trial where the amount in controversy exceeds one thousand dollars. This bill would allow the Legislature to adjust the jurisdictional amount from time to time as circumstances may require. It would allow for an expeditious implementation of a new jurisdictional amount without a delay until the next election.

"Presently, the district court has exclusive jurisdiction if the amount in controversy is less than \$5,000 and limited jurisdiction when the amount in dispute is between \$5,000 and \$10,000. District courts, however, try and determine all actions without a jury. Therefore, a case may be commenced in or removed to the circuit court if the amount in controversy exceeds \$1,000 and one of the parties demands a jury trial.

"Rather than expediting the disposition of the case, removing a case to circuit court would usually result in prolonging the case and add to an already congested circuit court calendar.

"Moreover, the cost of a jury trial can easily exceed \$1,000, several times over, especially when one considers attorneys' fees for all parties, legal expenses and judicial time in administration.

"For these reasons, Mr. President, your committee has examined the proposal before it and recommends that this is an appropriate question to be presented to the people for their decision — shall the jurisdictional amount be changed by the Legislature as circumstances deem appropriate."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 29, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 13, OF THE HAWAII CONSTITUTION, TO CHANGE THE JURISDICTIONAL AMOUNT REQUIRED FOR JURY TRIALS," having been read throughout, passed on the following showing of Ayes and Noes:

Ayes, 14. Noes, 10. Excused, 1 (Kawasaki).

Senator Abercrombie then inquired:

"Mr. President, point of inquiry. When will this measure appear on the ballot?"

At 6:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 6:39 o'clock p.m.

At this time, Senator Cayetano also rose to inquire:

"Mr. President, the vote on the last bill which proposes a constitutional amendment, does that meet requirements for passage this year?"

The Chair responded:

"In answer to the inquires by the previous speakers, for final passage this year the bill requires passage by two-thirds vote in each house. However, it can pass by a simple majority this year and again next year. It must pass by a simple majority in two successive years and then be placed on the next general election ballot."

Senator Abercrombie then said:

"Mr. President, am I correct then that the majority voting on this issue will have an opportunity, then, next year, to see the error of its way."

The Chair answered:

"Yes, if that be so the"

Senator Abercrombie interjected:

"Yes, Mr. President, I predict, if we do not take such action that this item will become a major issue in 1986, and I invite

everybody to think very seriously about that. And those who wish to discount it can do so, and those who see it as I do will be able to pursue it with the electorate."

Senator Cayetano then added:

"Mr. President, just a few remarks in response.

"I see this as a form of initiative. I cannot understand why some of the people who voted against it did so."

House Bill No. 1257, S.D. 1:

Senator Chang moved that H.B. No. 1257, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie said:

"Mr. President, I think that the chairman of the Judiciary Committee wants to make a statement, if I'm not mistaken, before we vote on this, for the record."

Senator Chang spoke on the measure as follows:

"Mr. President, some reservations have been expressed with respect to one provision found at the bottom of page 5 in House Bill No. 1257, continuing on to the top of page 6.

"I have so expressed the concerns of the Majority caucus to the corresponding committee chairman in the House and he has agreed that he will disagree with this matter and take the matter to the conference committee whereby that offending provision shall be removed.

"Very simply, Mr. President, the questionable provision would have permitted printing on both sides of the ballot card by means of consolidating questions, offices and candidates. And while the matter involved is cost savings of \$75,000 per card, it involves procedures presently followed by the Chief Elections Officer. The matter was of sufficient concern to cause the Majority caucus to put aside those concerns about expense in favor of a more conservative approach at this time."

The motion was put by the Chair and carried and H.B. No. 1257, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1

(Kawasaki).

MATTERS DEFERRED FROM FRIDAY, MARCH 29, 1985

REFERRAL OF RESOLUTIONS

The President made the following committee assignments of concurrent resolutions and resolutions that were offered:

Senate Concurrent Resolutions	Referred to:
No. 61	Committee on Consumer Protection and Commerce
No. 62	Committee on Higher Education
Senate Resolution	Referred to:
No. 76	Committee on Labor and Employment
No. 77	Committee on Labor and Employment
No. 78	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
No. 79	Committee on Labor and Employment, then to the Committee on Legislative Management
No. 80	Committee on Higher Education
No. 81	Committee on Higher Education

The Chair then made the following observation:

"Members of the Senate, I believe this is the first time in six years that we adjourn at 6:45 p.m. on Third Reading of House bills. The Chair appreciates the cooperation by all members.

"I hope you have a good evening. We'll see you tomorrow."

ADJOURNMENT

At 6:46 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 2, 1985.

FORTY-EIGHTH DAY

Tuesday, April 2, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by the Reverend Wendell Chang, Manoa Valley Church, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

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

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

Senator Abercrombie made the following introduction:

"Mr. Vice President, ladies and gentlemen, visiting with us today are twelve Fukuoka assemblymen and associates. They have arrived this morning from Japan and are participating in the Hawaii-Fukuoka Goodwill Memorial Service at Punchbowl and they are in Hawaii in commemoration of the 100th Year of the First Japanese Contract Labor Immigration to Hawaii. These assemblymen have led a group of 360 visitors from Fukuoka and I'm sure we're all very pleased to have them here. Mr. President, with your permission I will begin my introduction. I'm pleased to introduce the following twelve Fukuoka assemblymen: Eitaro Shinoda, Hisao Takayama, Shigenori Fujita, Teruo Yoshizuka, Ken'gi Maeda, Kosuke Yamanaka, Yasuto Nagayoshi, Yoshiki Ide, Sakaki Mito, Matsuhiko Shingu, Mikito Kusuda and Akihiko Nakamura."

Senator Kuroda then added: "accompanying the twelve legislators is a member of the legislative staff, Asahiko Mihara, a son of one of the Fukuoka assemblymen. From the travel agency, from the Fukuoka office of the Kintetsu is Fujiya Itoyama. And the general manager of the Honolulu Office located in Waikiki of the Kintetsu Organization is Osamu Ishimaru."

Senator Soares introduced a group of students from Kaiser High School, accompanied by their teacher Ms. Liberta Chock, who is also the sister of Senator Chang.

Senator Abercrombie made the following introduction:

"Mr. Vice President, we're especially blessed today here on the floor by having some individuals who are representatives of the Foster Grandparent Program. This program, Mr. Vice President, is designed to

provide love, care, friendship, guidance and supplement training to children from birth to 21 with special or exceptional needs from persons 60 years of age or older with limited financial means.

"Each foster grandparent enrolled in the program must undergo an examination and interview and forty hours of orientation and assessment to assure their interest and capabilities to assist children. In addition four hours per month are spent on in-service training as well as ongoing individual assessment. Monday through Friday with two or more children per day, these individuals work intensively on a personalized relationship with each child to augment their emotional, physical, psychological and cognitive development through the foster grandparent's presence and help. You can imagine, Mr. Vice President, the tremendous resources of energy and emotional stability that's required to do this.

"Today with 120 foster grandparents enrolled in the program, its major focus has shifted from its organization at Waimano School and Hospital to more community based programs which serve 36 volunteer stations throughout Oahu, Hawaii and Maui.

"The State of Hawaii is honored to recognize this program in its twentieth year and the kapuna which are the Foster Grandparent Program. Since 1965 they have provided a very special service of that tender loving care to many hundreds and hundreds of young children. They are a true example of the spirit of Aloha. And we have some of those individuals with us here today, Mr. Vice President, and I would like to read to you from the certificate we are presenting each of them and to give you a little background on each of these extraordinary individuals.

"The first is Madeline Ohta, a pioneer in the Foster Grandparent Program who has served since its inception in 1965.

"At the age of 67, Madeline Ohta joined this program. Deeply moved by the children she did not believe she could last herself very long in this program and this is 1965. She was advised to take one day at a time which she has and now twenty years later, twenty years later she is still an active contributor to the program.

"A highly spirited person, she has brought sunshine to the children around her. Nothing has been too good for them. Many times she has taken special care with individual ones.

"At 67 she could go hiking with the staff

and keep up. Today her gait is a bit slowed and often pained with arthritis but her spirit never lets up. She seems to believe that the pain goes away when she is with the children and it appears so when she is observed giving her personalized care to them.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication (remember she started at the age of 67). She has provided a special service of that tender loving care. Madeline Ohta is a true example of the spirit of Aloha.

"Our next individual, Mr. Vice President, is Myrtle Tulloh. She was also a pioneer in the program who served since 1965.

"She accepted the position with the intent of staying only a year but she soon became so involved with the children at Waimano Training School and Hospital that the years have quickly gone by.

"Mrs. Tulloh has the quiet calming effect on the children so when especially difficult children need a calm, carefully followed program, Mrs. Tulloh was always the one sought out.

"When the population at Waimano began decreasing and the foster grandparents were sent to community settings, Mrs. Tulloh was asked to make special assignments.

"Today at the age of 81 she is a much treasured foster grandparent at the Pearl Harbor Elementary School Preschool Learning Impaired class.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication. Myrtle Tulloh again is a true example of the spirit of Aloha.

"The next individual is Yukiyo Yoshimoto. Again a pioneer in the Foster Grandparent Program who served since its inception in 1965.

"At the age of 66 Mrs. Yoshimoto accompanied the children to the many training classes and outdoor classes where she could be seen running with the children or walking with the children up and down the hills at Waimano. Today the population is very different but nonetheless she has continued to exert the same type of energy in providing the personalized care for the children.

"She did not believe she would have worked so long. She often told her children that in a few years I'll quit but the time has flown so fast that each time she has given herself a deadline, she has exceeded it. Today at the age of 86 she is not making any predictions about her retirement.

"The State of Hawaii is honored to recognize this individual in her twentieth

year of dedication. She has provided a special service of tender loving care. Mrs. Yoshimoto is a true example of the spirit of Aloha.

"Last, but not least, Mr. Vice President, is Theresa Rapoza, again a pioneer in this program.

"At the age of 60 Theresa Rapoza was referred to the program by the State Employment Program. Too young for retirement and full of vim and vigor she began with the program. Although filled with doubts of the work she was undertaking, she has shown a true spirit of commitment over the years.

"Her energies were directed to giving children the best personal care. Each day the children were groomed, taken for walks, helped with table top activities and given self help skills training.

"The State of Hawaii is honored to recognize this individual in her twentieth year of dedication. She has provided again a special service of that tender loving care to many hundreds of young people. Theresa Rapoza a true example of the spirit of Aloha."

Senate Certificates were presented to the honorees by Senator Abercrombie and leis were presented by Senators Hee, Soares, Henderson, Toguchi and Matsuura.

Senator Wong requested: "Mr. Vice President, I wonder at this time, if the members of the Senate would rise to show their appreciation and love to these people who really care. And also Mr. Vice President, seated up in the audience are the rest of the foster grandparents. Can we give them all a hand?"

Senator Chang then made the following introduction:

"Mr. Vice President, seated with my sister and her visiting students is my mother, Mrs. Ethel Chang."

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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 350 to 446), returning Senate Bills, as amended, which passed Third Reading in the House of Representatives on April 1, 1985, were read by the Clerk and were placed on file, and by unanimous consent, action on said bills was deferred to Thursday, April 4, 1985:

Hse. Com. No. 350, returning S.B. No. 20,

S.D. 1, H.D. 1;
 Hse. Com. No. 351, returning S.B. No. 64,
 S.D. 2, H.D. 2;
 Hse. Com. No. 352, returning S.B. No. 78,
 S.D. 1, H.D. 2;
 Hse. Com. No. 353, returning S.B. No. 83,
 S.D. 2, H.D. 1;
 Hse. Com. No. 354, returning S.B. No. 95,
 H.D. 2;
 Hse. Com. No. 355, returning S.B. No.
 113, S.D. 2, H.D. 2;
 Hse. Com. No. 356, returning S.B. No.
 153, S.D. 1, H.D. 2;
 Hse. Com. No. 357, returning S.B. No.
 170, S.D. 2, H.D. 2;
 Hse. Com. No. 358, returning S.B. No.
 201, S.D. 1, H.D. 1;
 Hse. Com. No. 359, returning S.B. No.
 217, S.D. 1, H.D. 1;
 Hse. Com. No. 360, returning S.B. No.
 236, S.D. 1, H.D. 2;
 Hse. Com. No. 361, returning S.B. No.
 338, S.D. 1, H.D. 2;
 Hse. Com. No. 362, returning S.B. No.
 454, S.D. 1, H.D. 1;
 Hse. Com. No. 363, returning S.B. No.
 459, S.D. 2, H.D. 2;
 Hse. Com. No. 364, returning S.B. No.
 463, S.D. 1, H.D. 2;
 Hse. Com. No. 365, returning S.B. No.
 471, S.D. 2, H.D. 1;
 Hse. Com. No. 366, returning S.B. No.
 592, S.D. 1, H.D. 2;
 Hse. Com. No. 367, returning S.B. No.
 615, S.D. 1, H.D. 2;
 Hse. Com. No. 368, returning S.B. No.
 665, S.D. 1, H.D. 2;
 Hse. Com. No. 369, returning S.B. No.
 702, S.D. 2, H.D. 2;
 Hse. Com. No. 370, returning S.B. No.
 726, S.D. 2, H.D. 2;
 Hse. Com. No. 371, returning S.B. No.
 732, S.D. 1, H.D. 2;
 Hse. Com. No. 372, returning S.B. No.
 932, S.D. 1, H.D. 1;
 Hse. Com. No. 373, returning S.B. No.
 937, S.D. 2, H.D. 2;
 Hse. Com. No. 374, returning S.B. No.
 1127, S.D. 1, H.D. 2;
 Hse. Com. No. 375, returning S.B. No.
 1130, S.D. 1, H.D. 1;
 Hse. Com. No. 376, returning S.B. No.
 1144, S.D. 1, H.D. 1;
 Hse. Com. No. 377, returning S.B. No.
 1170, H.D. 2;
 Hse. Com. No. 378, returning S.B. No.
 1175, S.D. 1, H.D. 1;
 Hse. Com. No. 379, returning S.B. No.
 1186, S.D. 2, H.D. 1;
 Hse. Com. No. 380, returning S.B. No.
 1193, S.D. 2, H.D. 2;
 Hse. Com. No. 381, returning S.B. No.
 1286, S.D. 2, H.D. 2;
 Hse. Com. No. 382, returning S.B. No.
 1287, S.D. 2, H.D. 2;
 Hse. Com. No. 383, returning S.B. No.
 1299, S.D. 1, H.D. 2;
 Hse. Com. No. 384, returning S.B. No.
 1354, S.D. 1, H.D. 2;
 Hse. Com. No. 385, returning S.B. No.
 1358, S.D. 1, H.D. 2;

Hse. Com. No. 386, returning S.B. No.
 1487, S.D. 2, H.D. 2;
 Hse. Com. No. 387, returning S.B. No. 59,
 S.D. 1, H.D. 1;
 Hse. Com. No. 388, returning S.B. No. 70,
 S.D. 1, H.D. 1;
 Hse. Com. No. 389, returning S.B. No. 86,
 S.D. 1, H.D. 1;
 Hse. Com. No. 390, returning S.B. No. 99,
 H.D. 1;
 Hse. Com. No. 391, returning S.B. No.
 102, H.D. 1;
 Hse. Com. No. 392, returning S.B. No.
 149, S.D. 1, H.D. 1;
 Hse. Com. No. 393, returning S.B. No.
 163, H.D. 1;
 Hse. Com. No. 394, returning S.B. No.
 234, S.D. 1, H.D. 1;
 Hse. Com. No. 395, returning S.B. No.
 235, S.D. 1, H.D. 1;
 Hse. Com. No. 396, returning S.B. No.
 249, S.D. 1, H.D. 1;
 Hse. Com. No. 397, returning S.B. No.
 280, S.D. 1, H.D. 1;
 Hse. Com. No. 398, returning S.B. No.
 404, H.D. 1;
 Hse. Com. No. 399, returning S.B. No.
 462, S.D. 1, H.D. 1;
 Hse. Com. No. 400, returning S.B. No.
 468, H.D. 1;
 Hse. Com. No. 401, returning S.B. No.
 735, S.D. 1, H.D. 1;
 Hse. Com. No. 402, returning S.B. No.
 775, S.D. 1, H.D. 1;
 Hse. Com. No. 403, returning S.B. No.
 854, S.D. 1, H.D. 1;
 Hse. Com. No. 404, returning S.B. No.
 1223, H.D. 1;
 Hse. Com. No. 405, returning S.B. No.
 1264, S.D. 1, H.D. 1;
 Hse. Com. No. 406, returning S.B. No.
 1353, S.D. 1, H.D. 1;
 Hse. Com. No. 407, returning S.B. No. 76,
 S.D. 1, H.D. 1;
 Hse. Com. No. 408, returning S.B. No.
 224, H.D. 1;
 Hse. Com. No. 409, returning S.B. No.
 253, S.D. 1, H.D. 1;
 Hse. Com. No. 410, returning S.B. No.
 327, S.D. 1, H.D. 1;
 Hse. Com. No. 411, returning S.B. No.
 377, S.D. 1, H.D. 1;
 Hse. Com. No. 412, returning S.B. No.
 461, S.D. 1, H.D. 1;
 Hse. Com. No. 413, returning S.B. No.
 539, S.D. 1, H.D. 1;
 Hse. Com. No. 414, returning S.B. No.
 588, S.D. 1, H.D. 1;
 Hse. Com. No. 415, returning S.B. No.
 644, S.D. 1, H.D. 1;
 Hse. Com. No. 416, returning S.B. No.
 669, S.D. 1, H.D. 1;
 Hse. Com. No. 417, returning S.B. No.
 1138, S.D. 1, H.D. 1;
 Hse. Com. No. 418, returning S.B. No.
 1155, S.D. 1, H.D. 1;
 Hse. Com. No. 419, returning S.B. No.
 1196, S.D. 1, H.D. 1;
 Hse. Com. No. 420, returning S.B. No.
 1231, S.D. 1, H.D. 1;
 Hse. Com. No. 421, returning S.B. No.

1270, S.D. 1, H.D. 1;
Hse. Com. No. 422, returning S.B. No. 1310, S.D. 1, H.D. 1;
Hse. Com. No. 423, returning S.B. No. 1404, H.D. 1;
Hse. Com. No. 424, returning S.B. No. 1408, S.D. 2, H.D. 1;
Hse. Com. No. 425, returning S.B. No. 115, S.D. 1, H.D. 1;
Hse. Com. No. 426, returning S.B. No. 237, S.D. 2, H.D. 1;
Hse. Com. No. 427, returning S.B. No. 239, S.D. 2, H.D. 1;
Hse. Com. No. 428, returning S.B. No. 309, S.D. 1, H.D. 1;
Hse. Com. No. 429, returning S.B. No. 384, H.D. 1;
Hse. Com. No. 430, returning S.B. No. 558, S.D. 2, H.D. 1;
Hse. Com. No. 431, returning S.B. No. 662, H.D. 1;
Hse. Com. No. 432, returning S.B. No. 1057, S.D. 1, H.D. 1;
Hse. Com. No. 433, returning S.B. No. 1089, S.D. 2, H.D. 1;
Hse. Com. No. 434, returning S.B. No. 1157, S.D. 1, H.D. 1;
Hse. Com. No. 435, returning S.B. No. 1185, S.D. 1, H.D. 1;
Hse. Com. No. 436, returning S.B. No. 1413, S.D. 1, H.D. 1;
Hse. Com. No. 437, returning S.B. No. 90, S.D. 1, H.D. 1;
Hse. Com. No. 438, returning S.B. No. 127, S.D. 1, H.D. 1;
Hse. Com. No. 439, returning S.B. No. 133, S.D. 1, H.D. 1;
Hse. Com. No. 440, returning S.B. No. 252, S.D. 2, H.D. 1;
Hse. Com. No. 441, returning S.B. No. 460, S.D. 2, H.D. 2;
Hse. Com. No. 442, returning S.B. No. 589, S.D. 2, H.D. 1;
Hse. Com. No. 443, returning S.B. No. 610, S.D. 1, H.D. 1;
Hse. Com. No. 444, returning S.B. No. 1198, S.D. 2, H.D. 1;
Hse. Com. No. 445, returning S.B. No. 1386, S.D. 1, H.D. 1; and
Hse. Com. No. 446, returning S.B. No. 1432, S.D. 2, H.D. 1.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 70 to 73) were read by the Clerk and were disposed of as follows:

S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS," was offered by Senators B. Kobayashi, McMurdo, Fernandes Salling, Yamasaki, Solomon, Matsuura, A. Kobayashi, George, Kuroda, Machida, Abercrombie, Henderson and Hagino.

By unanimous consent, S.C.R. No. 70 was referred to the Committee on Health.

S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SERVICES FOR SCHIZOPHRENICS PROVIDED BY THE MENTAL HEALTH DIVISION," was offered by Senators B. Kobayashi, McMurdo, Fernandes Salling, Yamasaki, Solomon, Matsuura, A. Kobayashi, George, Kuroda, Machida, Abercrombie and Chang.

By unanimous consent, S.C.R. No. 71 was referred to the Committee on Health.

S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF KAHEKILI HIGHWAY BECOMING ONE-WAY DURING RUSH HOURS," was offered by Senators Hee and Cayetano.

By unanimous consent, S.C.R. No. 72 was referred to the Committee on Transportation.

S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was offered by Senators Cayetano, Chang, B. Kobayashi, Mizuguchi, Matsuura, Hee, Abercrombie, Kawasaki, Fernandes Salling, Toguchi, Cobb, Aki, Machida, Hagino, Yamasaki, Solomon, Holt and Wong.

By unanimous consent, S.C.R. No. 73 was referred jointly to the Committee on Judiciary and the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 92) were read by the Clerk and were disposed of as follows:

S.R. No. 90, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF KAHEKILI HIGHWAY BECOMING ONE-WAY DURING RUSH HOURS," was offered by Senators Hee and Cayetano.

By unanimous consent, S.R. No. 90 was referred to the Committee on Transportation.

S.R. No. 91, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was offered by Senators Cayetano, Chang, B. Kobayashi, Mizuguchi, Matsuura, Hee, Abercrombie, Kawasaki, Fernandes Salling, Toguchi, Cobb, Aki, Machida, Hagino, Solomon, Yamasaki, Holt and Wong.

By unanimous consent, S.R. No. 91 was referred jointly to the Committee on Judiciary and the Committee on Transportation.

S.R. No. 92, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AUTHORIZING THE STATE AND THE COUNTIES TO ESTABLISH CAFETERIA BENEFIT PLANS," was offered by Senators Machida, Yamasaki, Matsuura, Cayetano, Cobb, Abercrombie, Henderson, A. Kobayashi, George, Solomon, Hee, Kuroda, Kawasaki, Hagino, Chang, Mizuguchi, McMurdo, Soares, Holt, Toguchi, Fernandes Salling, B. Kobayashi, Aki and Young.

By unanimous consent, S.R. No. 92 was referred to the Committee on Labor and Employment.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 941 (Gov. Msg. No. 197):

Senator Chang moved that Stand. Com. Rep. No. 941 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang moved that the Senate consent to the nomination of Wilfred K. Watanabe as Judge to the First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

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

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

Stand. Com. Rep. No. 942 (Gov. Msg. No. 199):

Senator Chang moved that Stand. Com. Rep. No. 942 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate consent to the nomination of Frank Tokio Takao as Judge to the First Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

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

and Noes:

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

Stand. Com. Rep. No. 943 (Gov. Msg. No. 198):

Senator Chang moved that Stand. Com. Rep. No. 943 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate consent to the nomination of E. John McConnell as Judge to the Second Circuit Court, for a ten-year term, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, seconded by Senator Cayetano.

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

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

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

The Senate reconvened at 12:05 o'clock p.m.

At this time, Senator Kawasaki, chairman of the Committee on Government Operations, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.R. No. 84, entitled: "SENATE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS"; and

S.C.R. No. 64, entitled: "SENATE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE GENERAL SECRETARY OF THE COMMUNIST PARTY OF THE SOVIET UNION TO MEET AT LEAST ONCE A YEAR FOR PURPOSES OF NEGOTIATIONS,"

and the Chair granted the waiver.

ADJOURNMENT

At 12:08 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., Wednesday, April 3, 1985.

FORTY-NINTH DAY

Wednesday, April 3, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major William Muleh of The Salvation Army, after which the Roll was called showing all Senators present with the exception of Senator Solomon who was excused.

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

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

Senator A. Kobayashi introduced the kindergarten class from Punahou School, "the proud and industrious Wilcox E eager beavers with my friend Courtney Oliva," who were accompanied by their teachers: Mrs. Marilyn Blaisdell Ane and Mrs. Patty Anderson; and parents: Mrs. Debbie Cogan, Mrs. Margaret Hunter, Mrs. Cathy Lau, Mrs. Lucinda Pyles, Mrs. Susan Thom, and Mrs. Marcy Sugihara.

Senator Matsuura, on behalf of the Big Island Senators, introduced a group of 18 students from Honokaa, Kau, Pahoa, and Waiakea High Schools who are participating in the Hawaii District Legislative Experience Program. The students were accompanied by student coordinators: Ms. Julie Sakasegawa and Ms. Beth Choi; faculty advisors: Mr. Jim White and Ms. Netlie Yokoyama; and Mr. Wallace Aki, district personnel specialist, DOE.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock a.m.

Senator Hagino then made the following introductions and remarked:

"Mr. President, we are indeed honored this morning to have several outstanding citizens of the state.

"First, I would like to introduce to you and members of this body Professor Hampton L. Carson.

"Professor Carson is a professor of genetics at the University of Hawaii, Manoa Campus. He came to Hawaii from Washington University with which he was affiliated until his retirement there. With his valuable background, he dedicated 15 years to his post at the University of Hawaii. This June, at the age of 70, he will retire from his position there.

"In honor of his retirement, an international symposium will be held this June at the Ala Moana Americana Hotel, entitled 'International Genetics, Speciation, and the Founder Principle.' Thirty prominent scientists from around the world have accepted invitations to participate in the symposium, and Oxford University Press will publish selected papers in a special volume on Dr. Carson's theories of speciation.

"Professor Carson has been a vanguard in the field of evolutionary biology and is considered to be a very important figure in this scientific discipline.

"He is known to his colleagues and students as an incredible human being, who, while being an eminent figure, is quick to recognize their accomplishments as well.

"Professor Carson was selected as a recipient of the Leidy Medal for his original contributions to the fields of evolutionary biology and genetics and, specifically, for his work on evolutionary patterns among Hawaiian *Drosophila*. His work is one of the most important studies of the 20th century biology which led him to develop the 'species flush' hypothesis.

"As a recipient of the Leidy Medal awarded by the Academy of Natural Sciences for 1985, and presented at a special ceremony, the Academy also invited him to conduct two seminars while in Philadelphia. This award is given every three years to the most outstanding publisher, explorer, discoverer or researcher in natural science. The Academy cited Professor Carson's work as 'one of the most important studies of 20th century evolutionary biology.'

"At this time, I would like to introduce to you Professor Hampton Carson and his wife Meredith, accompanied by Professor Ken Kaneshiro, director of the Hawaiian Evolutionary Biology Program at the University of Hawaii."

Professor Carson rose to be recognized and was presented with the congratulatory certificate by Senator Hagino and a lei by Senator A. Kobayashi.

Senator Hagino continued:

"Mr. President, 1984 was a very good year for Wahiawa. Several weeks ago we recognized residents of the district for excelling in football. Well, today, we are honoring some other residents who have achieved successes of equal height.

"Governor George Ariyoshi proclaimed

November 18-24, 1984, as Family Week in Hawaii. The Child and Family Service co-sponsored with the Honolulu Advertiser, the first annual Hawaii Family of the Year recognition in celebration of the National Family Week, and conducted a statewide search for a representative family that fosters individual growth among its members, encourages family teamwork, and nurtures a commitment to community service.

"The outcome of that statewide search was the selection of the Ferry and Louis Kim family as the 1984-85 Family of the Year.

"Together with their six children, their spouses, and 17 grandchildren, they comprise a family unit that exemplifies the true ohana spirit of togetherness in love, respect, and concern for each other, and a willingness to include those outside of the family.

"Ferry and Louis have their roots in Wahiawa where they grew up before they married over 39 years ago. They saw to it that everyone of their six children received a college education and are proud of their successful careers.

"Girded by the teachings of their faith which provides a strong focal point in their lives, a caring home environment, and uncompromised values fostered by wise parents, the Kim family has worked as a team, always being available to lend a helping hand, rendering valued community service. Their charitable deeds have benefited many people in many ways.

"The Ferry and Louis Kim family represent the positive social, cultural, and spiritual cornerstones upon which Hawaii's families and communities are built.

"In view of the fragmented nature of family units today, the unified efforts and bonding of this family are indeed commendable, and their recognition is certainly well-deserved.

"Mr. President, at this time, I would like to introduce to this body and you, Mr. and Mrs. Ferry Kim, their five children and families."

Mr. and Mrs. Ferry Kim rose to be recognized and were presented with the Senate certificate by Senator Hagino and leis by Senators Fernandes Salling and

Senator Hagino then continued:

"Mr. President, I have the distinct pleasure of introducing to you and this body Paul Tomiyasu, one of the Nation's Ten Outstanding Young Men in America for 1985.

"Paul is a resident of Wahiawa, where he

lives with his wife Lydia, who also serves as his interpreter.

"Paul attended the Hawaii School for the Deaf and the Blind and McKinley High School. He was selected by the United States JAYCEES as one of the Nation's Ten Outstanding Young Men in America for 1985.

"Mr. President, I might add that two years ago I was nominated by the Wahiawa chapter for this award and I never got past the district competition.

"His wife Lydia stated that Paul became involved with all the programs for the deaf out of frustration and despair over the lack of services for the hearing impaired."

Senator Hagino then read portions of the congratulatory certificate to Paul Tomiyasu.

Paul Tomiyasu and his wife Lydia rose to be recognized and were presented with the Senate certificate by Senator Hagino and leis by Senators Young and Kuroda.

Senator Hagino also introduced Mr. and Mrs. Dennis Tomiyasu, parents of the honoree; his aunt Mrs. Catherine Conchee; and friends from various organizations: Aloha United Way; Hawaii Services on Deafness; Hawaii Rainbow Ohana Association of the Kuli; Junior National Association for the Deaf; Foreign Students from the Honolulu Community College; and the Hawaii Chapter of JAYCEES and Mr. Bill Pitti, state president.

Senator Hagino also recognized Mrs. Elaine Takato of Wahiawa, winner of a Reno, Nevada, million-dollar jackpot.

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

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 287 to 289) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 287, transmitting a report on the delegation of CIP projects for the calendar period ending December 31, 1984, prepared by the Department of Accounting and General Services, pursuant to Section 103, Act 301, SLH 1983, was referred to the Committee on Ways and Means.

Gov. Msg. No. 288, submitting for consideration and consent to the First Circuit Court, the nomination of Daniel G. Heely, as Judge, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten

years, was referred to the Committee on Judiciary.

Gov. Msg. No. 289, transmitting a promotional brochure, "Hawaii's Foreign-Trade Zone Program: How it Can Help Businesses, Cut Expenses, and Increase Profits," prepared by the Department of Planning and Economic Development, was placed on file.

SENATE CONCURRENT RESOLUTION

S.C.R. No. 74, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23," was offered by Senators Henderson, Matsuura, Solomon, George, A. Kobayashi, Soares, Fernandes Salling, Abercrombie, Toguchi and Hee, and was read by the Clerk.

By unanimous consent, S.C.R. No. 74 was referred to the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 93 to 98) were read by the Clerk and were disposed of as follows:

S.R. No. 93, entitled: "SENATE RESOLUTION ENCOURAGING THE RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF ELECTRIC VEHICLES IN HAWAII," was offered by Senator Matsuura.

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

S.R. No. 94, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT OF A NON-NUCLEAR DEFENSIVE WEAPONS SYSTEM FOR DEPLOYMENT IN SPACE," was offered by Senators Henderson, Matsuura, Solomon, George, Soares, Aki, Fernandes Salling, Cobb, Abercrombie, Hee and Toguchi.

By unanimous consent, S.R. No. 94 was referred to the Committee on Government Operations.

S.R. No. 95, entitled: "SENATE RESOLUTION REQUESTING A REPORT CONCERNING ADMINISTRATIVE RULES ON UNDERGROUND INJECTION CONTROL, TITLE II, CHAPTER 23," was offered by Senators Henderson, Matsuura, Solomon, George, A. Kobayashi, Soares, Fernandes Salling, Abercrombie, Toguchi and Hee.

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

S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING THE

DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF TEACHING BRAILLE TO ALL LEGALLY BLIND STUDENTS," was offered by Senators Abercrombie and Toguchi.

By unanimous consent, S.R. No. 96 was referred to the Committee on Education.

S.R. No. 97, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM," was offered by Senator Hagino.

By unanimous consent, S.R. No. 97 was referred to the Committee on Economic Development.

S.R. No. 98, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REPORT ON THE NEWSWRITING AND YEARBOOK PUBLICATIONS CURRICULUM AND PROGRAMS OFFERED IN PUBLIC SECONDARY SCHOOLS," was offered by Senators Toguchi, Kuroda, Young, Chang, Matsuura, Kawasaki, Soares, Henderson, Machida, McMurdo, A. Kobayashi, Fernandes Salling and Aki.

By unanimous consent, S.R. No. 98 was referred to the Committee on Education.

STANDING COMMITTEE REPORT

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 944) recommending that the Senate advise and consent to the nominations of the following:

Richard T. Subiaga to the Civil Service Commission, in accordance with Gov. Msg. No. 145;

Clarence M. Takashima to the Civil Service Commission, in accordance with Gov. Msg. No. 189;

Melvyn T. Murakami to the Civil Service Commission, in accordance with Gov. Msg. No. 228;

Herbert M. Dias and Ronald N. Hirano to the Board of Trustees of the Deferred Compensation Plan, in accordance with Gov. Msg. No. 146;

Robert M. Fukunaga to the Hawaii Employment Relations Board, in accordance with Gov. Msg. No. 147;

Roy E. King, Jr., to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 148;

Jean H. Nakagawa to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 230; and

Roy Yonahara, Alvin J. Nishimoto, Isaac J. Kaopua, Sr., Linda F. Agosto, Mary Jean Lindsey, and Christy A. Kawabata to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 229.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 944 and Gov. Msg. Nos. 145, 189, 228, 146, 147, 148, 230, and 229 was deferred until Thursday, April 4, 1985.

ORDER OF THE DAY

RE-REFERRAL OF RESOLUTIONS

The President made the following re-referral of resolutions:

Senate
Concurrent
Resolution Referred to:

No. 51 Committee on Education,
then to the Committee on Ways and Means

Senate
Resolutions Referred to:

No. 65 Committee on Education,
then to the Committee on Ways and Means

No. 83 Committee on Labor and
Employment

Senator Young then rose on a point of personal privilege as follows:

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

"Mr. President, Governor George Ariyoshi announced yesterday the proposal to make available 2,300 housing units valued at \$183.9 million for Navy personnel and their families.

"The proposal is intended to be an enticement in Hawaii's bid to become the homeport for the Missouri battleship group.

"The ship would have 4,500 military personnel on board and 569 military and civilian employees on land. There would be an estimated 2,000 spouses and 1,750 children.

"I fear certain decisions are being made by people who personally will not be affected by the homeporting of the battleship group in Hawaii. The real impact of homeporting will be felt by the residents of the Leeward communities — Pearl City, Ewa, Ewa Beach, Makakilo, Barbers Point and the Waianae Coast.

"Mr. President, the schools in the Leeward area are in dire need of repair. The facilities are inadequate. Thanks to Representative Morgado and Senator Toguchi, Waipahu Intermediate School may now have renovation work done. However, can our neighborhood schools accommodate 1,750 more students with the existing facilities?

"The feat of providing 2,300 housing units for the military is to be accomplished through use of various state, city, and private monies.

"As chairperson of the Senate Committee on Housing and Community Development, I am particularly cognizant of the grave housing crisis experienced by our own residents.

"Some estimates indicate there is a current housing shortage of approximately 30,000 units. 52% of our people must rent their homes, and with state vacancy rates of about 1%, they are faced with ever-increasing rental rates.

"My point is: We are not taking care of our own.

"Most recently within our own community, we were trying to juggle the need to provide housing for the elderly and providing athletic programs at the Hale Mohalu site in Pearl City.

"Please understand, I think it's wonderful that public and private sectors have cooperated so effectively to provide incentives which may bring the battleship group to Hawaii. We sorely need the economic benefits the homeport will create.

"What I would like to see, however, is the occurrence of this same cooperation between government and private business toward the resolution of the critical housing problem for Hawaii's residents.

"I publicly call upon the Governor to channel his energies towards this end. He has shown that thousands of housing units can be created in one fell swoop. Knowing that it can be done for the military, we must now have it accomplished for Hawaii's families.

"It is well to live in ivory towers with lofty dreams, but we must come down to earth and plant our feet firmly on human needs.

"Thank you."

Senator Abercrombie also rose on a point of personal privilege as follows:

"Mr. President, I, too, wanted to make a comment this morning with respect to the announcement that appeared in the

newspapers that has just been referred to by the chair of the Housing Committee.

"Mr. President, we are finding out about these things in the newspapers; the Legislature has not been involved to any great extent.

"I am rising on a point of personal privilege because I, myself, have gone through a period in which my integrity as a Senator was questioned, and let me say questioned in no uncertain terms as to my commitment not only to the state but in fact my commitment to a patriotic view of what is good for America with respect to impact-aid.

"And one of the factors that was not mentioned in this morning's paper, nor has it been mentioned at any time, nor has it been mentioned except in a derogatory manner in many instances by some officials, is the question of what happens when 1,750 dependents come into our school system.

"I want to state for the record, Mr. President, that I will be the first to welcome anyone into our school system so long as we understand that there are costs that have to be paid. I want to indicate to you, Mr. President, and for purposes of the record, and in relation to the remarks made by the chair of the Housing Committee, that we are looking at an additional \$6.3 million in expenditures for the school system as a result of the influx of what would amount to an entire school of children. That does not count the necessity perhaps of building facilities, the CIP costs. I'm simply talking about the cost associated with the education of the dependent children. I'm all for this, Mr. President, I've never been against it.

"What I'm saying is that proper provision has to be made to see to it that all the children, military and civilian alike, are treated equally in terms of their opportunity to get a good education. That cost money. All the rhetoric in the world will not alter that fact. What good does it do, either to the dependent child of someone in the service or children who are being raised here in Hawaii, to have an education of lesser quality than they might otherwise receive. That is true equality. It's the kind of equality we don't want to have, an equality of impoverishment with respect to our educational necessities.

"Having chaired the Education Committee in the past and having been a member or a vice chairman of that committee throughout my career in the Legislature, I'm only too acutely aware of what is involved when it comes to the expenditure of operating and

capital funds with respect to our educational system.

"Our educational system has been called into question by many in our community. It has been called into question by many of those who are residing for even a brief time in Hawaii as a result of military service. We cannot improve the morale; we cannot improve the atmosphere; we cannot regain the confidence of the public that lives here nor the public that is here, based on their service occupations, if we are unable to adequately fund our educational system.

"If indeed we are to receive a battleship group into Hawaii, I hope that it is going to be for reasons having to do with that which has been mentioned both by myself and by others, in particular the Mayor of the City and County of Honolulu Frank Fasi, that this placement is here for the strategic reasons having to do with the national security of the United States and not for any kind of a lottery, any kind of a thinly disguised bribery system, not for any kind of an unseemly race to see who can provide the most goodies, material or otherwise. That should not be the basis upon which decisions which affect the security of the United States are made.

"If that battleship group comes here because of sober decisions made with respect to the security of the United States, so be it. But it should be recognized then, not only by the taxpayers here in the State of Hawaii but the taxpayers throughout the country, there are certain costs that have to be met with that role, and that those costs should be shared as a matter of national security, and that the Federal Government should recognize that when it inserts into any community a large number of people, we want to have an atmosphere of sociability, an atmosphere of welcoming that can be best be maintained by a recognition by the Federal Government that the fiscal responsibilities are something that has to be shared.

"With impact-aid in particular, with education being so important to everyone in the community, whether they are here for a short time or here for all of their lives, as we are here, then it is a question of making sure that no one is shortchanged as a result of decisions made on the basis of national priority."

ADJOURNMENT

At 12:25 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock, Thursday, April 4, 1985.

FIFTIETH DAY

Thursday, April 4, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Peter Salmas, Pastor, Constantine and Helen Orthodox Church, after which the Roll was called showing all Senators present with the exception of Senators Kawasaki and Solomon who were excused.

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

Senator Chang made the following introduction to the members of the Senate:

"Mr. President, in the gallery today we have 23 fifth and sixth graders from Royal Elementary School, accompanied by their teacher Miss Karen Ginoza. They were kind enough to join your Committee on Judiciary this morning to discuss certain aspects of the Juvenile Justice Master Plan and we obtained their counsel in that regard. The majority of the fifth and sixth graders also ventured their opinion that the drinking age ought to be raised and your Committee on Judiciary, being concerned that the question was decided in the abstract, requested that they instead consider a proposition to establish the bicycle riding age at eleven and they have promised to take up that question and give us their counsel on that matter."

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 290, transmitting a report on a functional and financial plan for Waimano Training School and Hospital and the Family Health Services Division, prepared by the Department of Health, in response to Act 285, Section 17C, was read by the Clerk and was referred to the Committee on Health.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 75 to 77) were read by the Clerk and were disposed of as follows:

S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXAMINATION OF THE POSSIBILITY OF MANAGING, PRESERVING, CONSERVING, AND DEVELOPING THE STATE'S NATURAL

OCEAN RESOURCES," was offered by Senators Yamasaki, Machida, Solomon, McMurdo, Hagino, George, A. Kobayashi, Aki, Matsuura, Toguchi, Soares, Abercrombie, Kawasaki, Chang, Young, Holt, Mizuguchi and Kuroda.

By unanimous consent, S.C.R. No. 75 was referred to the Committee on Economic Development.

S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE," was offered by Senator Yamasaki, Solomon, Hagino, McMurdo, Fernandes Salling, Chang, A. Kobayashi, B. Kobayashi, Mizuguchi, Machida, Kuroda and Aki.

By unanimous consent, S.C.R. No. 76 was referred to the Committee on Economic Development.

S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CRITICALLY EXAMINE THE APPARENTLY ADVERSE IMPACT OF THE SCHOOL ATTENDANCE AREA DESIGNATION FOR THE VILLAGE PARK, CRESTVIEW, AND WAPIO-GENTRY SUBDIVISIONS, SPECIFICALLY, AND THE WAIPAHU AND PEARL CITY COMMUNITIES, GENERALLY, UPON THE PROVISION OF EQUAL EDUCATIONAL OPPORTUNITIES, PARTICULARLY IN THE WAIPAHU EDUCATIONAL COMPLEX," was offered by Senators Young, Toguchi and Cayetano.

By unanimous consent, S.C.R. No. 77 was referred to the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 99 to 103) were read by the Clerk and were disposed of as follows:

S.R. No. 99, entitled: "SENATE RESOLUTION REQUESTING AN EXAMINATION OF THE POSSIBILITY OF MANAGING, PRESERVING, CONSERVING, AND DEVELOPING THE STATE'S NATURAL OCEAN RESOURCES," was offered by Senators Yamasaki, Machida, Solomon, Hagino, George, A. Kobayashi, Aki, Matsuura, Toguchi, Soares, Chang, Young, Holt, Mizuguchi and Kuroda.

By unanimous consent, S.R. No. 99 was referred to the Committee on Economic Development.

S.R. No. 100, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE," was offered by Senators Yamasaki, Solomon, Hagino, McMurdo, Fernandes Salling, Chang, A. Kobayashi, B. Kobayashi, Mizuguchi, Machida, Kuroda and Aki.

By unanimous consent, S.R. No. 100 was referred to the Committee on Economic Development.

S.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CRITICALLY EXAMINE THE APPARENTLY ADVERSE IMPACT OF THE SCHOOL ATTENDANCE AREA DESIGNATION FOR THE VILLAGE PARK, CRESTVIEW, AND WAIPIO-GENTRY SUBDIVISIONS, SPECIFICALLY, AND THE WAIPAHU AND PEARL CITY COMMUNITIES, GENERALLY, UPON THE PROVISION OF EQUAL EDUCATIONAL OPPORTUNITIES, PARTICULARLY IN THE WAIPAHU EDUCATIONAL COMPLEX," was offered by Senators Young, Toguchi and Cayetano.

By unanimous consent, S.R. No. 101 was referred to the Committee on Education.

S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS AND THE OFFICE OF COLLECTIVE BARGAINING TO DETERMINE THE FEASIBILITY OF AUTHORIZING WORKERS TO TAKE UNPAID VACATION FOR PARENTING PURPOSES," was offered by Senators Machida, Young, Abercrombie, Fernandes Salling, Yamasaki, Soares, Henderson, Cobb, McMurdo, B. Kobayashi, Mizuguchi, Hagino, Toguchi, George, Chang, Kawasaki, Kuroda, Hee, Cayetano, Aki, A. Kobayashi, Matsuura and Holt.

By unanimous consent, S.R. No. 102 was referred to the Committee on Labor and Employment.

S.R. No. 103, entitled: "SENATE RESOLUTION CONCERNING THE IMPORTANCE OF THE HAWAIIAN PAPAYA INDUSTRY TO THE HAWAIIAN DIVERSIFIED AGRICULTURAL ECONOMY," was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 103 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 945) recommending that Senate Resolution No. 51, as amended in S.D. 1, be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 51, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE STATUS OF WOMEN AT THE UNIVERSITY OF HAWAII," was adopted.

Senator Holt for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 946) recommending that Senate Resolution No. 40, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, S.R. No. 40, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII," was referred to the Committee on Legislative Management, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Hagino). Excused, 2 (Kawasaki and Solomon).

Senator Holt for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 947) recommending that Senate Concurrent Resolution No. 36, as amended in S.D. 1, be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, S.C.R. No. 36, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE SCHOOL OF MEDICINE OF THE UNIVERSITY OF HAWAII," was adopted, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Hagino). Excused, 2 (Kawasaki and Solomon).

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 944 (Gov. Msg. Nos. 145, 189, 228, 146, 147, 148, 230 and 229):

Senator Machida moved that Stand. Com.

Rep. No. 944 be received and placed on file, seconded by Senator Abercrombie and carried.

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

Richard T. Subiaga to the Civil Service Commission, term to expire December 31, 1988;

Clarence M. Takashima to the Civil Service Commission, term to expire December 31, 1985;

Melvyn T. Murakami to the Civil Service Commission, term to expire December 31, 1986;

Herbert M. Dias and Ronald N. Hirano to the Board of Trustees of the Deferred Compensation Plan, terms to expire December 31, 1988;

Robert M. Fukunaga to the Hawaii Employment Relations Board, term to expire December 31, 1988;

Roy E. King, Jr. to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1988;

Jean H. Nakagawa to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1988; and

Roy Yonahara, Alvin J. Nishimoto, Isaac J. Kaopua, Sr., Linda F. Agosto, Mary Jean Lindsey and Christy A. Kawabata to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1988,

seconded by Senator Abercrombie.

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

Ayes, 23. Nones, none. Excused, 2 (Kawasaki and Solomon).

MATTERS DEFERRED FROM FRIDAY, MARCH 29, 1985

Senate Bill No. 35, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 35, and S.B. No. 35, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 93, H.D. 1:

Senator Aki moved that the Senate agree to the amendments proposed by the House to S.B. No. 93, seconded by Senator Matsuura.

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator Aki having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. Chairman, in Senate Bill No. 93 would the chairman make it explicit, exactly what the department is required to do with respect to coral catch."

Senator Aki replied:

"Mr. President, I don't recall the discussion as to coral catch. This bill specifically relates to the reporting of commercial fisherman."

Senator Abercrombie asked the Chair:

"Mr. President, we ought to put this to the end of the calendar and give the chairman an opportunity to be able to come up with an answer to that. The reason I mention that, is that this bill has to do with the requirements with respect to exemptions in monthly catch reports, and one subsection (c) says, it 'shall not be construed to include the wet weight harvest' and it goes into various coral, and I want to make sure that that is what exactly it means—'shall not be construed.' Does that mean that they make a catch report monthly on coral, all the variations, or not?"

The Chair asked the chairman:

"Mr. Chairman, would you mind if we left this to the end of the calendar?"

Senator Aki replied: "No."

By unanimous consent, action on Senate Bill No. 93, H.D. 1, was deferred to the end of calendar.

Senate Bill No. 132, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 132, S.D. 1, and S.B. No. 132, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 189, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 189, S.D. 1, and S.B. No. 189, S.D. 1, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1224, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1224, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, chairman, Young and Soares as Managers on the part of the Senate at such conference.

Senate Bill No. 1365, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1365, S.D. 1, and S.B. No. 1365, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR THE HAWAII DRIVER'S LICENSE," was placed on the calendar for Final Reading on Monday, April 8, 1985.

MATTERS DEFERRED FROM
TUESDAY, APRIL 2, 1985

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

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 20, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Hagino, Mizuguchi, Solomon and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 59, S.D. 1, H.D. 1:

On motion by Senator Toguchi, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 59, S.D. 1, and requested a conference on the subject matter thereof.

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

Senate Bill No. 64, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 64, S.D. 2, and S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was placed on

the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 70, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 70, S.D. 1, and S.B. No. 70, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 76, S.D. 1, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 76, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators B. Kobayashi, chairman, Matsuura and George as managers on the part of the Senate at such conference.

Senate Bill No. 78, S.D. 1, H.D. 2:

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 78, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Machida, chairman, Holt and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 83, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Hagino and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 83, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Hagino, Matsuura, Solomon and Soares as managers on the part of the Senate at such conference.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

Senate Bill No. 86, 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. 86, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of managers on the part of the Senate at such conference was deferred until Monday, April 8, 1985.

Senate Bill No. 90, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 90, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, chairman, Young and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 95, H.D. 2:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 95, and S.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 99, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 99, and S.B. No. 99, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 102, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 102, and S.B. No. 102, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 113, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 113, S.D. 2, and requested a conference on the subject matter thereof.

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

Senate Bill No. 115, S.D. 1, H.D. 1:

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. 115, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 127, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 127, S.D. 1, and S.B. No. 127, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 133, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 133, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, chairman, B. Kobayashi and George as managers on the part of the Senate at such conference.

Senate Bill No. 149, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 149, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, chairman, Hagino and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 153, S.D. 1, H.D. 2:

Senator Matsuura moved that the Senate agree to the amendments proposed by the House to S.B. No. 153, S.D. 1, seconded by Senator Aki.

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator Matsuura having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, would you ask the chairman if when the bill went from the

Senate to the House with respect to royalty payments that there was a waiver subject to a report to the Legislature and whether or not that report provision still exists in this bill?"

Senator Matsuura answered: "That provision has been eliminated in the House version."

Senator Abercrombie further inquired: "Mr. President, would you ask the chairman why then he is agreeing with the House version?"

Senator Matsuura answered:

"Mr. President, the reason why that portion has been removed is because geothermal energy development is still in its infancy. The intent of this bill is to encourage the development of the resource, and I think that with that intent, anytime in the future when geothermal development really does come under operation, I think we can pass on a resolution to ask for any information for any disposition of a royalty. That was the reason."

Senator Abercrombie requested of the Chair: "Mr. President, I ask if this bill be left to the end of the calendar."

The Chair replied:

"As a matter of procedure, I don't want to just keep putting things to the end of the calendar. I would much prefer to take a recess and settle the problem now if we can at this point, Senator Abercrombie. Short recess."

Senator Abercrombie interjected:

"Before I ask for a recess or you grant it, I don't know how many others may have an agreement or disagreement at this stage. Perhaps it would be better to try and go through all of it and see if there is anything else that Senators have objection to, rather than take a recess right now and hold up the rest of the process. It's up to you, of course."

The Chair answered: "Short recess."

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:13 o'clock p.m.

Senator Matsuura then withdrew his motion to agree to the amendments, and Senator Aki withdrew his second.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 153, S.D. 1, and requested a conference on the subject

matter thereof.

By unanimous consent, the appointment of managers on the part of the Senate at such conference was deferred until Monday, April 8, 1985.

Senate Bill No. 163, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 163, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, chairman, Toguchi and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 170, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 170, S.D. 2, and S.B. No. 170, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 201, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 201, 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. 217, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 217, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, McMurdo and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 224, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 224, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Young

and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 234, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 234, S.D. 1, and S.B. No. 234, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 235, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 235, S.D. 1, and S.B. No. 235, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 236, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 236, S.D. 1, and S.B. No. 236, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 237, S.D. 2, H.D. 1:

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. 237, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 239, S.D. 2, H.D. 1:

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. 239, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 249, 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. 249, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Kuroda and A. Kobayashi as managers on the part of the Senate at such conference.

At 12:18 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock p.m.

Senate Bill No. 252, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 252, S.D. 2, and S.B. No. 252, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 253, 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. 253, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Aki and George as managers on the part of the Senate at such conference.

Senate Bill No. 280, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 280, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, chairman, Matsuura and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 309, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 309, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Abercrombie, Cayetano, Kawasaki and

Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 327, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 327, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Cayetano and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 338, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 338, S.D. 1, and S.B. No. 338, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 377, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 377, S.D. 1, and S.B. No. 377, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 384, H.D. 1:

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. 384, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 404, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 404, and S.B. No. 404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 454, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by

Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 454, S.D. 1, and S.B. No. 454, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 459, S.D. 2, H.D. 2:

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. 459, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Chang, Kuroda, Mizuguchi and George as managers on the part of the Senate at such conference.

Senate Bill No. 460, S.D. 2, H.D. 2:

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. 460, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Chang, Kuroda, Mizuguchi and George as managers on the part of the Senate at such conference.

Senate Bill No. 461, 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. 461, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Young and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 462, 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. 462, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Aki and George as managers on the part of the Senate at such conference.

Senate Bill No. 463, S.D. 1, H.D. 2:

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. 463, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Chang, Kawasaki, Mizuguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 468, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 468, and S.B. No. 468, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 471, S.D. 2, H.D. 1:

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. 471, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Holt, Machida, Mizuguchi, and George as managers on the part of the Senate at such conference.

Senate Bill No. 539, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 539, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Chang, Kawasaki, McMurdo and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 558, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 558, S.D. 2, and S.B. No. 558, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 588, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 588, S.D.

1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, McMurdo and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 589, S.D. 2, H.D. 1:

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. 589, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Holt, Machida, Mizuguchi, and George 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 12:29 o'clock p.m.

Senate Bill No. 592, S.D. 1, H.D. 2:

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. 592, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Young and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 610, 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. 610, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Cobb and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 615, S.D. 1, H.D. 2:

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. 615, S.D. 1, 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. 644, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 644, S.D. 1, and S.B. No. 644, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 662, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 662, and S.B. No. 662, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 665, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 665, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Chang, Kuroda, Matsuura and A. Kobayashi as managers on the part of the Senate at such conference.

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

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 669, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Chang, Kuroda, Matsuura and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 702, S.D. 2, 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. 702, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, B. Kobayashi, Matsuura, Mizuguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 726, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded

by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 726, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Cobb, B. Kobayashi, Kuroda and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 732, S.D. 1, H.D. 2:

On motion by Senator Toguchi, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 732, S.D. 1, and S.B. No. 732, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 735, 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. No. 735, S.D. 1, and S.B. No. 735, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 775, S.D. 1, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 775, S.D. 1, and S.B. No. 775, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 854, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 854, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, chairman, Toguchi and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 932, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 932, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President

appointed Senators Cobb, chairman, Chang, Kuroda, McMurdo and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 937, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 937, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Aki, Matsuura, Mizuguchi and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 1057, S.D. 1, H.D. 1:

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. 1057, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 1089, S.D. 2, 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. 1089, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Chang, Cayetano, Mizuguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1127, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1127, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Cayetano, B. Kobayashi, McMurdo and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 1130, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the

Senate agreed to the amendments proposed by the House to S.B. No. 1130, S.D. 1, and S.B. No. 1130, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1138, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1138, S.D. 1, and S.B. No. 1138, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1144, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1144, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, B. Kobayashi and McMurdo as managers on the part of the Senate at such conference.

Senate Bill No. 1155, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1155, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, chairman, Chang and George as managers on the part of the Senate at such conference.

Senate Bill No. 1157, 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. 1157, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Abercrombie and George as managers on the part of the Senate at such conference.

Senate Bill No. 1170, 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. 1170, and requested a conference on the subject matter thereof.

In accordance therewith, the President

appointed Senators Yamasaki, chairman, Holt, Machida, Mizuguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1175, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1175, S.D. 1, and S.B. No. 1175, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1185, S.D. 1, H.D. 1:

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. 1185, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon, Henderson and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 1186, 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. 1186, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, B. Kobayashi, Machida, Mizuguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1193, 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. 1193, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Aki, Matsuura, Young and Soares as managers on the part of the Senate at such conference.

At 12:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:42 o'clock p.m.

Senate Bill No. 1196, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1196, S.D. 1, and S.B. No. 1196, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1198, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1198, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of managers on the part of the Senate at such conference was deferred until Monday, April 8, 1985.

Senate Bill No. 1223, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1223, and S.B. No. 1223, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1231, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1231, S.D. 1, and S.B. No. 1231, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:46 o'clock p.m.

Senate Bill No. 1264, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1264, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, chairman, Toguchi and George as managers on the part of the Senate at such conference.

Senate Bill No. 1270, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate disagreed to the amendments

proposed by the House to S.B. No. 1270, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, chairman, Cayetano, Chang, McMurdo and Henderson as managers on the part of the Senate at such conference.

Senate Bill No. 1286, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1286, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Abercrombie, Holt, Young and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 1287, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Holt and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1287, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Holt, Mizuguchi, Young and Soares as managers on the part of the Senate at such conference.

Senate Bill No. 1299, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1299, S.D. 1, and S.B. No. 1299, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1310, S.D. 1, H.D. 1:

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1310, S.D. 1, and S.B. No. 1310, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1353, S.D. 1, H.D. 1:

On motion by Senator Hagino, seconded by Senator Fernandes Salling and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1353, S.D.

1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of managers on the part of the Senate at such conference was deferred until Monday, April 8, 1985.

Senate Bill No. 1354, S.D. 1, H.D. 2:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1354, S.D. 1, and S.B. No. 1354, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1358, S.D. 1, H.D. 2:

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. 1358, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Cayetano and George as managers on the part of the Senate at such conference.

Senate Bill No. 1386, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1386, S.D. 1, and S.B. No. 1386, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was placed on the calendar for Final Reading on Monday, April 8, 1985.

Senate Bill No. 1404, 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. 1404, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Cobb and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1408, S.D. 2, 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. 1408, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman,

Chang, Mizuguchi, Young and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1413, 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. 1413, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Chang, chairman, Toguchi and A. Kobayashi as managers on the part of the Senate at such conference.

Senate Bill No. 1432, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1432, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yamasaki, chairman, Abercrombie, B. Kobayashi, Machida and A. Kobayashi as managers on the part of the Senate at such conference.

At 12:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:57 o'clock p.m.

Senate Bill No. 1487, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded

by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1487, S.D. 2, and S.B. No. 1487, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," was placed on the calendar for Final Reading on Monday, April 8, 1985.

MATTER DEFERRED TO THE
END OF THE CALENDAR

Senate Bill No. 93, H.D. 1:

Senator Aki withdrew his motion to agree to the amendments, and Senator Matsuura withdrew his second.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 93, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Aki, chairman, Matsuura and Soares as managers on the part of the Senate at such conference.

At 12:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:02 o'clock p.m.

ADJOURNMENT

At 1:03 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., Monday, April 8, 1985.

FIFTY-FIRST DAY

Monday, April 8, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. L. Graeme McIntosh of the Christian Science Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Holt who were excused.

The Chair announced that he had read and approved the Journal of the Fiftieth Day.

Senator Chang then introduced Dr. Haing Ngor to the members of the Senate and remarked as follows:

"Mr. President, we are very fortunate to have with us today a doctor who has taken one of the most amazing journeys in the annals of the film history. This doctor was practicing in Phnom Penh when the Khmer Rouge guerrillas invaded the city and forced residents of Cambodia into the countryside that would become known as 'The Killing Fields.'

"This doctor not only has extraordinary talent in medical practice but is well known for his portrayal of Dith Pran, the real life Cambodian interpreter-assistant to New York Times Correspondent Sydney Schanberg, who covered the downfall of Phnom Pehn.

"I would like to present this morning, on behalf of the Senate, a congratulatory certificate to Dr. Haing S. Ngor for his humanitarianism concerning the refugees from Southeast Asia and upon winning the 1985 Academy Award for Best Supporting Actor in the movie 'The Killing Fields.'"

"Dr. Ngor is escorted today by Dr. Daniel Suzot, an American physician who worked with Dr. Ngor in the Thai refugee camp in 1980, and by his niece Sophia."

The honoree and guests rose to be recognized. Senator Chang presented Dr. Ngor with the congratulatory certificate and Senator Young presented the lei.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:47 o'clock a.m.

HOUSE COMMUNICATIONS

Hse. Com. No. 447, transmitting House Concurrent Resolution No. 38, H.D. 1, which was adopted by the House of

Representatives on April 4, 1985, was placed on file.

By unanimous consent, H.C.R. No. 38, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was referred to the Committee on Education, then to the Committee on Economic Development.

The following communications from the House (Hse. Com. Nos. 448 to 510), returning Senate Bills which passed Third Reading in the House of Representatives on April 3, 1985, were placed on file:

Hse. Com. No. 448, returning Senate Bill No. 6, S.D. 2;
Hse. Com. No. 449, returning Senate Bill No. 27, S.D. 1;
Hse. Com. No. 450, returning Senate Bill No. 29;
Hse. Com. No. 451, returning Senate Bill No. 55;
Hse. Com. No. 452, returning Senate Bill No. 60, S.D. 1;
Hse. Com. No. 453, returning Senate Bill No. 69, S.D. 2;
Hse. Com. No. 454, returning Senate Bill No. 73, S.D. 1;
Hse. Com. No. 455, returning Senate Bill No. 82, S.D. 2;
Hse. Com. No. 456, returning Senate Bill No. 100;
Hse. Com. No. 457, returning Senate Bill No. 112;
Hse. Com. No. 458, returning Senate Bill No. 125, S.D. 2;
Hse. Com. No. 459, returning Senate Bill No. 128, S.D. 1;
Hse. Com. No. 460, returning Senate Bill No. 141, S.D. 1;
Hse. Com. No. 461, returning Senate Bill No. 155, S.D. 1;
Hse. Com. No. 462, returning Senate Bill No. 160, S.D. 1;
Hse. Com. No. 463, returning Senate Bill No. 162;
Hse. Com. No. 464, returning Senate Bill No. 165;
Hse. Com. No. 465, returning Senate Bill No. 166;
Hse. Com. No. 466, returning Senate Bill No. 182, S.D. 1;
Hse. Com. No. 467, returning Senate Bill No. 187;
Hse. Com. No. 468, returning Senate Bill No. 188;
Hse. Com. No. 469, returning Senate Bill No. 190;
Hse. Com. No. 470, returning Senate Bill No. 196;
Hse. Com. No. 471, returning Senate Bill No. 197;
Hse. Com. No. 472, returning Senate Bill

No. 198, S.D. 1;
Hse. Com. No. 473, returning Senate Bill No. 202;
Hse. Com. No. 474, returning Senate Bill No. 203;
Hse. Com. No. 475, returning Senate Bill No. 213, S.D. 1;
Hse. Com. No. 476, returning Senate Bill No. 230, S.D. 1;
Hse. Com. No. 477, returning Senate Bill No. 255;
Hse. Com. No. 478, returning Senate Bill No. 260, S.D. 1;
Hse. Com. No. 479, returning Senate Bill No. 279;
Hse. Com. No. 480, returning Senate Bill No. 287, S.D. 1;
Hse. Com. No. 481, returning Senate Bill No. 379, S.D. 1;
Hse. Com. No. 482, returning Senate Bill No. 426, S.D. 2;
Hse. Com. No. 483, returning Senate Bill No. 434, S.D. 1;
Hse. Com. No. 484, returning Senate Bill No. 457, S.D. 1;
Hse. Com. No. 485, returning Senate Bill No. 469;
Hse. Com. No. 486, returning Senate Bill No. 470, S.D. 2;
Hse. Com. No. 487, returning Senate Bill No. 556, S.D. 1;
Hse. Com. No. 488, returning Senate Bill No. 563, S.D. 1;
Hse. Com. No. 489, returning Senate Bill No. 634, S.D. 1;
Hse. Com. No. 490, returning Senate Bill No. 651, S.D. 1;
Hse. Com. No. 491, returning Senate Bill No. 663, S.D. 2;
Hse. Com. No. 492, returning Senate Bill No. 668.
Hse. Com. No. 493, returning Senate Bill No. 689.
Hse. Com. No. 494, returning Senate Bill No. 742, S.D. 1;
Hse. Com. No. 495, returning Senate Bill No. 843;
Hse. Com. No. 496, returning Senate Bill No. 961, S.D. 1;
Hse. Com. No. 497, returning Senate Bill No. 1136;
Hse. Com. No. 498, returning Senate Bill No. 1114, S.D. 1;
Hse. Com. No. 499, returning Senate Bill No. 1158;
Hse. Com. No. 500, returning Senate Bill No. 1178, S.D. 1;
Hse. Com. No. 501, returning Senate Bill No. 1179;
Hse. Com. No. 502, returning Senate Bill No. 1221;
Hse. Com. No. 503, returning Senate Bill No. 1271, S.D. 1;
Hse. Com. No. 504, returning Senate Bill No. 1274, S.D. 1;
Hse. Com. No. 505, returning Senate Bill No. 1290, S.D. 1;
Hse. Com. No. 506, returning Senate Bill No. 1350, S.D. 1;
Hse. Com. No. 507, returning Senate Bill No. 1351, S.D. 1;

Hse. Com. No. 508, returning Senate Bill No. 1356, S.D. 1;
Hse. Com. No. 509, returning Senate Bill No. 1409; and
Hse. Com. No. 510, returning Senate Bill No. 1443, S.D. 1.

Hse. Com. No. 511, informing the Senate that the House has disagreed to the amendments proposed by the Senate to all House Bills returned to the House of Representatives on March 27, 1985 and April 2, 1985, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 78 to 86) were read by the Clerk and were disposed of as follows:

S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A GOLF COURSE AND HIKING TRAILS IN DIAMOND HEAD CRATER," was offered by Senators Kuroda, Fernandes Salling, Henderson, McMurdo, Holt, Young, Aki, Hagino, Machida, Mizuguchi and Yamasaki.

By unanimous consent, S.C.R. No. 78 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE STATE FOUNDATION ON CULTURE AND THE ARTS," was offered by Senators Toguchi, Kuroda, Young, Machida, McMurdo, A. Kobayashi, Henderson, Soares, Cayetano, B. Kobayashi, Yamasaki, Hagino, Chang, Holt, Fernandes Salling, Matsuura, Aki, Cobb, Kawasaki, Hee, Abererombie and Mizuguchi.

By unanimous consent, S.C.R. No. 79 was referred to the Committee on Education.

S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF GRANTING LEAVES OF ABSENCE WITH PAY TO PUBLIC EMPLOYEES FOR CIVIC DUTY," was offered by Senator Wong.

By unanimous consent, S.C.R. No. 80 was referred to the Committee on Labor and Employment.

S.C.R. No. 81, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE STATE OF ALASKA IN SEEKING A REPEAL OF THE FEDERAL BAN ON EXPORTING ALASKAN OIL," was offered by Senator Wong.

By unanimous consent, S.C.R. No. 81 was referred to the Committee on Government Operations.

S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM," was offered by Senator Hagino.

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

S.C.R. No. 83, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO IMPLEMENT STAGGERED TIMES FOR STARTING AND CLOSING OF CERTAIN PUBLIC SCHOOLS ON OAHU TO RELIEVE TRAFFIC CONGESTION," was offered by Senators Cayetano, Toguchi, Hagino, Soares, Henderson, B. Kobayashi, Machida, Cobb, George, Chang and Abercrombie.

By unanimous consent, S.C.R. No. 83 was referred jointly to the Committee on Education and the Committee on Transportation.

S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY OF THE MEDICAL MALPRACTICE INSURANCE SYSTEM," was offered by Senators Mizuguchi, Cobb, Fernandes Salling, McMurdo, Machida, A. Kobayashi, George, Cayetano, Kuroda, Matsuura, Chang and Henderson.

By unanimous consent, S.C.R. No. 84 was referred to the Committee on Consumer Protection and Commerce.

S.C.R. No. 85, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO SUPPORT PEACEFUL USES OF SPACE AND TO AVOID THE USE OF SPACE FOR WARFARE," was offered by Senators Chang, Hee, Machida, B. Kobayashi, Yamasaki, Fernandes Salling, Aki, Matsuura, Toguchi, Hagino, Cayetano, Holt and Mizuguchi.

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

S.C.R. No. 86, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF AND WORKSHOP ON TORT LAWS," was offered by Senators Chang, Cayetano, Yamasaki, McMurdo, Hagino, Holt, Machida, Mizuguchi, George, A. Kobayashi, Toguchi, Kuroda, Hee, Henderson, Soares, Matsuura, Aki and Cobb.

By unanimous consent, S.C.R. No. 86 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 104 to 112) were read by the Clerk and were disposed of as follows:

S.R. No. 104, entitled: "SENATE RESOLUTION CONCERNING THE ESTABLISHMENT OF A RURAL HOUSING PROGRAM FOR THE STATE OF HAWAII," was offered by Senator Young.

By unanimous consent, S.R. No. 104 was referred to the Committee on Housing and Community Development.

S.R. No. 105, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON THE ESTABLISHMENT AND OPERATION OF A GOLF COURSE AND HIKING TRAILS IN DIAMOND HEAD CRATER," was offered by Senators Kuroda, Fernandes Salling, Henderson, McMurdo, Holt, Young, Aki, Hagino, Machida, Mizuguchi and Yamasaki.

By unanimous consent, S.R. No. 105 was referred to the Committee on Tourism and Recreation.

S.R. No. 106, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF GRANTING LEAVES OF ABSENCE WITH PAY TO PUBLIC EMPLOYEES FOR CIVIC DUTY," was offered by Senator Wong.

By unanimous consent, S.R. No. 106 was referred to the Committee on Labor and Employment.

S.R. No. 107, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE CALIFORNIA EMERGENCY ACT AS MODEL LEGISLATION FOR REVISING HAWAII'S CIVIL DEFENSE AND EMERGENCY ACT," was offered by Senator Wong.

By unanimous consent, S.R. No. 107 was referred to the Committee on Government Operations, then to the Committee on Legislative Management.

S.R. No. 109, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO IMPLEMENT STAGGERED TIMES FOR STARTING AND CLOSING OF CERTAIN PUBLIC SCHOOLS ON OAHU TO RELIEVE TRAFFIC CONGESTION," was offered by Senators Cayetano, Toguchi, Hagino, Soares, Henderson, B. Kobayashi, Machida, Cobb, George, Chang and Abercrombie.

By unanimous consent, S.R. No. 109 was referred jointly to the Committee on Education and the Committee on Transportation.

S.R. No. 110, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY OF THE MEDICAL MALPRACTICE INSURANCE SYSTEM," was offered by Senators Mizuguchi, Cobb, Fernandes Salling, McMurdo, Machida, A. Kobayashi, George, Henderson, Cayetano, Kuroda, Matsuura and Chang.

By unanimous consent, S.R. No. 110 was referred to the Committee on Consumer Protection and Commerce.

S.R. No. 111, entitled: "SENATE RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO SUPPORT PEACEFUL USES OF SPACE AND TO AVOID THE USE OF SPACE FOR WARFARE," was offered by Senators Chang, Hee, Machida, B. Kobayashi, Yamasaki, Fernandes Salling, Aki, Matsuura, Toguchi, Hagino, Cayetano, Holt and Mizuguchi.

By unanimous consent, S.R. No. 111 was referred to the Committee on Government Operations..

S.R. No. 112, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF AND WORKSHOP ON TORT LAWS," was offered by Senators Chang, Cayetano, Yamasaki, McMurdo, Hagino, Holt, Machida, Mizuguchi, George, A. Kobayashi, Toguchi, Kuroda, Hee, Henderson, Soares, Matsuura, Aki and Cobb.

By unanimous consent, S.R. No. 112 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 948) recommending that House Bill No. 110, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 949) recommending that House Bill No. 96 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 96, entitled: "A BILL FOR AN ACT ESTABLISHING AN ADVISORY COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 950) recommending that House Bill No. 440, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and H.B. No. 440, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 951) recommending that House Bill No. 211 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 952) recommending that House Bill No. 155 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 155, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOMES COMMISSION ACT, 1920, AS AMENDED," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 953) recommending that House Bill No. 157 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi,

seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 157, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 954) recommending that House Bill No. 159, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.B. No. 159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 10, 1985.

At 11:49 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.

ORDER OF THE DAY

MATTERS DEFERRED FROM THURSDAY, APRIL 4, 1985

FINAL READING

By unanimous consent, action on the following Senate Bills was deferred until Tuesday, April 9, 1985:

S.B. No. 35, H.D. 1;
S.B. No. 64, S.D. 2, H.D. 2;
S.B. No. 70, S.D. 1, H.D. 1;
S.B. No. 95, H.D. 2;
S.B. No. 99, H.D. 1;
S.B. No. 102, H.D. 1;
S.B. No. 127, S.D. 1, H.D. 1;
S.B. No. 132, S.D. 1, H.D. 1;
S.B. No. 170, S.D. 2, H.D. 2;
S.B. No. 189, S.D. 1, H.D. 1;
S.B. No. 234, S.D. 1, H.D. 1;
S.B. No. 235, S.D. 1, H.D. 1;
S.B. No. 236, S.D. 1, H.D. 2;
S.B. No. 252, S.D. 2, H.D. 1;
S.B. No. 338, S.D. 1, H.D. 2;
S.B. No. 377, S.D. 1, H.D. 1;
S.B. No. 404, H.D. 1;
S.B. No. 454, S.D. 1, H.D. 1;
S.B. No. 468, H.D. 1;
S.B. No. 558, S.D. 2, H.D. 1;
S.B. No. 644, S.D. 1, H.D. 1;
S.B. No. 662, H.D. 1;
S.B. No. 732, S.D. 1, H.D. 2;
S.B. No. 735, S.D. 1, H.D. 1;
S.B. No. 775, S.D. 1, H.D. 1;
S.B. No. 1130, S.D. 1, H.D. 1;
S.B. No. 1138, S.D. 1, H.D. 1;
S.B. No. 1175, S.D. 1, H.D. 1;
S.B. No. 1196, S.D. 1, H.D. 1;

S.B. No. 1223, H.D. 1;
S.B. No. 1231, S.D. 1, H.D. 1;
S.B. No. 1299, S.D. 1, H.D. 2;
S.B. No. 1310, S.D. 1, H.D. 1;
S.B. No. 1354, S.D. 1, H.D. 2;
S.B. No. 1365, S.D. 1, H.D. 1;
S.B. No. 1386, S.D. 1, H.D. 1; and
S.B. No. 1487, S.D. 2, H.D. 2.

At this time, Senator Cobb rose on a point of personal privilege and stated:

"Mr. President, last week, the Federal Government issued an embargo on many oriental foods that are shipped from overseas that contain various amounts of foreign sugar. I think this action is both unwarranted and has an extremely adverse impact on the food supply of our local population.

"I would, at this time, like to call on the Federal Government to cease and desist from this embargo on oriental foods due to the foreign sugar content. I believe that our people's foods should not be held hostage to a trade dispute with any nation and such a denial is in effect a denial of free consumer choice.

"This, of course, raises a larger question of equalizing tariff duties to prevent the dumping of cheap sugar as an alternative to sugar subsidies with concurrent savings in the federal budget; however, Mr. President, the Federal Government should be able to act and use its authority through tariffs to equalize, not to exceed the cost but equalize sugar prices and not use the food of our people as leverage in a trade dispute."

Senator Kawasaki also rose on a point of personal privilege and remarked:

"Mr. President, the point of personal privilege I want to state here is that very often the morning newspaper is criticized by us here on this floor, and with justification, but I think sometimes kudos are in order, in view of the fact that for the first time that I can recall in the coverage of public hearings in the Senate involving the newspaper bills, in this particular case a resolution asking for the Legislative Auditor to audit the finances of the newspapers, the Advertiser's morning reporter very fairly covered the gist of what was the dialogue in that hearing ... and I was quite shocked to see Jerry Burris, who we all admire as being a fair, objective reporter, still here in the press box because I thought he was fired.

"Jerry had very accurately made a point to cover in his article, a statement made by me to the effect that in all the 19 years of my being in the Senate, I've never found a witness in a committee hearing as glib as the owner, the very wealthy owner, Mr. Thurston Twigg-Smith. I had also said that, in my judgment, I thought Mr. Twigg-Smith

was an intellectually dishonest person.

"To see it printed in the morning paper and the fact that Jerry Burris is still here, I guess, is a kind of dramatic proof that the Advertiser is finally getting quite liberal.

"I do want to say that once in a while compliments are in order for the morning Advertiser which otherwise, very often receives scathing criticisms from us, with justification."

The Chair responded: "Senator Kawasaki, one day for the Advertiser, four years against them."

ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 9, 1985.

FIFTY-SECOND DAY

Tuesday, April 9, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Senator Patsy Young, after which the Roll was called showing all Senators present.

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

Senator Toguchi rose and made the following introduction to the members of the Senate:

"Mr. President, the year 1959 was a very, very important year for all of us. For me it was important because number one, I graduated from high school, but more importantly it was the year that the citizens of Hawaii obtained full rights as citizens of the United States when Hawaii was admitted to the Union on August 21, 1959.

"Mr. President, to assist with the celebration of this historic occasion the Legislature established the 1984 Hawaii Silver Jubilee Committee which had charge of all arrangements for the state's official observance of the 25th birthday of the State of Hawaii. Mr. President, this committee embarked on a creative campaign to raise funds, at the same time promoting statehood through projects such as the development and license of its copyrighted logo and theme, also the production of 'Hawaii, 25 Years of Statehood, a Lifetime of Aloha,' the silver jubilee coin and the statehood historical calendar. In addition, Mr. President, the committee met diligently to plan activities on many occasions. They registered fifty events as recognized projects for the 25th anniversary and sponsored three major events in 1984, including the walk to Kawaiahao Church, an Independence Day parade, and Admission's Day pageant.

"Mr. President, today we would like to recognize and honor the members of the 1984 Silver Jubilee Committee for the contributions to the celebration of Hawaii's statehood. I would like to introduce to this body the members of that hardworking committee. First of all, I'd like to introduce Mr. Dick Howard who produced the production 'Hawaii, 25 Years of Statehood, a Lifetime of Aloha,' and also a staff member who ably assisted this committee, Dr. Henry Wong. The members of the Silver Jubilee Committee are Mr. Edward Burns, Ms. Barbara Meheula, Ms. Barbara Daly, Mr. Edwin Hara, Mr. Wayne Ishihara, Mr. Clayton Naluai, Mrs. Yukie Ueoka and Mr. Herbert Wolff.

"Mr. President, it was through the efforts of this committee that we had an outstanding celebration of statehood, giving the event added meaning to the people of Hawaii. Once again I'd like to present to this body this hardworking, really outstanding committee that did a terrific job. I would like to, on behalf of the Senate, again congratulate you for a job well done and mahalo for all the time and effort that you put into the planning of our 25th year celebration.

"Mr. President, for the record I would just like to mention the other members of the Statehood Silver Jubilee Committee who could not be with us this morning: Mr. Francis Stillmen, Sr., Mr. Shigeto Murayama, Mr. Elmer Cravalho, Dr. Domingo Los Banos and Ms. Sandi Eagleson."

The honorees were presented with Senate Certificates and leis by Senators Soares, Solomon, Fernandes Salling, Henderson, Cayetano, Holt, Yamasaki, Cobb, McMurdo and A. Kobayashi.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:54 o'clock a.m.

Senator Soares then made the following introduction:

"Mr. President, sitting in the gallery is an old friend of mine, Danny Rodrigues, whom I haven't seen for many years and one of the finest athletes to ever don a Farrington Governor's uniform."

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 291, transmitting the reports, "State Activities to Implement Priority Guidelines of the Hawaii State Plan, March 1985," and "County Activities to Implement Priority Guidelines of the Hawaii State Plan, March 1985," prepared by the Department of Planning and Economic Development with the assistance of other state and county agencies, in response to Chapter 226, HRS, was read by the Clerk and was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 87 to 97) were read by the Clerk and were disposed of as follows:

S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF

ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was offered by Senators Yamasaki, Cobb, A. Kobayashi, Kawasaki, Holt, Abercrombie, Matsuura, Kuroda, Solomon, Mizuguchi, B. Kobayashi and Machida.

By unanimous consent, S.C.R. No. 87 was referred to the Committee on Tourism and Recreation.

S.C.R. No. 88, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE ELECTRICAL MUSCLE STIMULATION (EMS) DEVICE AS IT PERTAINS TO THE CLAIMS, USES AND DANGERS OF THOSE DEVICES," was offered by Senator Hee.

By unanimous consent, S.C.R. No. 88 was referred to the Committee on Health.

S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAH BISHOP ESTATE," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.C.R. No. 89 was referred to the Committee on Education.

S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was offered by Senator Solomon.

By unanimous consent, S.C.R. No. 90 was referred jointly to the Committee on Education and the Committee on Economic Development.

S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.C.R. No. 91 was referred to the Committee on Education.

S.C.R. No. 92, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO SELECT PEARL HARBOR, HAWAII, AS THE HOMEPORT FOR THE BATTLESHIP MISSOURI AND ITS ESCORT SHIPS," was offered by Senators Kuroda, Cayetano, Aki, B. Kobayashi, McMurdo, Chang, George, Kawasaki, Matsuura, Hagino, Fernandes Salling, Toguchi, Yamasaki, Machida, Young, Wong, Solomon, Cobb, Soares, Holt, Henderson and Hee.

By unanimous consent, S.C.R. No. 92 was referred to the Committee on Government Operations.

S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was offered by Senator Solomon.

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

S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO ESTABLISH AN IMMEDIATE, MUTUAL, VERIFIABLE MORATORIUM ON NUCLEAR WEAPONS," was offered by Senators A. Kobayashi, Chang, Holt, Young, Hagino, Kawasaki, Toguchi, Fernandes Salling, McMurdo, Matsuura and Solomon.

By unanimous consent, S.C.R. No. 94 was referred to the Committee on Government Operations.

S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was offered by Senators Chang, Wong, Aki, Hee, Young, Kawasaki, Cobb, Toguchi, A. Kobayashi, Kuroda, George, Hagino, McMurdo, Fernandes Salling, Matsuura, Yamasaki and Henderson.

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

S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was offered by Senators Chang, Cayetano, Aki, Hee, Machida, A. Kobayashi, Matsuura, Cobb, Young, Kuroda, George, Kawasaki, Toguchi, Hagino, Fernandes Salling, Yamasaki and Henderson.

By unanimous consent, S.C.R. No. 96 was referred to the Committee on Judiciary.

S.C.R. No. 97, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SECRETARY OF AGRICULTURE TO INCLUDE HAWAII IN THE FEDERAL CROP INSURANCE PROGRAM," was offered by Senators A. Kobayashi, Matsuura, Solomon, Soares, Henderson, George and Toguchi.

By unanimous consent, S.C.R. No. 97 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 113 to 124) were read by the Clerk and were disposed of as follows:

S.R. No. 113, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was offered by Senators Yamasaki, Cobb, A. Kobayashi, Holt, Abercrombie, Matsuura, Kuroda, Mizuguchi, Solomon, B. Kobayashi and Machida.

By unanimous consent, S.R. No. 113 was referred to the Committee on Tourism and Recreation.

S.R. No. 114, entitled: "SENATE RESOLUTION URGING A TEMPORARY MORATORIUM ON ALL WATER DEVELOPMENT ON WINDWARD OAHU," was offered by Senator Hee.

By unanimous consent, S.R. No. 114 was referred to the Committee on Economic Development.

S.R. No. 115, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE ELECTRICAL MUSCLE STIMULATION (EMS) DEVICE AS IT PERTAINS TO THE CLAIMS, USES AND DANGERS OF THOSE DEVICES," was offered by Senator Hee.

By unanimous consent, S.R. No. 115 was referred to the Committee on Health.

S.R. No. 116, entitled: "SENATE RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUHI BISHOP ESTATE," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.R. No. 116 was referred to the Committee on Education.

S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was offered by Senator Solomon.

By unanimous consent, S.R. No. 117 was referred jointly to the Committee on Education and the Committee on Economic Development.

S.R. No. 118, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was offered by Senators Solomon and Toguchi.

By unanimous consent, S.R. No. 118 was referred to the Committee on Education.

S.R. No. 119, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was offered by Senator Solomon.

By unanimous consent, S.R. No. 119 was referred to the Committee on Education.

S.R. No. 120, entitled: "SENATE RESOLUTION URGING THE UNITED STATES AND THE SOVIET UNION TO ESTABLISH AN IMMEDIATE, MUTUAL, VERIFIABLE MORATORIUM ON NUCLEAR WEAPONS," was offered by Senators A. Kobayashi, Chang, Holt, Young, Hagino, Fernandes Salling, McMurdo, Toguchi, Matsuura and Solomon.

By unanimous consent, S.R. No. 120 was referred to the Committee on Government Operations.

S.R. No. 121, entitled: "SENATE RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was offered by Senators Chang, Wong, Aki, Hee, Young, Kawasaki, Cobb, Toguchi, A. Kobayashi, Kuroda, George, Hagino, McMurdo, Fernandes Salling, Matsuura, Yamasaki and Henderson.

By unanimous consent, S.R. No. 121 was referred to the Committee on Education.

S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was offered by Senators Chang, Cayetano, Aki, Hee, Machida, A. Kobayashi, Matsuura, Cobb, Kuroda, George, Kawasaki, Toguchi, Hagino, Fernandes Salling, Yamasaki, Henderson and Young.

By unanimous consent, S.R. No. 122 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

S.R. No. 123, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY TO REVIEW AND EVALUATE HAWAII'S JUDICIAL SELECTION AND RETENTION SYSTEM," was offered by Senators Chang, Kawasaki, Matsuura, Hagino, Yamasaki, Fernandes Salling, A. Kobayashi, McMurdo, Henderson, Kuroda, Abercrombie, Toguchi, Aki, George, Hee, Young and Cobb.

By unanimous consent, S.R. No. 123 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING THE SECRETARY OF AGRICULTURE TO INCLUDE HAWAII IN THE FEDERAL CROP INSURANCE PROGRAM," was offered by Senators A. Kobayashi, Matsuura, Solomon, Soares, Henderson, George and Toguchi.

By unanimous consent, S.R. No. 124 was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 955) recommending that Senate Concurrent Resolution No. 30 be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.C.R. No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand.

Com. Rep. No. 956) recommending that Senate Resolution No. 80 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 80, entitled: "SENATE RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 957) recommending that Senate Concurrent Resolution No. 62 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE LAW OF THE SEA INSTITUTE," was adopted.

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

The Senate reconvened at 12:00 o'clock a.m.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 958) recommending that Senate Concurrent Resolution No. 51, as amended in S.D. 1, be referred to the Committee on Ways and Means.

Senator Toguchi then moved that Stand. Com. Rep. No. 958 be adopted and S.C.R. No. 51, S.D. 1, be referred to the Committee on Ways and Means, seconded by Senator Solomon.

Senator Abercrombie rose to speak against the resolution:

"Mr. President, I don't know why we're postponing this once again. The Department of Accounting and General Services promised several years ago to do a good job. They've done a lousy job. They're not capable of handling the DOE repair and maintenance work. They said they would do it; they haven't done it. Their record is miserable. We're simply postponing once again making the transfer as we should to making the DOE responsible for its own maintenance and repairs.

"This is strictly political. It's to keep the power at the Department of Accounting and General Services to hand out contracts. It has political implications for control, I presume, contributions to politicians. I can't figure out any other reason for the lousy, rotten job that they've done. It's deliberate.

"They knew perfectly well that these buildings were falling to pieces. They don't care. To ask the Department of Accounting and General Services to prepare a feasibility

study is asking the fox to go into the chicken coop. The director of that organization has failed to carry through on his promises. I see no reason to have him do it and in the course of my argument I'm changing my mind about voting for it because I simply have no confidence in their ability. They said they'd do the job; they haven't done the job; they aren't going to do the job; they shouldn't have the job; and we should pass a bill that takes it away from them.

"To study it further is to simply postpone dealing with this issue...yes, I'm right, I'm voting against it and everybody else should vote against it and we should simply take the bill up next year and take it the hell away from them and let the Education Committee in the interim work out the details and get this in the hands of people who care about our children and care about the school buildings and do not have as their first priority the political considerations that go into whatever it is that DAGS does."

Senator Toguchi rose to speak in favor of the resolution:

"Mr. President, I concur with the earlier speaker. I just want to point out that if you look at the committee report, it's a feasibility study. That was changed in committee to an audit. I just wanted to make that distinction."

Senator Soares then asked if the chairman would yield to a question. The Chair posed the question and Senator Toguchi having answered in the affirmative, Senator Soares inquired as follows:

"As I read the committee report, Mr. President, I gather from the last paragraph on the first page that what we're asking for is not a feasibility study at all, but an audit by the Auditor on DAGS' performance regarding repair and maintenance of schools. Is that correct?"

Senator Toguchi answered: "Yes, a financial and management audit."

Senator Soares further inquired:

"Okay, so then will the record read, Mr. President, that we're asking in a resolution for a financial and management audit of DAGS as it relates to DOE? Okay."

Senator Toguchi explained:

"Mr. President, I just want to point out what we did. The original resolution was a feasibility study. After the hearing and much discussion and concerns expressed, concerns such as that raised by Senator Abercrombie, the committee amended the resolution to reflect an audit, rather than a feasibility study. And that's what the Senate Draft 1 does."

Senator Abercrombie rose and spoke again against the resolution as follows:

"I don't think the Auditor is going to tell us any more than we already know. They haven't done the job; they can't do the job; they won't do the job; they don't care about doing the job. And the results have been in the newspapers—the results as viewed by our students and our teachers and our taxpayers everyday."

"I kept trying to make myself vote for this thing right up until now, but I'll defer to the chairman on this in the sense of having the audit. I expect that he will find proof positive from the Auditor of what we already know. I'm going to cast a 'no' vote then on the basis of my objections to the failure of the Department of Accounting and General Services to keep its word to previous committees of this Senate, and that will be borne out in any audit that takes place. I guarantee you that."

The motion was put by the Chair and carried, the report of the Committee was adopted, and Roll Call having been requested, S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE REPAIR AND MAINTENANCE FUNCTIONS PROVIDED BY THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF EDUCATION FOR HAWAII'S PUBLIC SCHOOLS," was referred to the Committee on Ways and Means, on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 959) recommending that the Senate advise and consent to the nomination of Lani Liu Ewart to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 144.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 959 and Gov. Msg. No. 144 was deferred until Wednesday, April 10, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 960) recommending that the Senate advise and consent to the nomination of Betty M. Vitousek to the Juvenile Justice Interagency Board, in accordance with Gov. Msg. No. 208.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 960 and Gov. Msg. No. 208 was deferred until Wednesday, April 10, 1985.

ORDER OF THE DAY

MATTERS DEFERRED FROM
MONDAY, APRIL 8, 1985

FINAL READING

Senate Bill No. 35, H.D. 1:

Senator Yamasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 35, and S.B. No. 35, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

Senator Kawasaki rose and spoke in favor of the amendment as follows:

"Mr. President, while I'm in the mood to give compliments where they are rightfully due, today I want to give the House of whom I've been very critical at times, credit for having come out with this recommendation providing for some reasonable ceiling on the general obligation bonds that the state floats. When a similar bill emerged from the Senate Ways and Means Committee I was one of those people very critical about the move to completely remove all ceilings on general obligation bonds. I think the House took a responsible stance in at least providing ceilings and I'm wholly in support of this proposition. This is one time, I think, the House scored over the Senate, and I'm glad we're now quite repentant in going along with the House's more common sense approach to this problem."

The motion was put by the Chair and carried and S.B. No. 35, H.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, 25. Noes, none.

Senate Bill No. 64, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 64, S.D. 2, and S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was placed on the calendar for Final Reading on Wednesday, April 17, 1985.

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.

Senate Bill No. 70, S.D. 1, H.D. 1:

Senator Aki moved that the Senate agree to the amendments proposed by the House to S.B. No. 70, S.D. 1, and S.B. No. 70, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator

Matsuura.

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator Yamasaki having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, would you ask the chairman if the effect of this bill is to reduce the time of public review in the EIS process?"

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

The Senate reconvened at 12:13 o'clock p.m.

By unanimous consent, S.B. No. 70, S.D. 1, H.D. 1 was placed to the end of the calendar.

Senate Bill No. 95, H.D. 2:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 95, and S.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 99, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 99, and S.B. No. 99, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIGENT BURIALS," 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. 102, H.D. 1:

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 102, and S.B. No. 102, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND 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. 127, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded

by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 127, S.D. 1, and S.B. No. 127, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 132, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 132, S.D. 1, and S.B. No. 132, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTS FOR MOTOR VEHICLES, MOTORCYCLES, MOTOR SCOOTERS, MOTORIZED BICYCLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 170, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 170, S.D. 2, and S.B. No. 170, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXTENSION OF THE COMPLIANCE RESOLUTION FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 189, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 189, S.D. 1, and S.B. No. 189, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 234, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 234, S.D. 1, and S.B. No. 234, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 235, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 235, S.D. 1, and S.B. No. 235, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 236, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 236, S.D. 1, and S.B. No. 236, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 252, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Chang and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 252, S.D. 2, and S.B. No. 252, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT FEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 338, S.D. 1, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 338, S.D. 1, and S.B. No. 338, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 377, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 377, S.D. 1, and S.B. No. 377, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 404, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 404, and S.B. No. 404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT, 1920," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 454, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 454, S.D. 1, and S.B. No. 454, 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, 25. Noes, none.

Senate Bill No. 468, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 468, and S.B. No. 468, H.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.

Senate Bill No. 558, S.D. 2, H.D. 1:

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 558, S.D. 2, and S.B. No. 558, S.D. 2, H.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, 24. Noes, 1 (Abercrombie).

Senate Bill No. 644, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 644, S.D. 1, and S.B. No. 644, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 662, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 662, and S.B. No. 662, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 732, S.D. 1, H.D. 2:

On motion by Senator Toguchi, seconded by Senator Abercrombie and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 732, S.D. 1, and S.B. No. 732, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 735, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 735, S.D. 1, H.D. 1 was placed to the end of the calendar.

Senate Bill No. 775, S.D. 1, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 775, S.D. 1, and S.B. No. 775, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1130, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1130, S.D. 1, and S.B. No. 1130, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 1138, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1138, S.D. 1, and S.B. No. 1138, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED),"

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

Ayes, 25. Noes, none.

Senate Bill No. 1175, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1175, S.D. 1, and S.B. No. 1175, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki spoke in favor of the bill as follows:

"Mr. President, I am in complete support of this bill, one of the rare bills that emanated from this Legislature taking care of the interest of the poor consumer in this state. I heartily support this bill."

The motion was put by the Chair and carried and S.B. No. 1175, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING RELATING TO RETAIL INSTALLMENT SALES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1196, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Hee and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1196, S.D. 1, and S.B. No. 1196, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1223, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1223, and S.B. No. 1223, H.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.

Senate Bill No. 1231, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 1231, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was recommitted to the Committee on Economic Development.

Senate Bill No. 1299, S.D. 1, H.D. 2:

On motion by Senator Fernandes Salling, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1299, S.D. 1, and S.B. No. 1299, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1310, S.D. 1, H.D. 1:

By unanimous consent, S.B. No. 1310, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REPLACEMENT OF ERODED SAND ON PUBLIC BEACHES," was recommitted to the Committee on Tourism and Recreation.

Senate Bill No. 1354, S.D. 1, H.D. 2:

On motion by Senator Young, seconded by Senator Hagino and carried, the Senate agreed to the amendments proposed by the House to S.B. No. , and S.B. No. , H.D. , entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," was placed on the calendar for Final Reading on Wednesday, April 17, 1985.

Senate Bill No. 1365, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1365, S.D. 1, and S.B. No. 1365, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1386, S.D. 1, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1386, S.D. 1, and S.B. No. 1386, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1487, S.D. 2, H.D. 2:

On motion by Senator Yamasaki, seconded by Senator Machida and carried, the Senate agreed to the amendments proposed by the

House to S.B. No. 1487, S.D. 2, and S.B. No. 1487, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

MATTERS DEFERRED TO THE END OF THE CALENDAR

Senate Bill No. 70, S.D. 1, H.D. 1:

The motion was put by the Chair and carried and S.B. No. 70, S.D. 1, H.D. 1, 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, 25. Noes, none.

Senate Bill No. 735, S.D. 1, H.D. 1:

Senator Chang moved that the Senate agree to the amendments proposed by the House to S.B. No. 735, S.D. 1, and S.B. No. 735, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Hee then asked if the chairman would yield to a question. The Chair posed the question and Senator Chang having answered in the affirmative, Senator Hee inquired as follows:

"Mr. President, would you ask the chair what was the justification for tripling the amount of a check which has been dishonored?"

Senator Chang answered:

"Mr. President, as the bill provides, any person who has had a check written to him or her dishonored is entitled to then write the maker of the check with ten days' notice within which time the maker of the check, upon making the check good, will terminate the process. If, subsequent to that period of notice, the maker of the dishonored check does not make good on that check, the complainant may file an action in court. And if the person then tenders to the plaintiff, in satisfaction of the claim, the requested amount, the person would then only be liable to incurred court and service costs. It's only at the final phase of the process whereby the complainant has had to incur considerable expenses in seeking to make good on a payment which the maker of the check had

originally tendered that a court, upon finding that the check was not made under proper circumstances, may then award triple damages.

"The punitive aspects of the damages are because the person who originally tendered payment was expected, in good faith to pay for goods or services which the payee had every expectation of receiving in return for the goods or services and because of the dishonor brought about by the payer of the check, has had to expend considerable time, effort and expend considerable resources in making good on that payment."

Senator Hee responded as follows:

"Mr. President, my question was how did the figure come out of tripling the amount? I understand what the bill provides. I had some problems with the bill but the first question I had was what caused the committee to find the tripling of a bad check."

Senator Chang answered as follows:

"Triple damages is a figure that is commonly utilized in providing for punitive sanctions where a person has acted in bad faith. The concept was from other kinds of legal actions."

Senator Hee inquired as follows: "Would you ask him what kind of legal actions, Mr. President?"

Senator Chang replied: "Two examples--deceptive trade practices and certain kinds of anti-trust violations."

Senator Hee inquired further as follows:

"Mr. President, would you ask the chairman if writing a bad check is an anti-trust action and that's a follow-up to his response? Secondly, for my edification, Mr. President, will you ask the chairman if I wrote a \$2 check, that according to this bill I would have to pay \$100?"

Senator Chang replied as follows:

"Perhaps to make the situation more graphic, Mr. President, if the good Senator were to write a check for \$2 to me in exchange for some article that he desires and the check were dishonored, I would then provide the good Senator with a notice asking that he make good on that dishonored check. The good Senator would then have ten days in which to make good on the \$2 check and if he did not, I would then file an action in court. If, prior to the judgment on my claim, the good Senator decided that he wanted to make good on his check, after all, inasmuch as he had received the article that he so much desired, he could then tender to me the \$2 plus that he had offered to

pay me for the desired goods and forced me to judgment. I would then be entitled to receive \$6 for all of my time, effort and expenses."

Senator Hee asked one final question as follows:

"Thank you, Mr. President. Will you ask the chairman of the committee if every merchant that does business in Hawaii has access to a system in Hawaii where merchants are able to ascertain the balances of perspective buyers in their checking accounts?"

Senator Chang answered as follows:

"Mr. President, I would not be able to confirm this in any kind of authoritative treatment, but it is my personal experience in engaging in transactions that many merchants do not avail themselves of these kinds of services. As I understand it, these check services are provided to merchants who pay a monthly charge and many merchants do not use these services."

Senator Cobb stated as follows:

"Mr. President, to respond to the Senator from the 9th District, the answer is affirmative. There are several check services, among them Telecheck, Unichex and others that are available. There is a service charge for the merchant. It is either a telephone or electronic verification of the then existing balance within the checking account. However, it will not address the situation where a check is written, say in the amount of \$50, and when the check is then received by the bank there are insufficient funds. The processing time for a check is normally something that takes two to five days. So while the verification would be for the balance at the time of the check being written, that balance may not be there when the check arrives at the bank."

Senator Cayetano spoke in favor of the measure as follows:

"Mr. President, although this bill would seem to be punitive in nature in terms of people who are on the lower end of the economic scale, for me the provision alleviates my concern on page 2, paragraph c, which permits 'the court or jury to waive all or part of the statutory damages' if the defendant fails to satisfy the dishonored check was due to economic hardship. In short, that takes care of the poor folks."

Senator Abercrombie inquired as follows:

"Mr. President, I don't know whether the chairman of the committee can answer or not, but is there some definition in law now existing as to what constitutes economic

hardship or would the burden of that be decided in each individual case?"

Senator Chang replied: "The determination of that condition would be left to the discretion of the court, Mr. President."

The motion was put by the Chair and carried and S.B. No. 735, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHECKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Hee).

RECONSIDERATION OF ACTION TAKEN

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

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 669, S.D. 1, H.D. 1, seconded by Senator Soares.

At 12:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:40 o'clock p.m.

Senator Cobb then stated as follows:

"Mr. President, by way of explanation, this Senate bill had been sent over to the House basically incorporating most of the provisions of the Minnesota Takeover Act on corporations. The House amended the bill by first adding a severability clause and then to make the Hawaii takeover law consistent with the Minnesota law. They further amended the bill by deleting the exclusion for insurance companies, financial institutions and public utilities. In addition, the finding of the committee report from the House indicates that the Minnesota Takeover Act version would replace the existing Hawaii takeover law principally because the Minnesota law has been court-tested in the U.S. Federal Circuit Court of Appeals of the Eighth Circuit and found to be constitutional. The motion to agree, if carried today, would then place the matter on 48-hours notice."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by B. Kobayashi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 669, S.D. 1, and S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," was placed on the calendar for Final Reading on Thursday, April 11, 1985.

At this time, Senator Toguchi, chairman of the Committee on Education, requested a

waiver of the 48-hour notice of a Public Hearing on the following:

S.R. No. 116, entitled: "SENATE RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAHI BISHOP ESTATE";

S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM";

S.R. No. 118, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH";

S.R. No. 119, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII";

S.C.R. No. 89, entitled: "SENATE CONCURRENT RESOLUTION URGING THE TRUSTEES OF THE BISHOP ESTATE TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAHI BISHOP ESTATE";

S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM";

S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH";

S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII,"

and the President granted the waiver.

Senator Abercrombie then rose on a point of personal privilege as follows:

"Mr. President, just very briefly I call to the members' attention that there is at least tentative agreement reported in the media that in the Congress of the United States between the Republican leadership in the Senate and President of the United States and his Budget Director, Mr. Stockman, with respect to items that directly affect the financial well-being of the State of Hawaii. It is reported in the last two days that there has been an agreement by that leadership and the President that impact aid to the various states and locales throughout the country, including Hawaii, will be eliminated, not reduced, but eliminated as a cost reduction measure with respect to the federal deficit.

"Mr. President, you know and members here know that I have maintained for some time that this state needed to be prepared to do one or both of the following; that is today, be prepared to pay the entire costs and to find the revenues within the state to do it of educating those who are dependents as a result of federal activity, principally military, in the state, or to take action on the state level to support inclusion of impact aid in the Department of Defense budget as a cost of doing business.

"Mr. President, if the compromise reported in the press succeeds, we will be deprived immediately of tens of millions of dollars in funds which now go directly to support our children in the school system. When I say our children, I'm talking about all children in the public school system because the funds do not differentiate between military and civilian children.

"This is a very, very severe problem. The budget for this year already reflects a loss of impact aid. The supposed gains to be made by the infusion of money in the education budget has been virtually completely absorbed by the loss of impact aid already this year so that there is virtually no net gain to our public school system. If this budget proposal passes, not that we will be deprived of that amount of money, but as you recall, Mr. President, the chairman of the Housing Committee made remarks the other day with respect to some of the possible impact of a new battleship group coming to this state and I indicated at that time that we had to take into account what the impact aid ramifications would be. I figured at that time it would be possibly as high as \$6 million in addition the

tens of millions of dollars of impact aid now at stake.

"There are resolutions, Mr. President, in the Legislature right now to examine the pros and cons of the battleship group coming here. I think that it would be in order and appropriate for those to be examined a little bit further in the light of this latest indication from Washington that this state may suffer adversely from the loss of impact aid.

"In conclusion, Mr. President, I want to indicate that this is not a one time only loss. This is an ongoing year after year after year loss that in a decade's time, alone, would probably result in the loss of impact aid to this state between \$100-and-\$200 million which will have to be made up by the taxpayers of this state just in order to stay even with what is required to minimally fund our public school system. This is a very serious, fundamental, profound issue that cannot be wished away by superficial acknowledging or nodding in the direction of excuses with respect to national security, with respect to patriotism, with respect to good relations between the military and civilian population, and all the rest of it. Kind words and good wishes will not deal with the proposition that will be before us if impact aid is withdrawn. Every school child in this state will suffer directly and immediately if impact aid is withdrawn. And I make the strongest urging of you and members of this Senate who have bills or resolutions that could deal with this and I most certainly call upon the Governor of this state and the political leadership of the state to take immediate steps not only to contact our congressional delegation in Washington, but to contact other people, locales, states, regions, areas, cities, whatever the combination might be throughout the country who will be adversely affected by the loss of impact aid and join with them to see that this particular proposal does not succeed in the Congress."

The Chair responded: "Senator Abercrombie, the Chair would like to suggest that you get together with the chairman of Education today and draft up a resolution and let's get on with the job."

SENATE CONCURRENT RESOLUTIONS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Temporary Rules of the Senate to authorize the Senate Clerk to receive Senate Concurrent Resolutions prior to 4:30 o'clock p.m. In consequence thereof, and subsequent to its recessing at 12:51 o'clock p.m., the following Senate Concurrent Resolutions were received and were placed on the calendar for further consideration on Wednesday, April 10, 1985:

S.C.R. No. 98, entitled: "SENATE CONCURRENT RESOLUTION URGING AN AUDIT OF THE NATION'S MONEY SYSTEM," was offered by Senators Kawasaki, Hee, Fernandes Salling, Aki, McMurdo, Matsuura, Cayetano, Toguchi, Young, Wong, Chang and Solomon.

S.C.R. No. 99, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A COLLEGE PREPARATORY CURRICULUM AT EACH PUBLIC HIGH SCHOOL IN HAWAII," was offered by Senators Abercrombie and Toguchi.

S.C.R. No. 100, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND URGING ITS CONTINUED SERVICE WITHOUT STAFFING AND FUNDING REDUCTIONS," was offered by Senator Fernandes Salling.

S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was offered by Senators A. Kobayashi, Hee, Abercrombie, Matsuura, Holt, Cayetano, Toguchi and Mizuguchi.

S.C.R. No. 102, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THE TITLE TO KUKANILOKO BIRTHSTONES SITE," was offered by Senators Hagino, A. Kobayashi, Soares, Henderson, McMurdo, Matsuura, Toguchi, Aki, Cayetano, Hee, Fernandes Salling and Machida.

S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was offered by Senator Matsuura.

S.C.R. No. 104, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senator Fernandes Salling.

S.C.R. No. 105, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senator Fernandes

Salling.

S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RECONSIDER CERTAIN ASPECTS OF THE SUGAR IMPORT QUOTA," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Hagino and Matsuura.

S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Hagino, Yamasaki, Fernandes Salling, Cobb and Abercrombie.

S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, McMurdo, Yamasaki, Fernandes Salling and Abercrombie.

S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL CONFERENCE," was offered by Senator Kuroda.

S.C.R. No. 110, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE FOOTAGE FOR BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was offered by Senators Solomon, McMurdo, B. Kobayashi, Kawasaki, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was offered by Senators Solomon, Toguchi, McMurdo, B. Kobayashi, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.C.R. No. 112, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO FORMULATE JOINTLY A PLAN TO PROMOTE HAWAII'S COMMERCIAL HARBORS," was offered by Senator Cayetano.

S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was offered by Senator Cayetano.

S.C.R. No. 114, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was offered by Senator Cayetano.

S.C.R. No. 115, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A PLANNING COMMITTEE TO DEVELOP A PROGRAM PLAN AND ORGANIZATIONAL STRUCTURE FOR A DEPARTMENT OF ENVIRONMENTAL AFFAIRS," was offered by Senators Aki, Solomon, B. Kobayashi, Hagino, Soares, Henderson, Young, Mizuguchi, A. Kobayashi, George, Matsuura, Toguchi, Hee, Cayetano, Abercrombie and McMurdo.

S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was offered by Senator Fernandes Salling.

S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS TO ERADICATE FRUIT FLIES," was offered by Senator Fernandes Salling.

S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE AERIAL APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was offered by Senator Fernandes Salling.

S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION," was offered by Senators Chang, Cayetano, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 120, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES AND THE SENATE TO CONDUCT A JOINT INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was offered by Senators Chang, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 121, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was offered by Senators Chang, Solomon, George, Aki, A. Kobayashi, Matsuura, Toguchi, Holt, Kuroda, Fernandes Salling, Henderson, Soares and Machida.

S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was offered by Senators Chang, Kawasaki, Kuroda and Aki.

S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING LAW WEEK, APRIL 28 - MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was offered by Senators Chang, Kuroda, Kawasaki and Aki.

S.C.R. No. 124, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF ORGANIC HOMESTEADING," was offered by Senator Henderson.

S.C.R. No. 125, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO PROMULGATE REGULATIONS REGARDING REIMBURSEMENTS AND COST ADVANCES," was offered by Senator Henderson.

S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was offered by Senator Fernandes Salling.

S.C.R. No. 127, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RECOMMEND IMPROVEMENTS TO THE LEGISLATIVE INFORMATION SYSTEM WHICH SERVES MEMBERS AND STAFF OF THE LEGISLATURE, GOVERNMENT

AGENCIES, THE GENERAL PUBLIC AND THE BUSINESS COMMUNITY," was offered by Senator Young.

S.C.R. No. 128, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF RESPONSIBILITY FOR DRIVER LICENSING AND MOTOR VEHICLE LICENSING AND REGISTRATION," was offered by Senator Young.

S.C.R. No. 129, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.C.R. No. 130, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANALEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.C.R. No. 131, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO INITIATE A PROGRAM TO INCREASE AWARENESS AMONG THE HAWAIIAN COMMUNITY REGARDING THE PROPOSED AMENDMENT TO THE HAWAII STATE CONSTITUTION CREATING A SINGLE DEFINITION OF 'NATIVE HAWAIIAN' AND 'HAWAIIAN'," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 132, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE COSTS AND EFFECTS OF AMENDING THE HAWAII STATE CONSTITUTION TO PROVIDE FOR A SINGLE DEFINITION OF HAWAIIAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 133, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MEANS TO IMPLEMENT THE CONSERVATION LANDS FUNCTIONAL PLAN AND THE HAWAII WILDLIFE PLAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 134, entitled: "SENATE

CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRUCIAL PROBLEM," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was offered by Senator Aki.

S.C.R. No. 136, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was offered by Senator Aki.

S.C.R. No. 137, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS TO ESTABLISH PRIVATELY-OPERATED GAME BIRD HUNTING PRESERVES ON AVAILABLE LANDS SITUATED CLOSE TO THE WAIANAE MOUNTAIN RANGE ON OAHU," was offered by Senator Aki.

S.C.R. No. 138, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was offered by Senator Aki.

SENATE RESOLUTIONS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Temporary Rules of the Senate to authorize the Senate Clerk to receive Senate Resolutions prior to 4:30 o'clock p.m. In consequence thereof, and subsequent to its recessing at 12:51 o'clock p.m., the following Senate Resolutions were received and were placed on the calendar for further consideration on Wednesday, April 10, 1985:

S.R. No. 125, entitled: "SENATE RESOLUTION URGING AN AUDIT OF THE NATION'S MONEY SYSTEM," was offered by Senators Kawasaki, Hee, Fernandes

Salling, Aki, McMurdo, Matsuura, Cayetano, Toguchi, Wong, Chang and Solomon.

S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF 'EXEMPT' EMPLOYMENT IN THE CIVIL SERVICE," was offered by Senators Machida, Yamasaki, Matsuura, Solomon, Fernandes Salling and Henderson.

S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO STUDY THE FEASIBILITY OF ESTABLISHING PERMANENT OFFICES FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM ON THE NEIGHBOR ISLANDS," was offered by Senators Machida, Matsuura, Aki, Hee, A. Kobayashi, Henderson, Soares, Fernandes Salling, Toguchi, Abercrombie, Solomon, Holt and Yamasaki.

S.R. No. 128, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO STUDY AND ANALYZE THE CHAPTER 89, HRS, DEFINITION OF 'PROFESSIONAL EMPLOYEE' FOR THE PURPOSE OF PROPOSING LEGISLATION TO INCLUDE TECHNICAL AND ALLIED EMPLOYEES WITHIN THIS DEFINITION," was offered by Senators Machida, A. Kobayashi, Henderson, Soares, Fernandes Salling, Toguchi, Matsuura, Abercrombie, Solomon, Aki, Holt and Yamasaki.

S.R. No. 129, entitled: "SENATE RESOLUTION REQUESTING THAT THE BOARD OF LAND AND NATURAL RESOURCES HOLD HEARINGS TO RECONSIDER THE USE INTO WHICH THE FORMER HALE MOHALU SITE WILL BE PLACED," was offered by Senators Abercrombie and Aki.

S.R. No. 130, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE UNIVERSITY OF HAWAII OPERATING A FIVE AND ONE-HALF OR SIX-DAY WEEK," was offered by Senator Abercrombie.

S.R. No. 131, entitled: "SENATE RESOLUTION URGING THE SOUTH AFRICAN GOVERNMENT TO PUT AN END TO APARTHEID," was offered by Senator Abercrombie.

S.R. No. 132, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF CONVERSATIONAL FOREIGN LANGUAGE COURSES IN EVERY PUBLIC ELEMENTARY AND INTERMEDIATE SCHOOL IN THE STATE," was offered by Senator Abercrombie.

S.R. No. 133, entitled: "SENATE RESOLUTION REQUESTING DIRECTIONAL SIGNS FOR THE BISHOP MUSEUM," was offered by Senator Abercrombie.

S.R. No. 134, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF A COLLEGE PREPARATORY CURRICULUM AT EACH PUBLIC HIGH SCHOOL IN HAWAII," was offered by Senators Abercrombie and Toguchi.

S.R. No. 135, entitled: "SENATE RESOLUTION URGING CONGRESSIONAL SUPPORT FOR THE SOIL CONSERVATION SERVICE PROGRAMS," was offered by Senators Solomon, Toguchi, Abercrombie, Young, Fernandes Salling, McMurdo, Chang, Hagino, Henderson, Kawasaki, Matsuura, Kuroda, Cayetano, B. Kobayashi, A. Kobayashi, Mizuguchi, Holt, Hee, Aki, George, Machida and Soares.

S.R. No. 136, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND URGING ITS CONTINUED SERVICE WITHOUT STAFFING AND FUNDING REDUCTIONS," was offered by Senator Fernandes Salling.

S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was offered by Senators A. Kobayashi, Hee, Abercrombie, Matsuura, Holt, Cayetano, Toguchi and Mizuguchi.

S.R. No. 138, entitled: "SENATE RESOLUTION RELATING TO RECREATIONAL FISHING ISLAND," was offered by Senators Kuroda, Yamasaki, A. Kobayashi, George, Aki, Matsuura, Chang, Hee, Cayetano, Soares, Abercrombie, Mizuguchi, Toguchi, Henderson, Hagino, McMurdo, Machida, Young and Cobb.

S.R. No. 139, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ACQUIRE THE TITLE TO KUKANILOKO BIRTHSTONES SITE," was offered by Senators Hagino, A. Kobayashi, Soares, Henderson, Matsuura, Cayetano, Toguchi, Aki, Hee, Fernandes Salling, McMurdo and Machida.

S.R. No. 140, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was offered by Senator Matsuura.

S.R. No. 141, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF PROCEDURES FOR THE ADMINISTRATION OF HEALTH AND HUMAN SERVICE PROGRAMS," was offered by Senators B. Kobayashi, Matsuura, Solomon, Machida, George and A. Kobayashi.

S.R. No. 142, entitled: "SENATE

RESOLUTION REQUESTING THE APPOINTMENT OF AN INTERIM TASK FORCE TO EXAMINE PRIVATE SECTOR ACTIVITIES WHICH AFFECT ECONOMIC AND COMMUNITY DEVELOPMENT," was offered by Senators Young, Yamasaki and Aki.

S.R. No. 143, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senator Fernandes Salling.

S.R. No. 144, entitled: "SENATE RESOLUTION REQUESTING THAT THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 145, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RECONSIDER CERTAIN ASPECTS OF THE SUGAR IMPORT QUOTA," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Yamasaki, Hagino and Matsuura.

S.R. No. 146, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE CREATION AND ADMINISTRATION OF THE THRIFT GUARANTY CORPORATION," was offered by Senators Cobb, Aki, B. Kobayashi, Kuroda, Young, Yamasaki, Hagino and Matsuura.

S.R. No. 147, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Hagino, Yamasaki, Fernandes Salling, Cobb and Abercrombie.

S.R. No. 148, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, McMurdo, Yamasaki, Fernandes Salling and Abercrombie.

S.R. No. 149, entitled: "SENATE RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL

CONFERENCE," was offered by Senator Kuroda.

S.R. No. 150, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE APPROPRIATE FOOTAGE FOR BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was offered by Senators Solomon, McMurdo, Kawasaki, Yamasaki, Cayetano, Aki, George, A. Kobayashi, Fernandes Salling, Matsuura, Hagino, Cobb and Machida.

S.R. No. 151, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was offered by Senators Solomon, Toguchi, Yamasaki, Matsuura, Hagino, Cobb, Aki, Machida and Fernandes Salling.

S.R. No. 152, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON BEACH EROSION FOR THE NEIGHBOR ISLANDS," was offered by Senators Chang and Aki.

S.R. No. 153, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO FORMULATE JOINTLY A PLAN TO PROMOTE HAWAII'S COMMERCIAL HARBORS," was offered by Senator Cayetano.

S.R. No. 154, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was offered by Senator Cayetano.

S.R. No. 155, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was offered by Senator Cayetano.

S.R. No. 156, entitled: "SENATE RESOLUTION REQUESTING THAT CONDOMINIUM PUBLIC REPORTS ISSUED BY THE REAL ESTATE COMMISSION BE WRITTEN IN PLAIN LANGUAGE," was offered by Senator Mizuguchi.

S.R. No. 157, entitled: "SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DESIGNATING MAY 24, 1985 AS 'SELF-HELP HOUSING DAY' AND THE PRESIDENT OF THE UNITED STATES TO DESIGNATE THAT SAME DAY

AS 'NATIONAL SELF-HELP HOUSING DAY," was offered by Senators Aki, Young, Fernandes Salling, Hagino, Henderson, Soares, Solomon, George, Holt, Toguchi, Machida, A. Kobayashi, McMurdo, Hee, Cayetano and Abercrombie.

S.R. No. 158, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO RAISE THE LIMIT FOR EQUIPMENT AS DEFINED IN THE STATE'S INVENTORY SYSTEM MANUAL FROM \$50 to \$500," was offered by Senator Abercrombie.

S.R. No. 159, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ALLOWING LICENSED PSYCHOLOGISTS TO ADMINISTER AND PRESCRIBE MEDICATION IN THE DIAGNOSIS AND TREATMENT OF NERVOUS, MENTAL, AND ORGANIC BRAIN DISORDERS," was offered by Senator Abercrombie.

S.R. No. 160, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS TO ERADICATE FRUIT FLIES," was offered by Senator Fernandes Salling.

S.R. No. 161, entitled: "SENATE RESOLUTION OPPOSING THE AERIAL APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 162, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was offered by Senator Fernandes Salling.

S.R. No. 163, entitled: "SENATE RESOLUTION REQUESTING THE IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT ON THE INTERSTATE TRANSMISSION OF CRIMINAL JUSTICE DATA AND INFORMATION," was offered by Senators Chang, Cayetano, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Soares and Machida.

S.R. No. 164, entitled: "SENATE RESOLUTION REQUESTING THE SENATE TO CONDUCT AN INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was offered by Senators Chang, B. Kobayashi, McMurdo, Kawasaki, Holt, Kuroda, Aki, Matsuura, Fernandes Salling, Henderson, Machida and Soares.

S.R. No. 165, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was offered by Senators Chang, Solomon, George, Aki, A. Kobayashi, Matsuura, Toguchi, Holt, Kuroda, Fernandes Salling, Henderson, Soares and Machida.

S.R. No. 166, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was offered by Senators Chang, Kawasaki, Kuroda and Aki.

S.R. No. 167, entitled: "SENATE RESOLUTION RECOGNIZING LAW WEEK, APRIL 28 - MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was offered by Senators Chang, Kuroda, Kawasaki and Aki.

S.R. No. 168, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM REVIEW OF THE LEGISLATIVE AUDITOR'S RECOMMENDATIONS REGARDING THE TAX DEPARTMENT," was offered by Senator Henderson.

S.R. No. 169, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF ORGANIC HOMESTEADING," was offered by Senator Henderson.

S.R. No. 170, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO PROMULGATE REGULATIONS REGARDING REIMBURSEMENTS AND COST ADVANCES," was offered by Senator Henderson.

S.R. No. 171, entitled: "SENATE RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was offered by Senator Fernandes Salling.

S.R. No. 172, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO RECOMMEND IMPROVEMENTS TO THE LEGISLATIVE INFORMATION SYSTEM WHICH SERVES MEMBERS AND STAFF OF THE LEGISLATURE, GOVERNMENT AGENCIES, THE GENERAL PUBLIC AND THE BUSINESS COMMUNITY," was offered by Senator Young.

S.R. No. 173, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE CONSOLIDATION OF RESPONSIBILITY FOR DRIVER LICENSING AND MOTOR VEHICLE LICENSING AND

REGISTRATION," was offered by Senator Young.

S.R. No. 174, entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF TRANSPORTATION TO INVESTIGATE THE PROBLEMS RELATING TO THE USE OF HANAIEI BAY ON KAUAI AND TO DEVELOP A MANAGEMENT PLAN TO ENSURE THE ORDERLY USE OF THE BAY," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.R. No. 175, entitled: "SENATE RESOLUTION REQUESTING THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was offered by Senators Aki, Fernandes Salling, McMurdo, Henderson, A. Kobayashi, Young and Solomon.

S.R. No. 176, entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO INITIATE A PROGRAM TO INCREASE AWARENESS AMONG THE HAWAIIAN COMMUNITY REGARDING THE PROPOSED AMENDMENT TO THE HAWAII STATE CONSTITUTION CREATING A SINGLE DEFINITION OF 'NATIVE HAWAIIAN' AND 'HAWAIIAN'," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 177, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE COSTS AND EFFECTS OF AMENDING THE HAWAII STATE CONSTITUTION TO PROVIDE FOR A SINGLE DEFINITION OF HAWAIIAN," was offered by Senators Aki, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 178, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MEANS TO IMPLEMENT THE CONSERVATION LANDS FUNCTIONAL PLAN AND THE HAWAII WILDLIFE PLAN," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 179, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRUCIAL PROBLEM," was offered by Senators Aki, Matsuura, Young, Holt, Machida, Henderson, Soares, Fernandes Salling and McMurdo.

S.R. No. 180, entitled: "SENATE RESOLUTION DESIGNATING THE FIRST SUNDAY IN AUGUST AS 'NATIONAL DAY OF PEACE'," was offered by Senator Abercrombie.

S.R. No. 181, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was offered by Senator Aki.

S.R. No. 182, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was offered by Senator Aki.

S.R. No. 183, entitled: "SENATE RESOLUTION SUPPORTING EFFORTS TO ESTABLISH PRIVATELY-OPERATED GAME BIRD HUNTING PRESERVES ON AVAILABLE LANDS SITUATED CLOSE TO THE WAIANAE MOUNTAIN RANGE ON OAHU," was offered by Senator Aki.

S.R. No. 184, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was offered by Senator Aki.

APPOINTMENT OF CONFEREES

In accordance with the disagreement of the House to the amendments proposed by the Senate to the following House bills, and the request for a conference on the respective subject matters thereof, the President appointed the following Managers on the part of the Senate for the consideration of said amendments:

H.B. No. 28, H.D. 1, S.D. 1 - Senators Chang, chairman, Cayetano and A. Kobayashi;

H.B. No. 104, H.D. 2, S.D. 1 - Senators Chang, chairman, Abercrombie and A. Kobayashi;

H.B. No. 329, H.D. 1, S.D. 2 - Senators Chang, chairman, Cayetano and George;

H.B. No. 1162, H.D. 1, S.D. 1 - Senators Chang, chairman, Toguchi and George;

H.B. No. 1257, S.D. 1 - Senators Chang, chairman, Young and George; and

H.B. No. 1386, S.D. 1 - Senators Chang, chairman, Aki and A. Kobayashi.

In accordance with the disagreement of the Senate to the amendments proposed by the House to the following Senate bills, and the request for a conference on the respective subject matters thereof, the President appointed the following Managers on the part of the Senate for the consideration of said amendments:

S.B. No. 86, S.D. 1, H.D. 1 - Senators Aki, chairman, Hagino and Henderson;

S.B. No. 153, S.D. 1, H.D. 2 - Senators Matsuura, chairman, Aki, Hee, Mizuguchi and Henderson;

S.B. No. 1198, S.D. 2, H.D. 1 - Senators Yamasaki, chairman, Cayetano, Cobb, Hagino and Soares; and

S.B. No. 1353, S.D. 1, H.D. 1 - Senators Solomon, chairman, Hagino, Hee, Mizuguchi and Soares.

Senate Bill No. 665, S.D. 1, H.D. 2:

The President appointed Senator Kawasaki as a Manager and discharged Senator Chang as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 665, S.D. 1.

Senate Bill No. 1404, H.D. 1:

The President appointed Senator Toguchi as a Manager and discharged Senator Cobb as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1404.

Senate Bill No. 1413, S.D. 1, H.D. 1:

The President appointed Senator Abercrombie as a Manager and discharged Senator Toguchi as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 1413, S.D. 1.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 10, 1985.

FIFTY-THIRD DAY

Wednesday, April 10, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Shugen Komagata of the Wahiawa Ryusenji Soto Mission, after which the Roll was called showing all Senators present with the exception of Senator Soares who was excused.

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

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

Senator Young introduced Joanna Lyn Corbilla, Cheryl Donato and Linda Martinez, students from the social studies class of Ilima Intermediate School in Ewa, who are participants of their Legislative Awareness Program.

Senator Cayetano introduced his Mainland friends, Bill and Sally Francis and their two children, and added that Bill Francis is "my law school classmate and good friend."

Senator Kawasaki then introduced a group of 51 seventh grade students from Dole Intermediate School, accompanied by their teachers: Mrs. Libby Lim, Mrs. Betty Ikeda, Mrs. Alyce Takami, Mrs. Daphne Chun and Mrs. Gayle Handa.

Senator Machida then introduced a group of 200 students from the Hawaii Job Corps program who were sitting in the gallery, and recognized Ms. Allison Furtado, student body president, and Mr. Ernest Mortton, its director, who were guests on the Senate floor. Senator Machida read portions of the Senate congratulatory certificate.

All of the honorees rose to be recognized, and Ms. Furtado and Mr. Mortton were presented the congratulatory certificate and leis.

Senator Toguchi then introduced Mrs. Pearl Ching, who was accompanied by her husband Howard, and Grace Furukawa, chairperson of the State Advisory Council for the Gifted and Talented, as follows:

"Mr. President, it's very appropriate this morning, with the number of young people we have in the audience, to introduce the next honoree.

"It is my pleasure this morning to introduce an outstanding teacher who recently retired from the Department of Education. This individual provided the

leadership for implementing a statewide gifted and talented program and for gaining public awareness of the value and importance of gifted and talented programs in our schools.

"She has been a teacher in the DOE system for over 30 years, as a classroom teacher, supervising teacher and, before her retirement, as a specialist for the gifted and talented program.

"Mr. President, she also developed and authored the Hawaii State Guidelines and Procedures for Gifted and Talented Education and Resource Guide for Gifted and Talented Programs. These documents are being used locally as well as by Mainland educators of the gifted and talented.

"To show how dedicated she is and how concerned she is for our young people here in the State of Hawaii, even after her retirement she has always found time to do more and continues to work as a volunteer with the State Advisory Council for the Gifted and Talented, the Hawaii Association for Intellectually Gifted Children, a joint committee of the University of Hawaii and the Department of Education.

"I consider her a pioneer in this field and her continued concern and advice will always be welcomed."

Mrs. Pearl Ching rose to be recognized and was presented the Senate congratulatory certificate by Senator Toguchi and lei by Senator Abercrombie.

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

The Senate reconvened at 11:55 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 292, informing the Senate that on April 9, 1985, he signed the following bill into law:

H.B. No. 1360 as Act 4, entitled: "RELATING TO CORPORATIONS,"

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. No. 512 to 515) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 512, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to the

following House Bills:

No. 29, H.D. 1 (S.D. 1);
 No. 33, H.D. 1 (S.D. 1);
 No. 39, H.D. 2 (S.D. 2);
 No. 108, H.D. 2 (S.D. 1);
 No. 111, H.D. 1, S.D. 1;
 No. 129 (S.D. 1);
 No. 160 (S.D. 1);
 No. 162 (S.D. 1);
 No. 171 (S.D. 1);
 No. 174, H.D. 1 (S.D. 1);
 No. 176 (S.D. 1);
 No. 208, H.D. 2 (S.D. 1);
 No. 209, H.D. 1 (S.D. 1);
 No. 214, H.D. 1 (S.D. 1);
 No. 223, H.D. 1 (S.D. 1);
 No. 227, H.D. 1 (S.D. 1);
 No. 230, H.D. 1 (S.D. 1);
 No. 231 (S.D. 1);
 No. 232, H.D. 1 (S.D. 1);
 No. 234, H.D. 2 (S.D. 1);
 No. 235 (S.D. 1);
 No. 236, H.D. 2 (S.D. 1);
 No. 239 (S.D. 1);
 No. 240, H.D. 1 (S.D. 1);
 No. 263, H.D. 1 (S.D. 1);
 No. 264 (S.D. 1);
 No. 267, H.D. 1 (S.D. 2);
 No. 311, H.D. 1 (S.D. 1);
 No. 333, H.D. 1 (S.D. 1);
 No. 352 (S.D. 1);
 No. 355 (S.D. 1);
 No. 363, H.D. 1 (S.D. 1);
 No. 382 (S.D. 1);
 No. 401 (S.D. 1);
 No. 404, H.D. 2 (S.D. 1);
 No. 434, H.D. 1 (S.D. 1);
 No. 460, H.D. 1 (S.D. 1);
 No. 479, H.D. 1 (S.D. 1);
 No. 492, H.D. 1 (S.D. 1);
 No. 509 (S.D. 1);
 No. 522, H.D. 1 (S.D. 1);
 No. 558, H.D. 1 (S.D. 1);
 No. 614, H.D. 1 (S.D. 1);
 No. 674, H.D. 1 (S.D. 1);
 No. 697, H.D. 1 (S.D. 2);
 No. 743, H.D. 1 (S.D. 1);
 No. 755 (S.D. 1);
 No. 757 (S.D. 1);
 No. 759 (S.D. 1);
 No. 839, H.D. 1 (S.D. 1);
 No. 860, H.D. 1 (S.D. 1);
 No. 921, H.D. 1 (S.D. 1);
 No. 995, H.D. 2 (S.D. 1);
 No. 997, H.D. 1 (S.D. 1);
 No. 1054, H.D. 1 (S.D. 1);
 No. 1056, H.D. 1 (S.D. 1);
 No. 1131, H.D. 2 (S.D. 1);
 No. 1163, H.D. 2 (S.D. 1);
 No. 1166, H.D. 2 (S.D. 1);
 No. 1243 (S.D. 1);
 No. 1271, H.D. 2 (S.D. 1);
 No. 1275, H.D. 1 (S.D. 2);
 No. 1356 (S.D. 1); and
 No. 1357, H.D. 1 (S.D. 1),

was placed on file.

Hse. Com. No. 513, informing the Senate that the House reconsidered its action taken

on April 3, 1985 in disagreeing to the amendments made by the Senate to the following House Bills:

No. 181 (S.D. 1);
 No. 184, H.D. 2 (S.D. 2);
 No. 193, H.D. 2 (S.D. 1); and
 No. 195 (S.D. 1),

was placed on file.

Hse. Com. No. 514, informing the Senate that the Speaker, on April 9, 1985, appointed managers on the part of the House for the consideration of amendments proposed by the House to the following Senate Bills:

No. 20, S.D. 1 (H.D. 2) - Representatives Kiyabu and Honda, co-chairmen, Crozier, Kim, Leong and Kamali'i;

No. 59, S.D. 1 (H.D. 1) - Representatives Bunda and Morgado, co-chairmen, Hashimoto, Kihano, Lindsey and Liu;

No. 76, S.D. 1 (H.D. 1) - Representatives Tom, chairman, Apo, Bunda, Metcalf and Jones;

No. 78, S.D. 1 (H.D. 2) - Representatives Tungpalan, Tom and Takamine, co-chairmen, Leong, Metcalf, Nakata and Anderson;

No. 83, S.D. 2 (H.D. 1) - Representatives Kiyabu, Say and Honda, co-chairmen, Crozier, Nakata, Tajiri, Isbell and Kamali'i;

No. 86, S.D. 1 (H.D. 1) - Representatives Andrews and Honda, co-chairmen, Apo, Hagino, Shon and Isbell;

No. 90, S.D. 1 (H.D. 1) - Representatives Apo and Crozier, co-chairmen, Kihano, Kim, Nakata, Oshiro, Shon and Isbell;

No. 93 (H.D. 1) - Representatives Apo, chairman, Hagino, Metcalf, Shon and Kamali'i;

No. 113, S.D. 2 (H.D. 2) - Representatives Gaulty and Souki, co-chairmen, Caçhola, Lardizabal, Leong, Levin, Lindsey, Isbell and Liu;

No. 115, S.D. 1 (H.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 133, S.D. 1 (H.D. 1) - Representatives Taniguchi and Souki co-chairmen, Kim, Oshiro, Tajiri and Isbell;

No. 149, S.D. 1 (H.D. 1) - Representatives Andrews and Say, co-chairmen, Apo, Crozier, Tajiri and Pfeil;

No. 153, S.D. 1 (H.D. 2) - Representatives Andrews and Crozier, co-chairmen, Hagino, Kihano, Nakata, Shon, Tajiri and Kamali'i;

No. 163 (H.D. 1) - Representatives Taniguchi and Say, co-chairmen, Metcalf, Oshiro and Kamali'i;

No. 201, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Bunda, Hashimoto, Menor and Liu;

No. 217, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Bunda, Hashimoto, Hirono, Taniguchi and Medeiros;

No. 224 (H.D. 1) - Representatives Shito and Hashimoto, co-chairmen, Apo, Metcalf and Jones;

No. 237, S.D. 2 (H.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 239, S.D. 2 (H.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell, Kamali'i;

No. 249, S.D. 1 (H.D. 1) - Representatives Tom and Menor, co-chairmen, Blair and Metcalf;

No. 253, S.D. 1 (H.D. 1) - Representatives Tom, chairman, Blair, Hirono, Metcalf and Jones;

No. 309, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Apo, Hirono and Liu;

No. 327, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Bunda, Hirono, Menor and Liu;

No. 384 (H.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell, Kamali'i;

No. 459, S.D. 2 (H.D. 2) - Representatives Tom and Kim, co-chairmen, Leong, Metcalf, Tajiri, Tungpalan, Kamali'i and Liu;

No. 460, S.D. 2 (H.D. 2) - Representatives Tom and Tajiri, co-chairmen, Kim, Leong, Metcalf, Tungpalan, Kamali'i and Liu;

No. 461, S.D. 1 (H.D. 1) - Representatives Tom, chairman, Hashimoto, Metcalf, Taniguchi and Medeiros;

No. 463, S.D. 1 (H.D. 2) - Representatives Kiyabu and Tom, co-chairmen, Metcalf, Oshiro, Souki, Takamine, Tungpalan, Isbell and Medeiros;

No. 539, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Andrews, Metcalf, Taniguchi and Medeiros;

No. 588, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Andrews, Apo, Metcalf and Medeiros;

No. 592, S.D. 1 (H.D. 2) - Representatives Tom and Souki, co-chairmen, Kim, Leong, Menor, Metcalf, Takamine, Isbell and Jones;

No. 610, S.D. 1 (H.D. 1) - Representatives Tom and Takamine, co-chairmen, Blair, Hirono, Lardizabal, Metcalf, Nakata, Oshiro and Jones;

No. 615, S.D. 1 (H.D. 2) - Representatives Andrews, Say and Tom, co-chairmen, Apo, Metcalf and Kamali'i;

No. 665, S.D. 1 (H.D. 2) - Representatives Shito and Tajiri, co-chairmen, Hashimoto, Kim, Kiyabu, Leong, Nakata, Taniguchi, Anderson and Medeiros;

No. 669, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Hashimoto, Hirono, Metcalf and Medeiros;

No. 702, S.D. 2 (H.D. 2) - Representatives Andrews and Crozier, co-chairmen, Cachola, Kihano, Metcalf, Nakata, Shon and Isbell;

No. 726, S.D. 2 (H.D. 2) - Representatives Shito and Souki, co-chairmen, Andrews, Apo, Cachola, Lardizabal, Oshiro, Taniguchi and Isbell;

No. 854, S.D. 1 (H.D. 1) - Representatives Taniguchi, chairman, Onouye, Oshiro and Hemmings;

No. 932, S.D. 1 (H.D. 1) - Representatives Shito and Hashimoto, co-chairmen, Metcalf and Medeiros;

No. 937, S.D. 2 (H.D. 2) - Representatives Kiyabu and Andrews, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 1057, S.D. 1 (H.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 1089, S.D. 2 (H.D. 1) - Representatives Kiyabu, chairman, Crozier, Souki, Tajiri and Kamali'i;

No. 1127, S.D. 1 (H.D. 2) - Representatives Bunda, chairman, Cachola, Leong, Levin and Jones;

No. 1144, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Bunda, Menor, Taniguchi and Medeiros;

No. 1155, S.D. 1 (H.D. 1) - Representatives Tom, chairman, Metcalf, Taniguchi and Liu;

No. 1157, S.D. 1 (H.D. 1) - Representatives Menor and Gaulty, co-chairmen, Blair, Leong and Jones;

No. 1185, S.D. 1 (H.D. 1) - Representatives Bunda, chairman, Gaulty, Hirono, Kihano, Lindsey and Cavasso;

No. 1186, S.D. 2 (H.D. 1) - Representatives Bunda and Kiyabu, co-chairmen, Hashimoto, Kihano, Leong, Levin, Lindsey, Souki, Tajiri, Isbell and Liu;

No. 1193, S.D. 2 (H.D. 2) - Representatives Say and Kiyabu, co-chairmen, Apo, Nakata, Oshiro, Shon, Tajiri, Anderson and Isbell;

No. 1224, S.D. 1 (H.D. 1) - Representatives Apo, chairman, Metcalf, Shon, Tam and Pfeil;

No. 1264, S.D. 1 (H.D. 1) - Representatives Oshiro and Nakasato, co-chairmen, Lardizabal, Tungpalan and Anderson;

No. 1270, S.D. 1 (H.D. 1) - Representatives Shito, chairman, Andrews, Hashimoto, Metcalf and Medeiros;

No. 1353, S.D. 1 (H.D. 1) - Representatives Andrews and Honda, co-chairmen, Nakata, Tajiri and Kamali'i;

No. 1358, S.D. 1 (H.D. 2) - Representatives Tom and Kihano, co-chairmen, Blair, Hirono, Kim, Lardizabal, Metcalf, Takamine, Kamali'i and Liu;

No. 1404 (H.D. 1) - Representatives Tom, chairman, Hirono, Metcalf, Taniguchi and Liu;

No. 1408, S.D. 2 (H.D. 1) - Representatives Tom, chairman, Hashimoto, Metcalf, Taniguchi and Liu; and

No. 1432, S.D. 2 (H.D. 1) - Representatives Gaulty and Souki, co-chairmen, Cachola, Leong, Nakata, Shito, Isbell and Liu,

was placed on file.

Hse. Com. No. 515, informing the Senate that the Speaker, on April 9, 1985, appointed managers on the part of the

House for the consideration of amendments proposed by the Senate to the following House Bills:

No. 1, H.D. 1 (S.D. 1) - Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 28, H.D. 1 (S.D. 1) - Representatives Tom, chairman, Hirono, Metcalf, Taniguchi and Liu;

No. 40 (S.D. 1) - Representatives Shito, chairman, Andrews, Bunda, Metcalf and Medeiros;

No. 49, H.D. 2 (S.D. 2) - Representatives Gaulty and Souki, co-chairmen, Crozier, Leong, Levin, Lindsey, Takamine, Isbell and Liu;

No. 60, H.D. 2 (S.D. 2) - Representatives Kiyabu and Honda, co-chairmen, Crozier, Kim, Leong and Kamali'i;

No. 89, H.D. 1 (S.D. 2) - Representatives Taniguchi and Tom, co-chairmen, Metcalf, Oshiro and Medeiros;

No. 99, H.D. 1 (S.D. 2) - Representatives Kiyabu and Tom, co-chairmen, Hashimoto, Metcalf, Taniguchi, Medeiros, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 101, H.D. 1 (S.D. 2) - Representatives Takamine and Gaulty, co-chairmen, Bunda, Cachola, Crozier, Lardizabal, Leong, Nakata, Anderson and Jones;

No. 104, H.D. 2 (S.D. 1) - Representatives Tom and Souki, co-chairmen, Lardizabal, Menor, Metcalf, Nakata, Tajiri, Tungpalan, Jones and Kamali'i;

No. 134, H.D. 1 (S.D. 1) - Representatives Kiyabu and Yoshimura, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 144, H.D. 1 (S.D. 1) - Representatives Kiyabu and Yoshimura, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 146, H.D. 1 (S.D. 1) - Representatives Kiyabu and Yoshimura, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 147, H.D. 1 (S.D. 1) - Representatives

Kiyabu and Yoshimura, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 153 (S.D. 1) - Representatives Say, Tom and Souki, co-chairmen, Crozier, Honda, Kihano, Nakata, Tam, Isbell and Kamali'i;

No. 165 (S.D. 1) - Representatives Bunda, chairman, Hashimoto, Kihano, Shito and Liu;

No. 166, H.D. 2 (S.D. 2) - Representatives Bunda and Kihano, co-chairmen, Cachola, Leong, Lindsey, Shito, Cavasso and Isbell;

No. 188 (S.D. 1) - Representatives Apo, chairman, Crozier, Hagino, Nakata and Kamali'i;

No. 194, H.D. 1 (S.D. 2) - Representatives Say and Metcalf, co-chairmen, Apo and Pfeil;

No. 229, H.D. 2 (S.D. 1) - Representatives Shito and Crozier, co-chairmen, Hashimoto, Hirono, Kiyabu, Leong, Metcalf, Oshiro, Takamine, Anderson and Medeiros;

No. 265, H.D. 1 (S.D. 1) - Representatives Gaulty and Tom, co-chairmen, Cachola, Kihano, Leong and Cavasso;

No. 266, H.D. 1 (S.D. 1) - Representatives Gaulty and Tom, co-chairmen, Cachola, Kihano, Leong and Cavasso;

No. 268 (S.D. 1) - Representatives Tungpalan and Tom, co-chairmen, Hemmings;

No. 281, H.D. 2 (S.D. 2) - Representatives Kiyabu and Taniguchi, co-chairmen, Crozier, Oshiro, Souki and Anderson;

No. 329, H.D. 1 (S.D. 2) - Representatives Tom, chairman, Blair, Hashimoto, Hirono, Metcalf and Liu;

No. 347, H.D. 1 (S.D. 1) - Representatives Shito and Souki, co-chairmen, Blair, Bunda, Kim, Metcalf, Oshiro, Tajiri, Anderson and Medeiros;

No. 353 (S.D. 1) - Representatives Hashimoto and Tom, co-chairmen, Bunda, Cachola, Metcalf and Jones;

No. 354, H.D. 2 (S.D. 2) - Representatives Kiyabu and Tom, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 436, H.D. 2 (S.D. 2) - Representatives Gaulty and Souki, co-chairmen, Cachola, Crozier, Leong, Takamine, Isbell and Liu;

No. 453, H.D. 1 (S.D. 1) - Representatives Taniguchi, chairman, Kim, Oshiro, Yoshimura and Anderson;

No. 465 (S.D. 1) - Representatives Tom, chairman, Apo, Bunda, Metcalf and Jones;

No. 488, H.D. 1 (S.D. 1) - Representatives Bunda, chairman, Hashimoto, Hirono, Lindsey, Morgado and Liu;

No. 502 (S.D. 1) - Representatives Hashimoto, chairman, Bunda, Lindsey and Liu;

No. 519 (S.D. 1) - Representatives Taniguchi, chairman, Oshiro, Takamine and Anderson;

No. 520, H.D. 1 (S.D. 1) - Representatives Shito, chairman, Blair, Metcalf, Taniguchi and Liu;

No. 557, H.D. 1 (S.D. 1) - Representatives Shito, chairman, Andrews, Bunda, Hashimoto and Medeiros;

No. 761 (S.D. 1) - Representatives Shito, chairman, Andrews, Hashimoto, Taniguchi and Medeiros;

No. 776, H.D. 2 (S.D. 1) - Representatives Gaulty, chairman, Cachola, Hashimoto, Leong and Liu;

No. 830, H.D. 1 (S.D. 1) - Representatives Taniguchi and Tom, co-chairmen, Metcalf, Oshiro and Medeiros;

No. 949 (S.D. 1) - Representatives Andrews and Say, co-chairmen, Crozier, Tajiri and Pfeil;

No. 989 (S.D. 1) - Representatives Say, chairman, Andrews, Metcalf and Kamali'i;

No. 1059, H.D. 1 (S.D. 2) - Representatives Crozier, chairman, Cachola, Kihano, Oshiro and Anderson;

No. 1162, H.D. 1 (S.D. 1) - Representatives Tom, chairman, Hashimoto, Menor, Metcalf and Liu;

No. 1231, H.D. 2 (S.D. 1) - Representatives Andrews, Bunda and Tajiri, co-chairmen, Hagino, Honda and Isbell;

No. 1239, H.D. 1 (S.D. 1) - Representatives Andrews and Say, co-chairmen, Apo, Metcalf, Nakata and Kamali'i;

No. 1246, H.D. 1 (S.D. 2) - Representatives Kiyabu and Andrews, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 1257 (S.D. 1) - Representatives Tom, chairman, Apo, Hashimoto, Metcalf and Liu;

No. 1270, H.D. 1 (S.D. 1) - Representatives Hashimoto and Shito, co-chairmen, Cachola and Liu;

No. 1285, H.D. 2 (S.D. 1) - Representatives Grauly and Souki, co-chairmen, Hashimoto, Hirono, Kim, Levin, Tajiri, Anderson and Liu;

No. 1350, H.D. 1 (S.D. 1) - Representatives Kiyabu and Nakasato, co-chairmen, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i;

No. 1354, H.D. 1 (S.D. 1) - Representatives Shito, chairman, Blair, Metcalf, Taniguchi and Medeiros;

No. 1366 (S.D. 1) - Representatives Shito, chairman, Andrews, Hashimoto, Taniguchi and Medeiros;

No. 1386 (S.D. 1) - Representatives Tom, chairman, Menor, Metcalf, Taniguchi and Liu;

No. 1393, H.D. 2 (S.D. 1) - Representatives Taniguchi and Takamine, co-chairmen, Lardizabal, Oshiro and Anderson; and

No. 1547, H.D. 1 (S.D. 1) - Representatives Apo, chairman, Metcalf, Shon, Tajiri and Pfeil,

was placed on file.

STANDING COMMITTEE REPORTS

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 961) recommending that House Bill No. 191 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 962) recommending that House Bill No. 192, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No.

192, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 963) recommending that House Bill No. 206, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and H.B. No. 206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 964) recommending that House Bill No. 38 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 965) recommending that House Bill No. 228 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 228, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 966) recommending that House Bill No. 233, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 233, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the Committee on

Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 967) recommending that House Bill No. 462 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 462, entitled: "A BILL FOR AN ACT RELATING TO WARRANTIES," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 968) recommending that House Bill No. 1060 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 969) recommending that House Bill No. 1382 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and H.B. No. 1382, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 970) recommending that the Senate advise and consent to the nomination of Glenn E. Mason to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 149.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 970 and Gov. Msg. No. 149 was deferred until Thursday, April 11, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 971) recommending that the Senate advise and consent to the nominations of Robert L. Shuford, Tom T. Okuda and Sharon R. Weiner to the Stadium Authority, in accordance with Gov. Msg. No. 150.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 971 and Gov. Msg.

No. 150 was deferred until Thursday, April 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 972) recommending that the Senate advise and consent to the nominations of of Kazu Hayashida, L. Stephen Lau, Ph.D., James J. Nakatani, Melvin Koizumi, Susumu Ono, Jack K. Suwa, James W. Morrow, Samuel S.H. Lee and Jacqueline Parnell to the Technical Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 283.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 972 and Gov. Msg. No. 283 was deferred until Thursday, April 11, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 973) recommending that the Senate advise and consent to the nominations of the following:

Peter S. Sybinsky, Ph.D., Harold S.Y. Hee, Masao Watanabe, Minoru Inaba, Patrick R. Cullen, Albert P. Moniz, Eugene Yamamoto, Kenneth A. Haling, M.D., Cullen T. Hayashida, Joyce E. Allosada, David H. Luehr, Katherine G. Takehiro, Richard Higashi, Joji Nouchi, Jonathan S. Raymond, Ph.D., Rosalie Akasaba, Ronald T. Hayashi and Leland M. Yagi to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 273;

Reverend Kenneth W. Smith to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 279;

Bernadette Ledesma, Patty Yamamoto and John A. Rabanal to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 280;

Stanley E. Rodrigues, Sr., Merrie K. Aipolani, Karen G.S. Shimabukuro, Kiyoko Akase and Robert K. Mole to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 281;

Kathryn N. Kato, Saburo Ebisu, Ralph J. Kiessling, Roger E. Roach, James R. Yano, Loretta T. Schuler and Edward C. McCrea to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 282; and

Leslie Bailey, Ph.D., and Amelia R. Jacang, M.D., to the Drug Product Selection Board, in accordance with Gov. Msg. No. 272.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 973 and Gov. Msg. Nos. 273, 279, 280, 281, 282 and 272.

ORDER OF THE DAY

MATTERS DEFERRED FROM
TUESDAY, APRIL 9, 1985

SENATE CONCURRENT RESOLUTIONS

By unanimous consent, action on the following Senate Concurrent Resolutions was deferred until Thursday, April 11, 1985:

S.C.R. No. 98;
S.C.R. No. 99;
S.C.R. No. 100;
S.C.R. No. 101;
S.C.R. No. 102;
S.C.R. No. 103;
S.C.R. No. 104;
S.C.R. No. 105;
S.C.R. No. 106;
S.C.R. No. 107;
S.C.R. No. 108;
S.C.R. No. 109;
S.C.R. No. 110;
S.C.R. No. 111;
S.C.R. No. 112;
S.C.R. No. 113;
S.C.R. No. 114;
S.C.R. No. 115;
S.C.R. No. 116;
S.C.R. No. 117;
S.C.R. No. 118;
S.C.R. No. 119;
S.C.R. No. 120;
S.C.R. No. 121;
S.C.R. No. 122;
S.C.R. No. 123;
S.C.R. No. 124;
S.C.R. No. 125;
S.C.R. No. 126;
S.C.R. No. 127;
S.C.R. No. 128;
S.C.R. No. 129;
S.C.R. No. 130;
S.C.R. No. 131;
S.C.R. No. 132;
S.C.R. No. 133;
S.C.R. No. 134;
S.C.R. No. 135;
S.C.R. No. 136;
S.C.R. No. 137; and
S.C.R. No. 138.

SENATE RESOLUTIONS

By unanimous consent, action on the following Senate Resolutions was deferred until Thursday, April 11, 1985:

S.R. No. 125;
S.R. No. 126;
S.R. No. 127;
S.R. No. 128;
S.R. No. 129;
S.R. No. 130;
S.R. No. 131;
S.R. No. 132;
S.R. No. 133;
S.R. No. 134;
S.R. No. 135;
S.R. No. 136;
S.R. No. 137;
S.R. No. 138;

S.R. No. 139;
S.R. No. 140;
S.R. No. 141;
S.R. No. 142;
S.R. No. 143;
S.R. No. 144;
S.R. No. 145;
S.R. No. 146;
S.R. No. 147;
S.R. No. 148;
S.R. No. 149;
S.R. No. 150;
S.R. No. 151;
S.R. No. 152;
S.R. No. 153;
S.R. No. 154;
S.R. No. 155;
S.R. No. 156;
S.R. No. 157;
S.R. No. 158;
S.R. No. 159;
S.R. No. 160;
S.R. No. 161;
S.R. No. 162;
S.R. No. 163;
S.R. No. 164;
S.R. No. 165;
S.R. No. 166;
S.R. No. 167;
S.R. No. 168;
S.R. No. 169;
S.R. No. 170;
S.R. No. 171;
S.R. No. 172;
S.R. No. 173;
S.R. No. 174;
S.R. No. 175;
S.R. No. 176;
S.R. No. 177;
S.R. No. 178;
S.R. No. 179;
S.R. No. 180;
S.R. No. 181;
S.R. No. 182;
S.R. No. 183; and
S.R. No. 184.

THIRD READING

House Bill No. 110, H.D. 1:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, H.B. No. 110, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

House Bill No. 96:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, H.B. No. 96, entitled: "A BILL FOR AN ACT ESTABLISHING AN ADVISORY COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS," having

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

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

House Bill No. 440, H.D. 2:

By unanimous consent, H.B. No. 440, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS," was recommitted to the Committee on Government Operations.

House Bill No. 211:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 211, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY DEVELOPMENT CORPORATION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (McMurdo and Soares).

House Bill No. 155:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 155, 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, 23. Noes, none. Excused, 2 (McMurdo and Soares)

House Bill No. 157:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 157, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

House Bill No. 159, H.D. 1:

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, H.B. No. 159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

ADVISE AND CONSENT

Stand. Com. Rep. No. 959 (Gov. Msg. No. 144):

Senator Chang moved that Stand. Com. Rep. No. 959 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Lani Liu Ewart, to the Commission to Promote Uniform Legislation, term to expire December 31, 1988, seconded by Senator Cayetano.

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

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

Stand. Com. Rep. No. 960 (Gov. Msg. No. 208):

Senator Chang moved that Stand. Com. Rep. No. 960 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Betty M. Vitousek to the Juvenile Justice Interagency Board, term to expire December 31, 1988, seconded by Senator Cayetano.

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

Ayes, 23. Noes, none. Excused, 2 (McMurdo and Soares).

At 11:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

At this time, the members of the Senate extended Happy Birthday wishes to Senator Ann Kobayashi.

Senator Aki, on behalf of Senator Young and himself, then introduced members of the Beta Sigma Phi Society from Ewa Beach and Waianae: De Pagan, Oahu City Council vice president; Betty Cole, Waianae Lamplighters Alpha Sigma Chapter; Kathy Smith, Waianae Alpha Sigma; Emogene Martin, president of the Alpha Beta Chapter; and Dottie Cote, president of the Preceptor Beta.

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 70, S.D. 1, H.D. 1:

Senator Aki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 70, S.D. 1, H.D. 1, seconded by Senator Matsuura.

Senator Aki then stated as follows:

"Mr. President, the reason we are reconsidering this action is because we have received additional information from the City and County that raises some grave concerns on their part. We would like to look into these concerns."

The motion to reconsider the action was put by the Chair and carried.

By unanimous consent, S.B. No. 70, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was placed on the Clerk's desk for further consideration.

At 12:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

The Chair then announced as follows:

"The Chair, at this time, would like to inform the members that rather than going through the naming of all the conferees on behalf of the Senate, reading it out from the podium, what we are going to do is to have it printed with all the conferees listed and we'll leave the journal open today to accept the naming of those conferees."

APPOINTMENT OF CONFEREES

Senate Bill No. 1264, S.D. 1 (H.D. 1):

The President appointed Senator Cobb as an additional manager on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S. B. No. 1264, S.D. 1.

Senate Bill No. 149, S.D. 1 (H.D. 1):

The President appointed Senators Holt and Matsuura as additional managers on the part of the Senate at the conference to be held for the consideration of amendments made by the House to S.B. No. 149, S.D. 1.

APPOINTMENT OF CONFEREES

In accordance with the disagreement of the House to the amendments proposed by the Senate to the following House Bills, and the request for a conference on the respective subject matters thereof, the President appointed the following managers on the part of the Senate for the consideration of said amendments:

H. B. No. 1, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 28, H.D. 1 (S.D. 1) - Senators Chang, chairman, Cayetano and A. Kobayashi;

H.B. No. 40 (S.D. 1) - Senators Cobb, chairman, Kuroda and Henderson;

H.B. No. 49, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Abercrombie, Holt, Mizuguchi and A. Kobayashi;

H.B. No. 60, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Hagino, Mizuguchi, B. Kobayashi and Soares;

H.B. No. 89, H.D. 1 (S.D. 2) - Senators Yamasaki, chairman, Cayetano, Hee, B. Kobayashi and Soares;

H.B. No. 99, H.D. 1 (S.D. 2) - Senators Yamasaki, chairman, Chang, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 101, H.D. 1 (S.D. 2) - Senators Yamasaki, chairman, Abercrombie, Holt, Machida and A. Kobayashi;

H.B. No. 104, H.D. 2 (S.D. 1) - Senators Chang, chairman, Abercrombie and A. Kobayashi;

H.B. No. 134, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 144, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 146, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 147, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 153 (S.D. 1) - Senators Chang, chairman, Young and A. Kobayashi;-

H.B. No. 165 (S.D. 1) - Senators B. Kobayashi, chairman, Matsuura and A. Kobayashi;

H.B. No. 166, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, B. Kobayashi and A. Kobayashi;

H.B. No. 188 (S.D. 1) - Senators Aki, chairman, Young and Soares;

H.B. No. 194, H.D. 1 (S.D. 2) - Senators Chang, chairman, Aki and A. Kobayashi;

H.B. No. 229, H.D. 2 (S.D. 1) - Senators

Cobb, chairman, Cayetano and A. Kobayashi;

H.B. No. 265, H.D. 1 (S.D. 1) - Senators Chang, chairman, Kawasaki and George;

H.B. No. 266, H.D. 1 (S.D. 1) - Senators Chang, chairman, Kawasaki and George;

H.B. No. 268 (S.D. 1) - Senators Chang, chairman, Toguchi and George;

H.B. 281, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Cayetano and George;

H.B. No. 329, H.D. 1 (S.D. 2) - Senators Chang, chairman, Cayetano and George;

H.B. No. 346, H.D. 1 (S.D. 1) - Senators Cobb, chairman, Chang and Henderson;

H.B. No. 347, H.D. 1 (S.D. 1) - Senators Cobb, chairman, Chang and Henderson;

H.B. No. 353 (S.D. 1) - Senators Cobb, chairman, McMurdo and A. Kobayashi;

H.B. No. 354, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Chang, Mizuguchi, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Solomon, Henderson and Soares;

H.B. No. 436, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Abercrombie and A. Kobayashi;

H.B. No. 453, H.D. 1 (S.D. 1) - Senators Cayetano, chairman, B. Kobayashi and George;

H.B. No. 463, H.D. 2 (S.D. 2) - Senators Yamasaki, chairman, Abercrombie, Holt, Machida and Henderson;

H.B. No. 465 (S.D. 1) - Senators B. Kobayashi, chairman, Machida and George;

H.B. No. 488, H.D. 1 (S.D. 1) - Senators B. Kobayashi, chairman, Solomon and A. Kobayashi;

H.B. No. 502 (S.D. 1) - Senators Cobb, chairman, McMurdo and Henderson;

H.B. No. 519 (S.D. 1) - Senators Cayetano, chairman, Cobb and Soares;

H.B. No. 520, H.D. 1 (S.D. 1) - Senators Cobb, chairman, McMurdo and A. Kobayashi;

H.B. No. 557, H.D. 1 (S.D. 1) - Senators Cobb, chairman, Cayetano and A. Kobayashi;

H.B. No. 761 (S.D. 1) - Senators Cobb, chairman, B. Kobayashi and A. Kobayashi;

H.B. No. 776, H.D. 2 (S.D. 1) - Senators

Abercrombie, chairman, Cayetano and A. Kobayashi;

H.B. No. 830, H.D. 1 (S.D. 1) - Senators Chang, chairman, Cayetano and A. Kobayashi;

H.B. No. 949 (S.D. 1) - Senators Matsuura, chairman, Mizuguchi and Soares;

H.B. No. 989 (S.D. 1) - Senators Aki, chairman, Hagino, Holt, Matsuura and Henderson;

H.B. No. 1059, H.D. 1 (S.D. 2) - Senators Yamasaki, chairman, Cobb and A. Kobayashi;

H.B. No. 1162, H.D. 1 (S.D. 1) - Senators Chang, chairman, Toguchi and George;

H.B. No. 1231, H.D. 2 (S.D. 1) - Senators B. Kobayashi, chairman, Solomon and George;

H.B. No. 1239, H.D. 1 (S.D. 1) - Senators Aki, chairman, Hagino, Holt, Matsuura and Henderson;

H.B. No. 1246, H.D. 1 (S.D. 2) - Senators Yamasaki, chairman, Cobb, Matsuura, Mizuguchi and Soares;

H.B. No. 1257 (S.D. 1) - Senators Chang, chairman, Young and George;

H.B. No. 1270, H.D. 1 (S.D. 1) - Senators Cobb, chairman, McMurdo and George;

H.B. No. 1285, H.D. 2 (S.D. 1) - Senators Chang, chairman, Kuroda and George;

H.B. No. 1350, H.D. 1 (S.D. 1) - Senators Yamasaki, chairman, Fernandes Salling, Hagino, Hee, Holt, B. Kobayashi, Machida, Matsuura, McMurdo, Mizuguchi, Solomon and Henderson;

H.B. No. 1354, H.D. 1 (S.D. 1) - Senators Cobb, chairman, McMurdo and Henderson;

H.B. No. 1366 (S.D. 1) - Senators Cobb, chairman, McMurdo and Henderson;

H.B. No. 1386 (S.D. 1) - Senators Chang, chairman, Aki and A. Kobayashi;

H.B. No. 1393, H.D. 2 (S.D. 1) - Senators Cayetano, chairman, Hagino and Soares; and

H.B. No. 1547, H.D. 1 (S.D. 1) - Senators Aki, chairman, Young and Soares.

ADJOURNMENT

At 12:18 o'clock p.m., on motion by Senator Cobb, seconded by Senator Henderson and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, April 11, 1985.

FIFTY-FOURTH DAY

Thursday, April 11, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Larry Kelley, Pastor, Ewa Town Baptist Mission, after which the Roll was called showing all Senators present with the exception of Senators Hee and Henderson who were excused.

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

Senator Cobb then introduced the following delegation of the Soviet Goodwill Mission to the members of the Senate:

"Mr. President, on behalf of the Senate and the people of Hawaii, I would like to introduce nineteen visiting dignitaries from the Union of Soviet Socialist Republics. They're here with us today on the floor: first, Mr. Boris Krylov, Professor, Institute of Soviet Law, introducer and leader of the group; second is Vladimir Semenov, secretary of the 'USSR-USA' Society and deputy leader of the group; third is Mr. Zigmantas Dolshas, member of the Supreme Soviet and a director of the State Farm from the Lithuanian Republic; fourth is Mrs. Galina Shatalova, Soviet and Russian song singer; and fifth is Mr. Sergei Maksimov, musician. We also have Mr. Vladimir Zviagin, Mr. Batir Ovezov, Mr. Chari Nazarov, Mr. Valerionis Shrubsha, Mr. Gunars Skriba, Mr. Alexander Giorgadze, Mr. Leonid Bakradze, Mrs. Ludmila Shipahina, Mrs. Lubov Popova, Mr. Efim Muhin, Mr. Umid Kadirov, Mr. Mahmud Gekkiev, Antoli Sokolov and Mr. Sabir Gasanov."

At this time, Mrs. Galina D. Shatalova, accompanied by Mr. Sergei N. Maksimov on the accordion, gave a short musical rendition of two Russian songs.

The President then invited Mr. Krylov to the rostrum.

Mr. Krylov addressed the members of the Senate as follows:

"Thank you, Mr. President. Thank you very much for your reception. Aloha. I thank you for the reception of your people which is very friendly for us, and we understand that the majority of the population around the world will to live in peace and good relations in our common aim that is improve our relations and to make our land, our earth more sensitive place than it is now. We come here as a mission of the goodwill. We meet the same response from the sights of the people of Hawaii.

Thank you very much. We will keep this feeling in the future. Thank you."

The Chair, on behalf of the Senate, conveyed the following message to the dignitaries from the Soviet Union:

"Members of the Soviet Delegation, before you leave, we would like to again welcome you to Hawaii.

"We hope you have a very successful mission in the United States. We, too, would like to see a much safer world. Thank you very much for coming."

The dignitaries were presented with leis by Senators Cobb, Young, Fernandes Salling, George and A. Kobayashi.

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:23 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 293 to 295) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 293, transmitting a Status Report on the Comprehensive Review of the Hawaii State Plan which includes: "1985 Hawaii State Plan Comprehensive Review: Preliminary Findings and Recommendations," and five technical studies covering the areas of population, economy, physical environment facility systems, and socio-cultural advancement, prepared by the Department of Planning and Economic Development, pursuant to Chapter 226, HRS, was referred to the Committee on Economic Development.

Gov. Msg. No. 294, informing the Senate that on Thursday, April 11, 1985, he signed the following bills into law:

S.B. No. 19 as Act 5, entitled: "RELATING TO EXPORT OF FRUITS, VEGETABLES, NUTS, AND COFFEE";

S.B. No. 62 as Act 6, entitled: "RELATING TO MENTAL HEALTH AND SUBSTANCE ABUSE";

S.B. No. 72 as Act 7, entitled: "RELATING TO DRUG ABUSE AND CONTROLLED SUBSTANCES";

S.B. No. 110 as Act 8, entitled: "RELATING TO HOUSING";

S.B. No. 191 as Act 9, entitled:

"RELATING TO THE BOARD OF DENTAL EXAMINERS";

S.B. No. 195 as Act 10, entitled: "RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS"; and

H.B. No. 163 as Act 11, entitled: "RELATING TO HEALTH,"

was placed on file.

Gov. Msg. No. 295, submitting for consideration and confirmation to the Hawaii Criminal Justice Commission, the nomination of Roy Chang as chairman, term to expire June 30, 1989, or upon the expiration of the Commission, whichever comes sooner, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 516 to 519) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 516 informing the Senate that the Speaker added Representative Kiyabu as co-chairman on the part of the House at the conference on Senate Bill No. 1185, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 517 informing the Senate that the House reconsidered its action taken on April 9, 1985 in agreeing to the amendments made by the Senate to House Bill No. 995, H.D. 2, S.D. 1, was placed on file.

Hse. Com. No. 518, informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 995, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which, on April 10, 1985, the Speaker appointed Representatives Shito, chairman, Apo, Bunda, Hashimoto and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 519, informing the Senate that the Speaker, on April 10, 1985, appointed conferees on the part of the House for the consideration of amendments proposed by the House to the following Senate Bills:

No. 462, S.D. 1, H.D. 1 - Representatives Yoshimura, chairman, Takamine and Hemmings;

No. 471, S.D. 2, H.D. 1 - Representatives Kiyabu and Yoshimura, co-chairmen, Crozier, Kihano, Lardizabal, Souki,

Takamine and Anderson;

No. 589, S.D. 2, H.D. 1 - Representatives Kiyabu and Yoshimura, co-chairmen, Cachola, Kim, Lardizabal, Souki and Anderson;

No. 1170, H.D. 2 - Representatives Kiyabu and Yoshimura, co-chairmen, Lardizabal, Oshiro, Souki, Takamine and Anderson;

No. 1286, S.D. 2, H.D. 2 - Representatives Kiyabu and Levin, co-chairmen, Hagino, Leong, Lindsey, Nakata, Onouye, Souki, Say, Takamine, Anderson and Pfeil;

No. 1287, S.D. 2, H.D. 2 - Representatives Kiyabu and Levin, co-chairmen, Cachola, Hagino, Kihano, Lindsey, Onouye, Oshiro, Say, Tajiri, Anderson and Hemmings; and

No. 1413, S.D. 1, H.D. 1 - Representatives Yoshimura and Tom, co-chairmen, Hashimoto, Metcalf, Taniguchi and Medeiros,

was placed on file.

STANDING COMMITTEE REPORTS

Senator Kawasaki, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 974) recommending that the Senate advise and consent to the nomination of Richard K. Yonezaki to the Civil Defense Advisory Council, in accordance with Gov. Msg. No. 244.

In accordance with Senate Rule 33, action on Stand Com. Rep. No. 974 and Gov. Msg. No. 244 was deferred until Friday, April 12, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 975) recommending that the Senate advise and consent to the nominations of the following:

Mary M. Katayama, Edwin M. Montell, M.D., Chitose Kanuha, Dorothy P. Kataoka and Yvonne Carvalho Paik to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 222;

Herbert K. Yim, William W. Goodhue, M.D. and Amy A. Mendonca to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 223;

Ludvina K. Takahashi, William T. Honjiyo, Mabel Jean Odo and Leah Pereira to the County Hospital Management Advisory Committee, Kauai County Hospital System, in accordance with Gov. Msg. No. 224;

Harry M. Okumura and William H. Sager to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 245;

Paul A. DeMare, M.D. to the Board of Radiologic Technologists, in accordance with Gov. Msg. No. 246;

Sharon E. Ogawa, Mary Ann Pyun, Dorothy K. S. Ono and Isabel M. Tagala to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Gov. Msg. No. 255;

William Kennison, Wayne M. Takehara to the County Hospital Management Advisory Committee, Maui County Hospital System, in accordance with Gov. Msg. No. 256; and

Maurice H. Kaya and Daniel F. Clark to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 257.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 975 and Gov. Msg. Nos. 222, 223, 224, 245, 246, 255, 256 and 257 was deferred until Friday, April 12, 1985.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 976) recommending that Senate Resolution No. 59, as amended in S.D. 1 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE AT THE UNIVERSITY OF HAWAII," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 977) recommending that Senate Concurrent Resolution No. 45, as amended in S.D. 1 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE AT THE UNIVERSITY OF HAWAII," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 978) recommending that Senate Resolution No. 81 be adopted.

Senator Holt then moved that Stand. Com. Rep. No. 978 be adopted and S.R. No. 81 be adopted, seconded by Senator Chang.

Senator Abercrombie spoke on the measure as follows:

"Mr. President, I signed that resolution,

with reservations, and I just want to indicate why. I do not believe that the Board of Regents have any reason whatsoever to raise the tuition at this time, and while the resolution recommends that they, as it is put in the title, 'carefully consider the impact,' I hope that will not be seen as some kind of an indication from the Legislature that we would countenance a raise in the tuition at this time. All the testimony, and I have a good portion of it and heard a good portion of it at the hearing at the University of Hawaii at Manoa, and understand similar testimony was received all over the state, indicates overwhelmingly not only that the individuals testifying and the groups testifying are against the raise in tuition. The reasons for being against it are sound economically. They're sound socially. They're sound educationally. And the regents have continually cited as a reason for raising the tuition, a presumed demand on the part of the Legislature that tuition be raised.

"I want to indicate quite clearly for the record that to my knowledge this Legislature has never done anything of the kind and that this resolution in no way, shape, or form can be utilized as an indication that tuition should be raised. There is no question in my mind that the reasoning behind, if you can call it that, on the part of the regents or the administration of the University is faulty, so utterly devoid of a rationale, that to raise the tuition at this time, would simply be, well, I suppose, an act of aggression and attack on the student body and a clear indication to the taxpayers of the state that the regents are getting their signals from somewhere and are intending to turn the University into the private preserve of some people, and in fact are acting in a way to keep those most in need of an education from being able to obtain one if their finances in anyway are difficult for them.

"It is virtually in my eyes a criminal act from a social point of view to try to prevent people in this day and age from going to the university. Perhaps we should have a group of Regents whose incomes are limited. Maybe that should be the criteria before they are allowed to even be on the Regents.

"But these individuals who are on the Board of Regents now I hope will get the message that they are to represent the best educational interests of the people of this state and not make decisions which further alienate our people from our institutions, particularly our educational institutions. This is not an elitist institution, not the private preserve of the regents or political cronies of whatever party is in power. This university is the people's university and should be treated as such, and the regents should be advocates for the best educational opportunities for anyone in our state."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 81, entitled: "SENATE RESOLUTION URGING THE BOARD OF REGENTS TO FULLY AND CAREFULLY CONSIDER THE IMPACT OF IMPLEMENTING A TUITION INCREASE BASED SOLELY ON AN ARBITRARY PERCENTAGE OF EDUCATIONAL COSTS BASIS," was adopted.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 979) recommending that House Bill No. 113 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 12, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 980) recommending that House Bill No. 115 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 115, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 12, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 981) recommending that House Bill No. 114 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 12, 1985.

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 982) recommending that the Senate advise and consent to the nomination of John E. Loomis to the Board of Agriculture, in accordance with Gov. Msg. No. 214.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 982 and Gov. Msg. No. 214 was deferred until Friday, April 12, 1985.

Senator Aki, for the majority of the Committee on Economic Development,

presented a report (Stand. Com. Rep. No. 983) recommending that House Bill No. 1063, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the majority of the Committee was adopted and H.B. No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 12, 1985.

At 11:30 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:32 o'clock a.m.

ORDER OF THE DAY

THIRD READING

By unanimous consent, action on the following bills was deferred until Friday, April 12, 1985:

S.B. No. 669, S.D. 1, H.D. 1;
H.B. No. 191;
H.B. No. 192, H.D. 1;
H.B. No. 206, H.D. 1;
H.B. No. 38;
H.B. No. 228;
H.B. No. 233, H.D. 1;
H.B. No. 462;
H.B. No. 1060; and
H.B. No. 1382.

ADVISE AND CONSENT

Stand. Com. Rep. No. 970 (Gov. Msg. No. 149):

Senator Cobb moved that Stand. Com. Rep. No. 970 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 Glenn E. Mason to the Hawaii Historic Places Review Board, term to expire January 1, 1989, seconded by Senator Soares.

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

Ayes, 23. Noes, none. Excused, 2 (Hee and Henderson).

Stand. Com. Rep. No. 971 (Gov. Msg. No. 150):

Senator Cobb moved that Stand. Com. Rep. No. 971 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 Robert L. Shuford, Tom T. Okuda and

Sharon R. Weiner to the Stadium Authority, terms to expire December 31, 1988, seconded by Senator Soares.

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

Ayes, 23. Noes, none. Excused, 2 (Hee and Henderson).

Stand. Com. Rep. No. 972 (Gov. Msg. No. 283):

Senator Cobb moved that Stand. Com. Rep. No. 972 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 the following:

Kazu Hayashida, L. Stephen Lau, Ph.D., and James J. Nakatani to the Technical Advisory Committee on Pesticides, terms to expire December 31, 1985, or upon the expiration of the board, whichever occurs sooner;

Melvin Koizumi, Susumu Ono and Jack K. Suwa to the Technical Advisory Committee on Pesticides, terms to expire December 31, 1986, or upon the expiration of the board, whichever occurs sooner;

James W. Morrow, Samuel S.H. Lee and Jacqueline Parnell to the Technical Advisory Committee on Pesticides, terms to expire December 31, 1987, or upon the expiration of the board, whichever occurs sooner;

seconded by Senator Soares.

Senator McMurdo rose to speak against the Governor's nominations as follows:

"Mr. President, I think that the legislative intent of Act 275, relating to environmental quality, is explicit in its findings and purpose and it reads: 'The Legislature finds that the problem of pesticide contamination has increased in scope and urgency, requiring a comprehensive and innovative approach in statewide effort to address recent problems in our various communities. The Legislature further finds that the enhancement of the authority of the Office of Environmental Quality and Control, and the delegation to the office of additional responsibilities to protect and preserve the health of Hawaii's people, are appropriate responses to a compelling state interest.' I think if it is the intention of the Legislature to protect and preserve the health of Hawaii's people, that appointing those who have been implicated in previous contamination crises and associated in the minds of the public with possible cover-ups is a strange way of showing it.

"As many of you must know from talking to citizens during the heptachlor crisis, they lack confidence in the government's efforts and ability to protect their health and that of their children.

"We need a committee whose members are technically competent, but also whose lack of bias can be used to solve the problem of regulating and monitoring of pesticides in Hawaii, and to give the citizens of this state a sense that they can trust us to fulfill our responsibilities as their representatives.

"Mr. President, I would like to add that I am not opposed to all of the members on this. Is there any way we can take up a separate vote on the individuals on this particular Governor's Message?"

The Chair replied: "We could so note it in the record."

Senator Abercrombie rose to speak against the nominations as follows:

"Mr. President, speaking in support of Senator McMurdo's points with reservation. I believe that while there may be individuals that the Senator can support, the point here is that a committee is being appointed and that's what's being judged, and I don't see any clear way to make the point unless the committee, as it is presented here in the Governor's Message, receives a 'no' vote.

"I subscribe to the points raised by Senator McMurdo and I urge that this body make its view known not only to the executive, but to the public at large that we do in fact consider the contamination of the environment such a serious issue that simply to go through the motions of appointing a committee for show purposes is not sufficient; that this Senate, in particular, takes its obligations and its responsibilities a good deal more seriously than simply allowing names to slide through because it formulates for all intents and purposes a political convenience; that is to say, well we have done something; it is now up to them; it is not up to us to do.

"It is up to us to confirm these appointments and a 'no' vote today would indicate to the public and to the executive that we want to see far more serious effort made to deal with the question of pesticides in a manner that can regain that confidence that Senator McMurdo indicates is sorely lacking at this point."

Senator B. Kobayashi rose to speak in favor of the nominations as follows:

"Mr. President, the difficulty here is that we have given a body several responsibilities. The name of the group talks about technical advice. Technical advice is only one aspect of their

responsibility. Another and very important aspect is the evaluation, coordination and recommendation function.

"We are caught in a difficult situation in which we in the Legislature cannot replace those in the executive branch who have to implement these various actions. In order to really get people to coordinate, to evaluate and to make recommendations we eventually will need the cooperation of some of these people who are listed on this committee. There is no getting around that unless we attempt to remake the Governor's cabinet. We will have to ask these people to take on responsibilities which they may have in previous years not done to everyone's satisfaction. Nonetheless, we have to move another body within the executive branch toward a more agreeable situation in addressing a difficult and perhaps partially unsolvable problem, that of pesticide contamination.

"I would contend that there may be grounds for appointing other people if the function of this committee were purely technical advice. But since the function of this group is technical advice and other administrative functions including the evaluation, coordination and recommendations to better handle pesticide contamination, I think we have to rely on these people to do their level best to proceed perhaps more vigorously, perhaps more carefully, but nonetheless proceed to improve a situation in which they have administrative responsibility over. Thank you."

Senator Abercrombie then asked if the chairman would yield to a question. The Chair posed the question and Senator B. Kobayashi having answered in the affirmative, Senator Abercrombie inquired as follows:

"Mr. President, would you ask whether the chairman was implying or was he actually explicit in his remarks in the sense that in the absence of naming some of these individuals to this committee that there would be a lack of cooperation on the part of these individuals in the executive with a committee made up of other people?"

Senator B. Kobayashi replied as follows:

"Mr. President, I made no such implication. It's simply that in order to move an entire department one has to have the cooperation of those who make policy decisions. In this case the ultimate policy decision maker would be the director of the department.

"If we were asking for simple technical advice it is probably best that we get somebody at a lower level on the administrative ladder who would indeed be a subject matter expert. But that subject

matter expert would not be able to make commitments and to make policy decisions for the department, particularly when some of those department matters are inter-department or agency."

Senator Abercrombie responded as follows:

"Mr. President, I thank the chairman for his response but I do not find it persuasive in the least. I refer the members to the Governor's Messages which follow the one in question gubernatorial nominees for the Statewide Health Coordinating Council and Subarea Health Planning Councils and you will see numerous individuals who are not associated with the departments by way of being chairs of those departments or individuals who have administrative responsibility such as those which have been called into question in respect of pesticides. The chairman is not persuasive in his defense of these names. He merely repeats, it seems to me, the idea that in absence of having these individuals on the Technical Advisory Committee that it is likely, if not probable, that whatever advice was received would be ignored.

"That is further indictment of this committee and its function.

"Recommendations are received all the time from individuals on advisory committees in various departments and the directors of those departments are expected to act on them, favorably or unfavorably as the case may be, but nonetheless act on them and give their reasons as to why they have done what they have done or not done what has been suggested.

"If the only argument for taking this committee as it is and voting it through, essentially, is that we risk that no attention will be paid in terms of implementation, then that is a comment on the genuineness of the committee's nominations, as opposed to the arguments that Senator McMurdo and myself have made that the public is the one that needs to be served here. The message coming from this vote, then, would be, if I understand the thrust of the chairman's comments correctly, that the people must continue to petition the government to please do the right thing by them. And if we do not approach the government in the proper fashion, well then the government may reject us. We are in the position of petitioners of making pleas to this authority that exists up here over us as if we were still vassals, as if we were some kind of serfs, as if we were some peasantry that had no right to come before the barons and the lords of a manor except under circumstances that they indicate are proper and only in such a manner as they will allow us to follow, when it's supposed to be the exact opposite. They're supposed to be serving the public interest.

"It is, again, a commentary on the way our party is operating, that the Majority party is operating, that we still in the face of the overwhelming sense of frustration and fear and anxiety that exists in the public mind with respect to the way we are dealing with pesticides that we nonetheless continue to condescend to the public, to patronize the public, to speak down to the public and indicate that we are not going to allow them to have even this small opportunity, almost symbolic opportunity, to indicate that we really do care about pesticides. And in the fragile environment that we have in Hawaii, particularly with our water supply, it just seems impossible for me to understand how it is we can still be fighting the idea that the public deserves protection.

"The appointment of this committee will do nothing to relieve the anxiety in the public and on the contrary will be another mark against us in the public mind and most certainly in the political struggle to come. It will be another mark against us. And I do not wish to be associated with that and protest vigorously that this series of nominations will only serve to further denigrate in the public mind the seriousness with which this party respects the idea of pesticides in our environment."

Senator Cayetano then asked if the chairman would yield to a question. The Chair posed the question and Senator B. Kobayashi having answered in the affirmative, Senator Cayetano inquired as follows:

"Mr. President, let me preface my question by stating that the title of the committee is the Technical Advisory Committee on Pesticides. I'm not certain in my mind, Mr. President, as to what this committee is supposed to do and to whom this committee is supposed to provide advice. Would you ask the chairman, first, to describe the role of the committee and explain to what body this committee is supposed to provide technical advice as the title implies?"

Senator B. Kobayashi explained as follows:

"Mr. President, the body is to provide advice to the Office of Environmental Quality Control which is administratively attached to the Department of Health. It is to provide advice and is not a policymaking body. The policymaking body still resides with the Office and the director of that office."

Senator Cayetano responded as follows:

"Thank you. Mr. President, I'm going to join Senators McMurdo and Abercrombie in voting against this measure. Quite frankly, at the outset I had not intended to.

"I know most of the individuals involved. I have had experience with them. I know what their roles are, what their functions are. Let me state, also, for the edification of this body that one of the individuals, Mr. Samuel S.H. Lee is a constituent of mine and he must be the public member on this body because I know of no technical advice that Mr. Lee can provide.

"I am not opposed to Mr. Lee. I'm opposed to the naming of the other individuals primarily because unless I misinterpreted the remarks of the chairman, the implication of his remarks seems to me that if the Office of Environmental Quality Control does not come up with decisions or policies which pleases these individuals who are themselves directors or heads of departments or agencies within the respective departments, namely, the Department of Agriculture, the Department of Health, and the Department of Land and Natural Resources, then those policies or the recommendations of the Office will not be adopted by those respective departments. If that's the case, it seems to emasculate the role, (1) of this committee, and (2) the function of the Office of Environmental Quality Control. For that reason, I'm going to vote against this measure."

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

Ayes, 19. Noes, 4 (Abercrombie, Cayetano, Kawasaki and McMurdo). Excused, 2 (Hee and Henderson).

Stand. Com. Rep. No. 973 (Gov. Msg. Nos. 273, 279, 280, 281, 282 and 272):

Senator Cobb moved that Stand. Com. Rep. No. 973 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 the following:

Joji Nouchi, Jonathan S. Raymond, Ph.D., Rosalie Kasaba, Ronald T. Hayashi, Leland M. Yagi to the Statewide Health Coordinating Council, term to expire December 31, 1986;

Joyce E. Allosada, David H. Luehr, Katherine G. Takehiro and Richard Higashi to the Statewide Health Coordinating Council, terms to expire December 31, 1987;

Peter A. Sybinsky, Ph.D., Harold S.Y. Hee, Masao Watanabe, Minoru Inaba, Patrick R. Cullen, Albert P. Moniz, Eugene Yamamoto, Kenneth A. Haling, M.D., Cullen T. Hayashida and the Reverend Kenneth W. Smith to the Statewide Health Coordinating Council,

terms to expire December 31, 1988;	No. 103	Committee on Energy
Bernadette Ledesma, Patty Yamamoto and John A. Rabanal to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1988;	No. 104 Recreation	Committee on Tourism and Recreation
Robert K. Mole to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1985;	No. 105 Development	Committee on Economic Development
Kiyoko Akase to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1987;	No. 106 Operations	Committee on Government Operations
Stanley E. Rodrigues, Sr., Merrie K. Aipoalani and Karen G.S. Shimabukuro to the Waianae Coast Subarea Health Planning Council, terms to expire December 31, 1988;	No. 107 Operations	Committee on Government Operations
Edward C. McCrea and Loretta T. Schuler to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1986;	No. 108 Means	Committee on Ways and Means
Kathryn N. Kato, Saburo Ebisu, Ralph J. Kiessling, Roger E. Roach and James R. Yano to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1988;	No. 109 Recreation	Committee on Tourism and Recreation
Amelia R. Jacang, M.D., to the Drug Product Selection Board, term to expire December 31, 1987,	No. 110	Committee on Agriculture
Leslie Bailey, Ph.D., to the Drug Product Selection Board, term to expire December 31, 1988; and	No. 111	Committee on Agriculture
seconded by Senator Soares.	No. 112 Transportation	Committee on Transportation
The motion was put by the Chair and carried on the following showing of Ayes and Noes:	No. 113 Employment	Committee on Labor and Employment
Ayes, 23. Noes, none. Excused, 2 (Hee and Henderson).	No. 114 Development	Committee on Economic Development
REFERRAL OF SENATE RESOLUTIONS	No. 115	Committee on Health
The Chair made the following committee assignments of resolutions that were offered on Tuesday, April 9, 1985:	No. 116	Committee on Agriculture
Senate Concurrent Resolutions	No. 117	Committee on Agriculture
Referred to:	No. 118	Jointly to the Committee on Agriculture and the Committee on Health
No. 98	No. 119	Committee on Judiciary
Committee on Government Operations	No. 120	Committee on Judiciary
No. 99	No. 121	Committee on Economic Development
Committee on Education	No. 122	Committee on Judiciary
No. 100	No. 123	Committee on Judiciary
Committee on Agriculture	No. 124	Jointly to the Committee on Agriculture and the Committee on Economic Development
No. 101	No. 125	Committee on Ways and Means
Committee on Higher Education	No. 126	Committee on Government Operations
No. 102	No. 127	Committee on Government Operations
Committee on Tourism and Recreation	No. 128	Committee on Transportation
	No. 129	Committee on Economic Development

No. 130 Recreation	Committee on Tourism and Recreation	No. 139 Recreation	Committee on Tourism and Recreation
No. 131 Development	Committee on Economic Development	No. 140	Committee on Energy
No. 132 Development	Committee on Economic Development	No. 141	Jointly to the Committee on Health and the Committee on Human Services
No. 133 Development	Committee on Economic Development	No. 142	Committee on Economic Development, then to the Committee on Legislative Management
No. 134	Committee on Housing and Community Development	No. 143	Committee on Tourism and Recreation
No. 135 Development	Committee on Economic Development	No. 144	Committee on Economic Development
No. 136 Development	Committee on Economic Development	No. 145	Committee on Government Operations
No. 137 Recreation	Committee on Tourism and Recreation	No. 146	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
No. 138 Development	Committee on Economic Development	No. 147	Committee on Government Operations
Senate Resolutions	Referred to:	No. 148	Committee on Ways and Means
No. 125 Operations	Committee on Government Operations	No. 149	Committee on Tourism and Recreation
No. 126 Employment	Committee on Labor and Employment	No. 150	Committee on Agriculture
No. 127	Committee on Labor and Employment, then to the Committee on Legislative Management	No. 151	Committee on Agriculture
No. 128	Committee on Labor and Employment	No. 152	Committee on Economic Development
No. 129	Jointly to the Committee on Tourism and Recreation and the Committee on Economic Development	No. 153	Committee on Transportation
No. 130	Committee on Higher Education, then to the Committee on Legislative Management	No. 154	Committee on Labor and Employment
No. 131 Operations	Committee on Government Operations	No. 155	Committee on Economic Development
No. 132	Committee on Education	No. 156	Committee on Consumer Protection and Commerce
No. 133 Transportation	Committee on Transportation	No. 157	Committee on Housing and Community Development
No. 134	Committee on Education	No. 158	Committee on Government Operations
No. 135	Committee on Agriculture	No. 159	Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management
No. 136	Committee on Agriculture	No. 160	Committee on Agriculture
No. 137 Education	Committee on Higher Education	No. 161	Jointly to the Committee on Agriculture and the Committee on Health
No. 138 Recreation	Committee on Tourism and Recreation	No. 162	Committee on Agriculture

No. 163	Committee on Judiciary
No. 164	Committee on Judiciary, then to the Committee on Legislative Management
No. 165	Committee on Economic Development
No. 166	Committee on Judiciary
No. 167	Committee on Judiciary
No. 168	Committee on Ways and Means, then to the Committee on Legislative Management
No. 169	Jointly to the Committee on Agriculture and the Committee on Economic Development
No. 170	Committee on Ways and Means
No. 171	Committee on Government Operations
No. 172	Committee on Government Operations, then to the Committee on Legislative Management
No. 173	Committee on Transportation, then to the Committee on Legislative Management
No. 174	Committee on Tourism and Recreation
No. 175	Committee on Economic Development
No. 176	Committee on Economic Development
No. 177	Committee on Economic Development, then to the Committee on Legislative Management
No. 178	Committee on Economic Development, then to the Committee on Legislative Management
No. 179	Committee on Housing and Community Development, then to the Committee on Legislative Management
No. 180	Committee on Government Operations
No. 181	Committee on Economic Development
No. 182	Committee on Economic Development
No. 183	Committee on Tourism and Recreation
No. 184	Committee on Economic Development

APPOINTMENT OF CONFEREES

In accordance with the disagreement of the House to the amendments proposed by the Senate to the following House Bill, and the request for a conference on the respective subject matters thereof, the President appointed the following Managers on the part of the Senate for the consideration of said amendment:

H.B. No. 995 (S.D. 1) - Senators Cobb, chairman, Cayetano, Kawasaki, McMurdo and A. Kobayashi.

At 11:51 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

At this time, Senator Matsuura made the following introduction:

"Mr. President, speaking on behalf of Senators Richard Henderson, Malama Solomon, myself and the State of Hawaii, it is, indeed, a great honor to introduce to this body, our first 'Hawaiian-grown' astronaut, U.S. Air Force Lt. Col. Ellison Shoji Onizuka.

"As you are well aware, Colonel Onizuka, together with four other astronauts, made a classified journey into space and orbited the earth in the space shuttle Discovery. This space shuttle was launched on January 24 at Kennedy Space Center and returned to earth after completing a very successful 7-day space mission.

"His flight into space was an achievement of a dream, a dream that came true through dedication, perseverance and determination. He overcame staggering odds against his selection as one of 35 candidates for the space program back in July 1982.

"He credits many of his friends and family members for helping him achieve that dream—from the coffee fields of Kona to a United States astronaut.

"Colonel Onizuka is the son of the late Masamitsu Onizuka and Mrs. Mitsue Onizuka of Kona. Ellison's parents, who were coffee growers, worked very hard to send Ellison to school in Colorado. They had a dream and Ellison's achievements made their dream come true. Ellison participated and excelled in various boyhood life experiences. He attained the highest award in scouting, the eagle scout award. As a member of the Kona 4-H Club, he was elected to the highest post in the 4-H federation, the State presidency. He was an outstanding student at Konawaena High School, and as a college student at the University of Colorado, he attained his Bachelor of Science and Master of Science degrees, majoring in Aerospace Engineering.

"There were numerous other achievements in which he served with distinction. However, as with all great achievers, there are others who also helped him become great. These include his wife, Lorna of Naalehu, and daughters, Janelle and Darien Lei.

"Colonel Onizuka is one of Hawaii's favorite sons and his dedication to his profession and to his family is an inspiration and a noble example to all.

"At this time, may I now introduce Hawaii's own astronaut, Lt. Colonel Ellison Onizuka.

"Together with Colonel Onizuka is NASA Public Relations Specialist Ms. Evelyn Thames. Accompanying them is Kona businessman, Fred Fujimoto."

The Chair then invited Lt. Col. Onizuka to say a few words to the Senate:

"At this time, Colonel, I'd like to apologize for detaining you. I know you have a commitment in Waikiki and if you would just say a few brief words, we'll let you go. Senators, may I present our 'Outer Space Hawaiian,' Colonel Onizuka."

Lt. Col. Onizuka addressed the members of the Senate as follows:

"Mr. President, members of the Senate, it's an honor and a pleasure for me to be here today as a resident of Hawaii and also a member of the Astronaut Corps representing the National Aeronautic and Space Administration.

"It's been a dream come true for me, but I think more importantly it reflects the opportunity available to the youth of Hawaii today, the youth of America. Ours is a great country, full of opportunity; it's the freest, most democratic country, and because of its ideals those of us who had dreams in our youth are able to realize them with the help of many people.

"I've been very fortunate and today I'd like to thank all the members of the Senate and the people of Hawaii for their support and help in getting me to where I am today. I will be the first to say that being an astronaut is not an easy task, but it's a long road and it cannot be travelled alone. It requires a lot of help from people back home. It requires a lot of help from the people in the space program. And I'm here today to thank all of you in the State of Hawaii for helping make all of this possible for me. I'd also like to express some special thanks to Evelyn Thames from NASA headquarters in Washington who has coordinated all of our post-flight activities, and to Mr. Fred Fujimoto who has served as the Hawaii coordinator for our post-flight activities here in March and in April. I'd

like to thank them for all their hard work, for what they've done to make all this possible.

"We will be in the state for the next twelve days and hopefully we'll be able to inspire some other youth from Hawaii to try this program. And it's only possible because of the type of work that you all are doing today to help make the opportunity available to the youth of Hawaii.

"I thank you for the opportunity to be here. It's been a pleasure for me to go off and fly in space. More importantly, it was an honor to serve the United States of America on its first Department of Defense mission, and I will always remember the work that was done. All of us can be very proud of what was accomplished in the mission. Unfortunately, I cannot share it with you today. Needless to say, all of you should be proud because the expertise and technology available in the United States today is second to none.

"Today, before leaving I'd like to present the Hawaii State Senate a Hawaiian Flag and a crew patch which was flown aboard the United States Space Shuttle Discovery in January of this year. It has travelled some 1.3 million miles and crossed over the State of Hawaii many times on this Department of Defense mission.

"Again, thank you very much for all your support."

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:03 o'clock p.m.

Senator Kawasaki, chairman of the Committee on Government Operations, then requested a waiver of the 48-hour Notice of a Public Hearing for the subjects listed on the agenda of the Senate Government Operations Committee's hearing notice for Friday, April 12, 1985, and the President granted the waiver.

RECONSIDERATION OF ACTION TAKEN

Senate Bill 1404, H.D. 1:

Senator Chang moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1404, H.D. 1, seconded by Senator Cayetano.

Senator Chang explained as follows:

"Mr. President, your committee has found that the amendments made by the House are in conformance with recommendations made by the National Commissioners to the Uniform Law on Fraudulent Transfers and is perfectly consistent with the action taken by the National Commissioners at their

mid-year conference. Your committee finds that these amendments are preferable to the amendments made by the Senate to the bill."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1404, and S.B. No. 1404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS," was placed on the calendar for Final Reading on Monday, April 15, 1985.

At this time, Senator Holt, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY"; and

S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY,"

and the President granted the waiver.

Senator Kawasaki rose on a point of personal privilege as follows:

"Mr. President, yesterday I asked the chairman of the Senate Committee on Judiciary whether an audiovisual tape, a reproduction of what went on on Channel 9 with commentator Matt Levi regarding the activities of our nominee for the Attorney General position, whether that tape would be available for viewing by members of the Senate, and I believe it would be unless the chairman tells us otherwise.

"It seems to me, because the possible confirmation or non-confirmation of this nominee is such a controversial issue in this state, I think if we are all, 25 Senators, to make a responsible decision here, it behooves each of us to examine or take a look at that tape that's documentary proof of some of the criticisms registered against the nominee, specifically regarding his relationship with the leader of a gypsy group here. And in this tape, specifically the interview involves the interview taken both with the nominee as well as former Police Chief Keala. And if you were to view that tape, someone between the two is lying. And it is my opinion that it is not Chief Keala who is not telling the truth and, perhaps, members of the Senate should judge for themselves because I know even members of the Judiciary Committee have not had the opportunity to view the tapes

that were provided by Senator Cayetano.

"I think if we want to make an intelligent decision in the way of voting for or against the nominee it becomes our responsibility to view those tapes and make our judgments accordingly."

Senator Cayetano responded as follows:

"Mr. President, the tape happens to be in my office and I do have a video recorder and I would be more than willing to make that tape available to anyone who desires to see it.

"On checking with the chairman, Mr. President, I find that the Judiciary Committee spent over forty hours, more than forty hours, of hearing time on this particular nomination. I realize that because of other responsibilities—committee assignments, etc.—that many of the, some at least, of the Judiciary members could not be there to view the tape and hear the rest of the testimony.

"I would urge all members of this body, specifically the members of the Judiciary Committee, to at least take a look at the tape because what this hearing boils down to is the question, in my view, of credibility. And the tape speaks for itself because the nominee is speaking for himself on the tape and the nominee expresses a different recollection of events than those expressed by Chief Keala who in this instance had no axe to grind on that particular tape.

"I think it's very revealing. You can judge for yourself. Others have seen the tape and maybe have walked away with a different impression. An explanation was given for the answer given by the nominee on that tape, but I think it's very important that all of us view that tape before making a decision on this nominee. Thank you."

Senator Cobb inquired as follows:

"Mr. President, I'd like to ask the chairman and vice chairman of the Judiciary Committee, if I may, is that the same tape that was earlier shown in the Judiciary Committee hearing room that the chairman had?"

Senator Chang replied as follows:

"The tape has been shown twice. Whether it's the same tape...I don't believe we've shown any other tape this session with the exception of something from the Family Court, so it should be the same one, yes."

Senator Cayetano responded also as follows:

"Mr. President, the tape was shown once

during hearings and it was at the tail end of the hearing, if I recall correctly. In fact, it was probably the last piece of evidence, so to speak, that was brought to the attention of the committee. My recollection is that committee attendance was rather sparse at that time. I can't recall the tape ever being shown a second time."

Senator Cobb commented as follows:

"If it is the same tape, then the portion of interest to the committee members will be at approximately the 50th minute of a one-hour tape that goes through a lot of other material first, so it might be advisable to set it at the end so that the watching time would be ten minutes instead of an hour."

Senator Cayetano responded as follows:

"Mr. President, I think Senator Cobb is correct. The tape is the complete tape of a special that was done by Channel 9 reporter, Matt Levi. Actually the entire tape is relevant, but I would agree with Senator Cobb that the viewing time can be condensed to about the last ten minutes because that's the critical part of the tape."

Senator Kawasaki commented as follows:

"Mr. President, the matter of credibility happens to be an important factor in our decision to be made in the next few days, and in that regard I have suggested as a member of the Judiciary Committee that

we put all witnesses and the nominee himself under oath so that this matter of credibility can be reasonably determined, perhaps, more efficiently.

"We have found out, much to our chagrin, that the putting of witnesses under oath, under the interpretation of the staff of the Judiciary Committee, was not possible unless it's a committee that's investigating a particular issue, and that contrary to what most of us as chairmen of the committees have believed that we can put witnesses under oath, this is not possible according to the interpretation of the attorney member of the staff of the Judiciary Committee.

"This is something perhaps the Senate should consider very seriously because I think the inability to put witnesses under oath so that we would try to eliminate perjury to the best of our ability, this impossibility may hamper committee deliberations in the future.

"That's something I would suggest, Mr. President, should be looked into to make sure that committee chairmen can put witnesses under oath to get at the truth. And if not, perhaps legislation is in order to make sure that this is possible."

ADJOURNMENT

At 12:18 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 12, 1985.

FIFTY-FIFTH DAY

Friday, April 12, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:40 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Joseph Hooper, Pastor of St. Philomena's Church, after which the Roll was called showing all Senators present.

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

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

Senator Hee introduced two students from Enchanted Lakes Elementary School: Lea Lombardi, student body president, and Lisa Innes, student body vice president. The students were accompanied by their 5th and 6th grade gifted and talented class and their respective teachers.

Senator Aki introduced Lin and Ho, two of six students from the Chinese Taipei Wrestling Association, and added that "they are here to participate in the state championships in free-style wrestling to be held at Fort Shafter on April 12th and 13th, and are hosted by the Waianae High School wrestling team. Lin and Ho are with us today with Mrs. Nani Bolton of their host family."

Senator Fernandes Salling then introduced a group of 22 students, members of the Kauai Future Farmers of America, accompanied by their advisor and teacher Mr. Ken Kagihiro and chaperones: Mr. Harold Eichelberger, Mrs. Emma Eichelberger and Mrs. Pamela Kamakele.

Senator Henderson then introduced Roy S. Blackshear, Robert Bethed and Elroy Osorio from the Big Island, who are "here to observe the workings of the Legislature."

Senator McMurdo then made the following introduction:

"Mr. President and members of the Senate, since this is the 10th anniversary of the founding of the Neighborhood Board, I thought it would be fitting and proper that we should honor some of the people from the neighborhood boards.

"I would like to start first with the people in the gallery: some of the members from the Neighborhood Commission and members of its staff, all of whom work for the neighborhood boards as a support team; and members of Neighborhood Board No. 8, No. 9 and No. 5, which are in my district. (All

rose to be recognized.)

"As most of you know, the neighborhood boards are very dear to my heart. I think they are the grass roots citizen participation that we so dearly need in this city and county as well as in the state and, at this time, I would like to introduce some other members of the neighborhood board.

"I'd like to start with the man who has been a member of the Neighborhood Commission since August 1980 and chairman since June 1981. He has served two terms in this capacity with unwavering commitment to the mission of the neighborhood boards, as mandated by the revised Charter of the City and County of Honolulu.

"Sandy Sumida has worked tirelessly to see that the boards are given the proper tools and staff to achieve their mission of greater citizen participation in the decisions of government. His efforts have been a major factor in the growth and strengthening of the neighborhood boards. During his time on the commission, the boards have become a popular concept being accepted as an integral part of the community. As a result, two more neighborhoods have formed boards, bringing the total to 30.

"When the boards were in danger of being eliminated or replaced by appointed members two years ago, this man joined others in the fight to save them — and successfully.

"Many of us in the Senate and the House have come to know this man very well in his time as chairman of the commission. His term is ending in July and we will sorely miss him. This certificate of appreciation is a small token of the affection and esteem we hold for this man who served selflessly for the sake of his community and the city."

Mr. Sumida rose to be recognized and was presented with the Senate certificate and a lei by Senator McMurdo.

Senator McMurdo then introduced: Mr. Kenneth Chang, chairman of the Diamond Head-Kapahulu-St. Louis Heights Neighborhood Board No. 5; Mr. Bert Nakamura, chairman of the McCully-Moiliili Neighborhood Board No. 8; and Mr. John Stunkard, chairman of the Waikiki Neighborhood Board No. 9. Senator McMurdo read portions of the respective Senate certificates.

The honorees rose to be recognized and were presented with the Senate certificate

and leis by Senators A. Kobayashi, Fernandes Salling and Young.

Senator McMurdo continued:

"Mr. President, I have another group of people that I would like to recognize since this is also Cancer Control Month.

"This certificate is going to a young woman whose story you probably read in the paper this week, an excellent article written by Pat Hunder of the Honolulu Advertiser

"This young woman has had a battle with cancer because of a tumor on her leg which was the same kind that Ted Kennedy's son had and she also had to have an amputation. This has not daunted her one bit. She still is a very, very active fashion model, a very dynamic person and is using her time now traveling around on behalf of the American Cancer Society to let people know that there is a hopeful side to cancer. At this point, she is in Hawaii and is touring the islands to bring this message of hope to cancer victims and those who might get it sometime. Because one out of every four people may have cancer, it is good to know that the fight is going on by the American Cancer Society and other people to see that we can cure more people.

"At this time, I would like to recognize Ivy! Gunter, the beautiful model with a dynamic personality, who is accompanied by Mr. Jerry Vukas of Los Angeles, California. Ivy happens to live in Atlanta, but these two have started a sport equipment corporation to make sports equipment for handicapped people to use. Ivy is an avid skier."

The honoree and Mr. Vukas rose to be recognized. Senator McMurdo presented her with the congratulatory certificate and Senators Abercrombie and Solomon presented them with leis.

Senator Chang then made the following introduction:

"Mr. President, it's my pleasure this morning to recognize a surprise honoree. She is a dear and welcome member of our Senate family and has been recognized and selected as the 1985 recipient of the Secretary of the Year Award by the Professional Secretaries International Association, Oahu Chapter.

"The award is given annually to a person who has made significant contributions to the secretarial profession in which she fulfills the responsibilities and skills of the profession.

"We wish to congratulate her this morning for her dedication and outstanding abilities and give her our best wishes for her continued success.

"If I may ask the honoree, Mrs. Gladys Rodenhurst, to assume her place as one of our dear and welcome guests this morning."

Mrs. Rodenhurst was duly recognized and presented with the congratulatory certificate by Senator Solomon and a lei by Senator Chang.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 296 to 303) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 296, submitting for consideration and confirmation to the Board of Health, the nominations of the following:

Thomas Lee, term to expire December 31, 1988; and

Bernard K. Punikaia, term to expire December 31, 1987,

was referred to the Committee on Health.

Gov. Msg. No. 297, submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Akira Omonaka, term to expire December 31, 1986, was referred to the Committee on Health.

Gov. Msg. No. 298, submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nominations of James W. Linmand, M.D., Ellen K. Serra and Kathleen K.M. de Silva, terms to expire December 31, 1988, was referred to the Committee on Health.

Gov. Msg. No. 299, submitting for consideration and confirmation to the State Council on Mental Health and Substance Abuse, the nominations of the following:

Robert G.B. Bjornson, M.D., Masaru Oshiro, Ray M. Higa, Bishop Edmond Lee Browning and Guy A. Paul, terms to expire December 31, 1988;

Donna W. Saiki, John A. Bissell, Tina L. Dameron, Connie C. Chun and Jane R. Smith, terms to expire December 31, 1987; and

John F. McDermott, Jr., M.D., Reverend Frank A. Chong, Reverend Vincent De Paul O'Neill, Frank Su'a and Kenneth "Shannon" Steele, terms to expire December 31, 1986,

was referred to the Committee on Health.

Gov. Msg. No. 300, submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination Georgina M. Yuen, term to expire December 31, 1987, was referred to the Committee on Judiciary.

Gov. Msg. No. 301, submitting for consideration and confirmation to the Board of Trustees, Employees' Retirement System, the nomination Paul C.T. Loo, term to expire January 1, 1991, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 302, submitting for consideration and confirmation to the Medical Advisory Board, the nomination of Danilo V. Lucila, M.D., term to expire December 31, 1988, was referred to the Committee on Transportation.

Gov. Msg. No. 303, submitting for consideration and confirmation to the Hawaii Criminal Justice Commission, the nomination of Hiroshi Kato, term to expire June 30, 1989, or upon the expiration of the commission, whichever occurs sooner, was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 520 to 538) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 520, transmitting House Concurrent Resolution No. 16, H.D. 1, which was adopted by the House of Representatives on April 11, 1985, was placed on file.

By unanimous consent, H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S CORRECTIONS TASK FORCE TO PRESENT AN UPDATED REPORT ON THE PROGRESS OF THE U.S. DEPARTMENT OF JUSTICE'S CRITICISMS REGARDING THE OAHU COMMUNITY CORRECTIONAL FACILITY AND THE STATE'S RESPONSES THERETO," was referred to the Committee on Judiciary.

Hse. Com. No. 521, transmitting House Concurrent Resolution No. 26, H.D. 1, which was adopted by the House of Representatives on April 11, 1985, was placed on file.

By unanimous consent, H.C.R. No. 26, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ESTABLISHMENT OF A BIOLOGICAL RESEARCH INSTITUTE FOR TROPICAL PESTS IN HAWAII," was referred jointly to the Committee on Agriculture and the Committee on Higher Education.

Hse. Com. No. 522, transmitting House Concurrent Resolution No. 73, H.D. 1, which was adopted by the House of Representatives on April 11, 1985, was placed on file.

By unanimous consent, H.C.R. No. 73, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS," was referred to the Committee on Health.

Hse. Com. No. 523, informing the Senate that the Speaker added Representative Pfeil as an additional manager on the part of the House at the conference on Senate Bill No. 249, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 524, informing the Senate that the Speaker on April 11, 1985 appointed Representatives Say, chairman, Metcalf, Tajiri and Pfeil, as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 280, S.D. 1, was placed on file.

Hse. Com. No. 525, informing the Senate that the Speaker added Representatives Andrews, Hashimoto, Taniguchi and Medeiros as additional managers and Representative Shito as co-chairman together with Representative Bunda on the part of the House at the conference on Senate Bill No. 1127, S.D. 1, H.D. 2, was placed on file.

Hse. Com. No. 526, informing the Senate that the Speaker discharged Representatives Kiyabu and Bunda, co-chairmen, Gaulty, Hirono, Kihano, Lindsey and Cavasso as managers and appointed Representatives Kiyabu, chairman, Cachola, Crozier, Kihano, Kim, Lardizabal, Leong, Nakata, Oshiro, Souki, Tajiri, Takamine, Anderson, Isbell and Kamali'i as managers on the part of the House at the conference on Senate Bill No. 1185, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 527, informing the Senate that the Speaker added Representative Medeiros as an additional manager on the part of the House at the conference on Senate Bill No. 726, S.D. 2, H.D. 2, was placed on file.

Hse. Com. No. 528, informing the Senate that the Speaker on April 11, 1985 appointed Representatives Kiyabu and Shito, co-chairmen, Bunda, Crozier, Hirono, Souki, Taniguchi, Isbell and Jones, as managers on the part of the House for the consideration of amendments proposed by the House to Senate Bill No. 1198, S.D. 2, was placed on file.

Hse. Com. No. 529, informing the Senate that the Speaker on April 11, 1985 discharged Representative Medeiros and added Representative Liu as a manager on the part of the House at the conference on House Bill No. 89, H.D. 1, S.D. 2, was placed on file.

Hse. Com. No. 530, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 346, H.D. 1, was placed on file.

Hse. Com. No. 531, informing the Senate that the Speaker on April 11, 1985 discharged Representative Liu and added Representative Cavasso as a manager on the part of the House at the conference on House Bill No. 488, H.D. 1, S.D. 1, was placed on file.

Hse. Com. No. 532, informing the Senate that the Speaker added Representative Apo as an additional manager on the part of the House at the conference on House Bill No. 557, S.D. 1, was placed on file.

Hse. Com. No. 533, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 761 and the Speaker on April 11, 1985 discharged the managers on the part of the House for the consideration of H.B. No. 761, S.D. 1, was placed on file.

Hse. Com. No. 534, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 949 and the Speaker on April 11, 1985 discharged the managers on the part of the House for the consideration of H.B. No. 949, S.D. 1, was placed on file.

Hse. Com. No. 535, informing the Senate that the Speaker added Representative Kamali'i as an additional manager on the part of the House at the conference on Senate Bill No. 90, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 536, informing the Senate that the Speaker added Representative Pfeil as an additional manager on the part of the House at the conference on Senate Bill No. 702, S.D. 2, H.D. 2, was placed on file.

Hse. Com. No. 537, informing the Senate that the Speaker added Representative Kamali'i as an additional manager on the part of the House at the conference on Senate Bill No. 610, S.D. 1, H.D. 1, was placed on file.

Hse. Com. No. 538, informing the Senate that the Speaker added Representative Pfeil as an additional manager on the part of the House at the conference on Senate Bill No.

153, S.D. 1, H.D. 2, was placed on file.

STANDING COMMITTEE REPORT

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 984) recommending that Senate Resolution No. 6, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 6, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ENCOURAGE THE USE OF SCHOOL FACILITIES FOR AFTER-SCHOOL CARE PROGRAMS AND TO EXAMINE THE FEASIBILITY OF ESTABLISHING BEFORE-SCHOOL CARE PROGRAMS FOR SCHOOL AGE CHILDREN," was adopted.

ORDER OF THE DAY

MATTER DEFERRED FROM
TUESDAY, APRIL 9, 1985

FINAL READING

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

Senator Cobb moved that S.B. No. 669, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Kawasaki rose to speak on the measure as follows:

"Mr. President, I rise to speak against passage of this bill and in so doing I have some questions I'd like to pose to the chairman of the committee from whence the bill emanated.

"First of all, I'd like to know how many states, other than the State of Minnesota, have enacted statutes almost identical to this bill?"

The Chair posed the question to the chairman and Senator Cobb replied:

"Mr. President, on the last report I had it was between eight and eleven states depending on what the definition of either identical or substantially similar would be. Primarily because the number of states is small, it is due to the recent enactment and court testing of the Minnesota law. More states, I think about 20 altogether, are considering it this year."

Senator Kawasaki further inquired:

"But for the moment, there's no more than 11 states at the most that have bills identical to this on their books, is that correct?"

Senator Cobb answered:

"That's the information I have so far, although we have not received information back from all of the states at this time."

Senator Kawasaki remarked and further inquired:

"Mr. President, I think there is good reason for states, other than these perhaps at the most 11 states, not enacting statutes like this.

"I have another question to pose to the chairman of the Consumer Protection Committee.

"Where did this bill, two years ago, originate? Was it from the Department of Commerce and Consumer Affairs or what it one of the Big Five companies that initiated the bill?"

Senator Cobb responded:

"Mr. President, two years ago, I don't recall whether it was an admin bill or a department bill. This year, however, it was introduced at the request of Amfac, I believe, and the reason given in committee when that question was raised was because the department at that time was embroiled in the UIIA insurance matter and did not have time to prepare the bill in time for the Governor's deadline of September for admin bills."

Senator Kawasaki continued:

"Mr. President, I thank the chairman of the Consumer Committee.

"Mr. President, I object to this bill strenuously because while we've been trying to tell business, both located here as well as overseas, that indeed we are really not an anti-business state, enactment of statutes like this, I think, belies our stated profession that we want to help business. I think that if there is anything that's onerous to possible businesses overseas, particularly, that want to establish here, statutes like this I think are going to hamper our attempts to attract people here.

"This is another example of the alarming deference the Senate Committee on Consumer Protection has been paying to our Big Five Merchant Street companies the last few years. I don't think this bill is needed. I find some of the language contained in page 11, items under designation 'f,' item 2 through 5. These kinds of requirements, in their forms to be filed with the director of the Consumer Affairs Department are onerous; they tend to discourage companies overseas from establishing over here.

"In general. I think this is a bad bill. We don't need to rush into it. Perhaps like the

other 40 or so states that for good reason have not yet enacted this, we should study this further and not just rush into enactment of this bill that I understand AmFac would be happy to have.

"I think we've been paying too much deference without deep study as to the end results, the effects of some of the statutes we've been pushing in behalf of the Big Five companies. We'd better take a better look at this even before we rush into enactment of this bill. For this reason, I vote against it. I urge others to vote against it."

Senator Cobb then remarked as follows:

"Mr. President, I rise to speak in favor of the measure.

"The language alluded to on page 11 is also contained in the existing via statutes, but more to the point, Mr. President, this is an anti-takeover bill. It will make it more difficult and at the same time insure that it is constitutional to have such a law. It is based on the Minnesota Takeover Act which was appealed to the 8th Circuit Court of Appeals, federal, and found to be constitutional in the Edgar v. Mite decision. That is a fairly recent decision, but given the amount of publicity both locally and nationally on the spectre of corporate raiders and what they do when they come in and take over a company in terms of liquidation, in terms of the job loss, and all of the other horrors that have been documented before the committee, I think this piece of legislation is vitally necessary.

"And I am aware that of the 20 states that are considering this type of legislation this year in response to the Edgar v. Mite decision, a high number are going to be passing it.

"I disagree very strongly that this is either anti-business or in any way inimical to business practice, but instead would provide at least a measureable and constitutionally verified degree of protection to Hawaii business and I think would be quite pro-business, not anti-business. Thank you."

Senator Kawasaki then remarked:

"Mr. President, in response to the previous speaker's statements, this may be an anti-takeover bill of sorts but I, over the years, have noted that the people most concerned and afraid of an anti-takeover attempt, which sometimes is very beneficial to the ordinary small stockholder of a company, people most afraid of anti-takeovers are generally top management people who have good high paying jobs and whose efforts in behalf of the company may not be the most admirable and they are afraid of a takeover attempt

by any company may just replace them for better, more progressive management. So people who are most afraid of takeovers are the top leadership in high paying positions.

"I don't know that the so-called anti-takeover bills are really bad for the ordinary common stockholder. You note, after the passage of the anti-cumulative voting bill, if you have noticed in the last three days, the price of Alexander & Baldwin shares have come down almost about a dollar a day, and I will predict it will continue to come down, which, in my judgment, is not going to be beneficial to the ordinary shareholder of Alexander & Baldwin.

"Again, here comes another bill, generally to protect their hides, protect their turf, as the appellation goes around here, of those in top leadership positions today who are afraid of being replaced with people who may be better managers of the corporate affairs of these big companies on Merchant Street.

"Again, I think it's a bad bill and I speak against it. We certainly don't have to rush into it."

Senator Cobb then said:

"Mr. President, the unrebutted testimony before your Committee on Consumer Protection and Commerce pointed out very clearly, the small shareholder does not benefit in a corporate takeover fight or a corporate raid. The only people who benefit in such a raid are (1) the raider and (2) those who practice arbitrage or practice of buying large shares of stock on the public exchange, betting on the come that they will be able to make a profit or a killing in a takeover fight. Those are the only types of people that benefit in a raid attempt, not the small shareholder, and that kind of testimony was totally unrebutted before the committee. Thank you."

Senator Abercrombie then remarked:

"Mr. President, I'd like to ask the chairman a question.

"I was prepared to vote for this until the last statement. Is this an argument about whether raiding is good or bad and that's the basis for this bill? That isn't the way the committee report reads. Is that the basis for this bill, that so called raiding is to be prevented? Because if the argument is that it's unrebutted that shareholders benefit but whether the company is going to benefit from a so-called raid or raid depends on your point of view.

"It's a raid if you're running it and you're running it into the ground and not doing a good job, but it's bailing the company out if

somebody wants to come in and says they can run it better.

"I want to know from the chairman, are we supposed to be voting for this bill now because it's to prevent what he calls raids?"

Senator Cobb responded:

"Mr. President, the original purpose of the bill as expressed in the committee report from the Senate was an anti-takeover provision, and the primary purpose of the bill is to correct the law based on the Edgar v. Mite decision to insure that the Hawaii law is patterned after the Minnesota law to withstand any kind of constitutional scrutiny."

Senator Abercrombie then said:

"Mr. President, that does not answer my question. Has this bill now become an anti-raiding bill? I thought that this bill as I was reading it that it had to do with registration of offers and simply designating the different percentages that had to be registered and indicating who the people were, etc. Now, maybe I'm not sophisticated enough in the language to realize, if the chairman is indicating, that this is supposed to make it more difficult for people. I didn't understand it that way."

Senator Cobb answered:

"Mr. President, in response to that question, it will not necessarily make it more difficult because it does repeal some of the provisions in the Hawaii law that would prohibit such a takeover on banks and utilities because that is not contained in the Minnesota law. What this will do is make the process of an attempted takeover more public in terms of its registration requirements, not necessarily more difficult."

Senator Abercrombie then continued:

"Mr. President, I have no objections on the basis of it being more public which is what I read, but I will dispute the idea that the chairman raises that this testimony is unrebutted. I don't know when that hearing was held. Maybe it was at 2:00 o'clock in the afternoon; maybe the only people who could be there were lobbyists; but if you talk about what's profitable for a company or for a shareholder, there's plenty of rebuttal with respect to whether or not new management in the company will do better.

"I think we've seen enough instances of these 'golden parachute' ideas that have been put into company plans to refute the idea that the attempt to change management in the company is by definition bad for that company.

"To the degree that this bill makes the takeover process more public, I'm for it; but I do not vote for it on the basis that this is in response to un rebutted testimony that takeovers are by definition bad for a company or for the people who are involved with that company."

The motion was put by the Chair and carried and S.B. No. 669, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

THIRD READING

MATTERS DEFERRED FROM WEDNESDAY, APRIL 10, 1985

House Bill No. 191:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 191, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES AND WILDLIFE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 192, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 192, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 206, H.D. 1:

On motion by Senator Aki, seconded by Senator Matsuura and carried, H.B. No. 206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE FACILITATION OF PERMIT PROCESSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 38:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 38, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 228:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 228, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 233, H.D. 1:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 233, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 462:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 462, entitled: "A BILL FOR AN ACT RELATING TO WARRANTIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1060:

By unanimous consent, action on H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Monday, April 15, 1985.

House Bill No. 1382:

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, H.B. No. 1382, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 113:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 113, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF DEALERS IN FARM PRODUCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 115:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 115, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," having been read throughout, passed Third Reading on the

following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 114:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.B. No. 114, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL COMMODITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1063, H.D. 1:

By unanimous consent, action on H.B. No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Monday, April 15, 1985.

ADVISE AND CONSENT

Stand. Com. Rep. No. 974 (Gov. Msg. No. 244):

Senator Kawasaki moved that Stand. Com. Rep. No. 974 be received and placed on file, seconded by Senator Fernandes Salling and carried.

Senator Kawasaki then moved that the Senate advise and consent to the nomination of Richard K. Yonezaki to the Civil Defense Advisory Council, term to expire December 31, 1988, seconded by Senator Fernandes Salling.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 975 (Gov. Msg. Nos. 222, 223, 224, 245, 255, 256 and 257):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 975 be received and placed on file, seconded by Senator Machida and carried.

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

Yvonne Carvalho Paik to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1986;

Mary M. Katayama, Edwin M. Montell, M.D., Chitose Kanuha and Dorothy Kataoka to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1988;

William W. Goodhue, M.D., and Amy A. Mendonca, to the Kauai County Subarea

Health Planning Council, terms to expire December 31, 1988;

Herbert K. Yim to the Kauai County Subarea Health Planning Council, term to expire December 31, 1987;

Mabel Jean Odo and Leah Pereira to the County Hospital Management Advisory Committee, Kauai County Hospital System, terms to expire December 31, 1988;

William T. Honjiyo to the County Hospital Management Advisory Committee, Kauai County Hospital System, term to expire December 31, 1986;

Ludvina K. Takahashi to the County Hospital Management Advisory Committee, Kauai County Hospital System, term to expire December 31, 1985;

Harry M. Okumura and William H. Sager to the Advisory Committee on Pesticides, terms to expire December 31, 1988;

Mary Ann Pyun, Dorothy K.S. Ono and Isabel M. Tagala to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, terms to expire December 31, 1988;

Sharon E. Ogawa to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, term to expire December 31, 1987;

Wayne M. Takehara to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1988;

William Kennison to the County Hospital Management Advisory Committee, Maui County Hospital System, term to expire December 31, 1985; and

Maurice H. Kaya and Daniel F. Clark to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1988,

seconded by Senator Machida.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 982 (Gov. Msg. No. 214):

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

Senator Solomon then moved that the Senate advise and consent to the nomination of John E. Loomis to the Board of Agriculture, term to expire December 31, 1988, seconded by Senator Hagino.

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

Ayes, 25. Noes, none.

At 12:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:27 o'clock p.m.

RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The President made the following re-referral of a House Concurrent Resolution that was received:

House
Concurrent
Resolution

Referred to:

No. 38, H.D. 1 Committee on Education

At this time, Senator Yamasaki, chairman of the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following:

S.R. No. 148, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX"; and

S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX,"

and the President granted the waiver.

Senator Yamasaki, chairman of the Committee on Conference on the part of the Senate on the bills listed on Agenda 1, 2, 3 and 4 of the Conference Committee's hearing notice for Friday, April 12, 1985, then requested a waiver of the 48-hour notice of a Public Hearing on said bills, and the President granted the waiver.

At 12:29 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.

Senator Kawasaki then rose on a point of inquiry as follows:

"Mr. President, a point of inquiry directed

to the chairman of the Ways and Means Committee.

"In view of the barrage I know every Senator has received from the hotel industry in a very well organized effort to express the hotel industry's opposition to the tourist tax, I'd like a statement of reaffirmation as the chairman of Ways and Means goes into conference with the House that the Senate position that we are still for the tourist tax which will not hurt the industry, which is found all places in the world, and also that we are vehemently against any increase in the sales tax that hurts consumers, we do still have that reaffirmation from the chairman who speaks for all of us?"

Senator Yamasaki answered:

"Mr. President, as far as the room tax is concerned, that is our position as we go into conference."

Senator Kawasaki further inquired:

"What about the no increase in the sales tax which is going to hurt consumers?"

Senator Yamasaki answered:

"Mr. President, I think that there has been some indication given by the Majority members on that issue."

Senator Kawasaki further asked:

"Indications, which say?"

Senator Yamasaki answered:

"I think there was some flexibility expressed."

Senator Kawasaki then said:

"I see. Well, to eliminate any possibility of a filibuster against any sales tax, I would strongly advise that we worry about the consumers and be vehemently against the sales tax increase."

Senator Kuroda then remarked:

"Mr. President, as the presiding officer of the caucus which discussed the very subject, and while Senator Kawasaki was not present, the Senate Ways and Means chairman has been granted caucus flexibility on that subject by the caucus."

Senator McMurdo then rose on a point of personal privilege as follows:

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

"As a freshman Senator, I have found this body to be most patient and generous in helping me get used to life in the Capitol.

You have all been friendly and cooperative and I would like to thank you at this time. But I have one primary concern that I want to voice and this has continually resurfaced during this term.

"I have been surprised to find that everyone seems to want to push his or her own ideas on the future of Waikiki. It appears that Waikiki is thought to be a place where tourists are kept on this island, and that whatever is good for tourism is good for Hawaii. Everyone seems to be an expert on Waikiki. They seem to know what needs to be done to improve life for tourists, but it appears to me that no one seems to take into account that there are also residents of Hawaii in Waikiki.

"The honorable Senator on my right and I know differently, as we both have constituents in this area.

"As Senator for a large part of Waikiki and as a resident of Waikiki, I am distressed by this oversight. My district deserves the same consideration in terms of the resident population as each of your districts. I represent over 18,000 permanent residents whose quality of life is as dear to them as it is to those residing in your districts.

"In the past, Waikiki residents have seen the quality of life debased year after year in the name of 'tourism.' To me, this is an unfortunate situation because I see the resident population in Waikiki as necessary to the stability of the area. If the quality of life in Waikiki falls to such a point that our resident population moves out, what we will be left with is an area which also will be no longer attractive to visitors.

"I would like to speak at this time for my constituents as well as for myself. We do not like our needs and desires being subverted to the tourists by state and city officials who ignore our presence in Waikiki. We need to feel that our state and city officials are granting to Waikiki residents the same consideration of our life style as they do the area in which they reside.

"Waikiki will continue to prosper and provide the state with a strong economic base, but only if we recognize that the resident population must be granted more say in their own area's future. They have elected representatives to voice their needs and wishes, and I have accepted this challenge.

"Mr. President, it is my wish that I be granted the same privilege as the other members of this Senate body in representing my constituents."

Senator Kuroda then responded as follows:

"Mr. President, I would like to address myself to the comments made by the good Senator representing Waikiki inasmuch as I am chairman of the Senate Tourism Committee.

"Mr. President, I believe that we can assure the lady Senator that all considerations will be directed in her direction with regards to tourism and our effort to make tourism a viable industry as it is now and to keep it viable. I think we all, as Senators, must keep in mind that the 'not in my backyard' type attitude is shared by all of us. However, as we proceed to deliberate these various issues, whether it's a general airport or landfill or alternate energy, we must keep in mind that as we give consideration to the thoughts of the constituents of any district, we also must keep in mind our efforts to keep our entire state's economic well-being in mind.

"Thank you."

Senator Machida, chairman of the Committee on Labor and Employment, requested a waiver of the 48-hour notice of a Public Hearing on the following:

S.R. No. 12, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT CORRECTIONS OFFICER SERIES";

S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF 'EXEMPT' EMPLOYMENT IN THE CIVIL SERVICE";

S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO STUDY THE FEASIBILITY OF ESTABLISHING PERMANENT OFFICES FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM ON THE NEIGHBOR ISLANDS";

S.R. No. 128, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO STUDY AND ANALYZE THE CHAPTER 89, HRS, DEFINITION OF 'PROFESSIONAL EMPLOYEE' FOR THE PURPOSE OF PROPOSING LEGISLATION TO INCLUDE TECHNICAL AND ALLIED EMPLOYEES WITHIN THIS DEFINITION";

S.R. No. 154, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE";

S.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION

REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO GRANT A REQUEST FOR THE REPRICING OF THE ADULT CORRECTIONS OFFICER SERIES"; and

S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE,"

and the President granted the waiver.

APPOINTMENT OF CONFEREES

House Bill No. 89, H.D. 1 (S.D. 2):

The President appointed Senator Cayetano as co-chairman together with Senator Yamasaki on the part of the Senate at the conference on H.B. No. 89, H.D. 1, S.D. 2.

House Bill No. 265, H.D. 1 (S.D. 1):

The President added Senator Abercrombie as an additional manager on the part of the Senate at the conference on H.B. No. 265, H.D. 1, S.D. 1.

House Bill No. 281, H.D. 2 (S.D. 2):

The President added Senators B. Kobayashi and Toguchi as additional managers and has appointed Senator Cayetano as co-chairman together with Senator Yamasaki on the part of the Senate at the conference on H.B. No. 281, H.D. 2, S.D. 2.

ADJOURNMENT

At 12:40 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 15, 1985.

FIFTY-SIXTH DAY

Monday, April 15, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:10 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Donna Faith Eldridge, Christ Church Uniting Presbyterians and Disciples, after which the Roll was called showing all Senators present with the exception of Senators Holt and Machida who were excused.

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

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

Senator Chang made the following introduction:

"Mr. President, in this year of the centennial celebration of the arrival of the 'kanyaku imin' (government contract immigrants), it is indeed a prosperous year to celebrate Japanese culture, and I would like to inform you that once again, the Japanese Junior Chamber of Commerce selected beautiful women of Japanese ancestry in the 33rd annual Cherry Blossom Festival Queen Pageant. These women represent the beauty, poise and personality of the Japanese Cherry Blossom Festival.

"Members of the Senate, I would like to introduce to you the 1985 Cherry Blossom Festival Queen and court. Please rise and be recognized as your name is called: Miss Congeniality Velvet Michiko Agena, attendant Jill Naomi Ishibashi, attendant Carleen Taeko Yamagata, attendant Mari Yoshimura, Princess Alva Satsuki Watanabe and Miss Popularity and Queen Joanne Yuriko Hirano."

At this time, Senate Certificates and leis were presented to the Cherry Blossom Queen and court by Senators Cobb, Toguchi, Mizuguchi, A. Kobayashi, Kuroda and Hagino.

Senator A. Kobayashi introduced a group of senior class students from a government class at Our Redeemer Lutheran School, accompanied by their teacher Mrs. Lee Barton.

Senator Toguchi, on behalf of Senator Hee and himself, introduced ten students from Windward Community College who are in the ecology and science class, accompanied by their instructor, Mrs. Margo Saul.

Senator Yamasaki, on behalf of Senators Machida, Solomon and himself, introduced Mr. Dan Shigeta of the Maui office of the

Tropical Agriculture Cooperative Extension Service.

At 11:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:23 o'clock a.m.

The Chair, at this time, invited the 1985 Cherry Blossom Queen to say a few words to the members of the Senate, and Queen Joanne Hirano addressed the members of the Senate as follows:

"Good morning, ladies and gentlemen.

"I'd just like to say thank you for inviting us to appear over here. We are very honored to have this privilege. Thank you."

At 11:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:26 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 304 to 306) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 304, submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nomination of Thomas S. Yagi, term to expire December 31, 1988, was referred to the Committee on Higher Education.

Gov. Msg. No. 305, submitting for consideration and confirmation to the Labor and Industrial Relations Appeals Board, the nomination of Carol Yamamoto, term to expire December 31, 1994, was referred to the Committee on Labor and Employment.

Gov. Msg. No. 306, transmitting the report, "The Utilization of Nurses in Small Intermediate Care Homes," prepared by the Department of Social Services and Housing and the Department of Health, in response to S.R. No. 102 (1984), was referred jointly to the Committee on Health and the Committee on Human Services.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 539 to 541) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 539, transmitting House Concurrent Resolution No. 92, H.D. 1, which

was adopted by the House of Representatives on April 12, 1985, was placed on file.

By unanimous consent, action on H.C.R. No. 92, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE NEED FOR AND SUPPORT OF THE SERVICES OF THE U.S. SOIL CONSERVATION SERVICE," was deferred until Tuesday, April 16, 1985.

Hse. Com. No. 540, transmitting House Concurrent Resolution No. 103, H.D. 1, which was adopted by the House of Representatives on April 12, 1985, was placed on file.

By unanimous consent, action on H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN OR SELL, FOR NOMINAL CONSIDERATION, THE PROPERTY IN THE FORT DERUSSY AREA TO THE STATE OF HAWAII," was deferred until Tuesday, April 16, 1985.

Hse. Com. No. 541, informing the Senate that pursuant to the disagreement of the House to the amendments proposed by the Senate to House Bill No. 463, H.D. 2, and the request for a conference on the subject matter of said amendments, on April 12, 1985, the Speaker appointed Representatives Tungpalan, Shito and Kiyabu, co-chairmen, and Isbell as Managers on the part of the House for the consideration of said amendments, was placed on file.

STANDING COMMITTEE REPORTS

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 985) recommending that Senate Resolution No. 74 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.R. No. 74, entitled: "SENATE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES PROGRAM," was adopted.

Senator Holt for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 986) recommending that Senate Concurrent Resolution No. 59 be adopted.

On motion by Senator Holt, seconded by Senator Chang and carried, the report of the Committee was adopted and S.C.R. No. 59, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO APPROVE PERMANENT STATUS FOR THE HAWAIIAN STUDIES

PROGRAM," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 987) recommending that Senate Resolution No. 89, as amended in S.D. 1, be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.R. No. 89, S.D. 1, entitled: "SENATE RESOLUTION SUPPORTING THE EXTENSION OF FEDERAL ENERGY TAX CREDITS," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 988) recommending that Senate Concurrent Resolution No. 69, as amended in S.D. 1, be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.C.R. No. 69, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EXTENSION OF FEDERAL ENERGY TAX CREDITS," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 989) recommending that Senate Resolution No. 93, as amended in S.D. 1, be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.R. No. 93, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING THE RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF ELECTRIC VEHICLES IN HAWAII," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 990) recommending that House Concurrent Resolution No. 37, H.D. 1, as amended in S.D. 1, be referred to the Committee on Economic Development.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.C.R. No. 37, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was referred to the Committee on Economic Development.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 991) recommending that Senate Concurrent Resolution No. 70 be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.C.R. No. 70, entitled: "SENATE

CONCURRENT RESOLUTION
REQUESTING THE FEDERAL
GOVERNMENT TO TAKE CERTAIN
ACTIONS TO ASSIST SCHIZOPHRENICS,"
was adopted.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 992) recommending that Senate Concurrent Resolution No. 71, as amended in S.D. 1, be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.C.R. No. 71, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SERVICES FOR SCHIZOPHRENICS PROVIDED BY THE MENTAL HEALTH DIVISION," was adopted.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 993) recommending that Senate Concurrent Resolution No. 63 be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE TO VETO ANY FURTHER USE OF DBCP ON MAUI PINEAPPLE FIELDS," was adopted.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 994) recommending that Senate Resolution No. 82 be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.R. No. 82, entitled: "SENATE RESOLUTION REQUESTING THE STATE TO VETO ANY FURTHER USE OF DBCP ON MAUI PINEAPPLE FIELDS," was adopted.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 995) recommending that the Senate advise and consent to the nominations of the following:

Jane Iwalani Han to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 88;

Rene M. Mansho and Betty Ona to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 138; and

Roberta W.S. Chang, Karen K. Horita, Marlene B. Maneha and Maria V. Bunye to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 226.

In accordance with Senate Rule 33, action

on Stand. Com. Rep. No. 995 and Gov. Msg. Nos. 88, 138 and 226 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 996) recommending that the Senate advise and consent to the nominations of the following:

Karen A. Taketa to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 137; and

Lawrence Pang and Ronald I. Nakatsu to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 227.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 996 and Gov. Msg. Nos. 137 and 227 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 997) recommending that the Senate advise and consent to the nominations of Ruby L. Hargrave and Ben B. Mayes to the Progressive Neighborhoods Task Force, in accordance with Gov. Msg. No. 141.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 997 and Gov. Msg. No. 141 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 998) recommending that the Senate advise and consent to the nominations of the following:

Roy Lee Roberts and Colette V. Browne to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 139; and

Mary I. Ventura, Tony Tomoso, Shintaro R. Higa, Pedro E. Racelis, Jr., and Jiro Wakumoto to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 207.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 998 and Gov. Msg. Nos. 139 and 207 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 999) recommending that the Senate advise and consent to the nomination of Susan P. Walker to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 89.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 999 and Gov. Msg. No. 89 was deferred until Tuesday, April 16,

1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1000) recommending that the Senate advise and consent to the nominations of Kristin C. Mills, Eloise A. Wetherall and Frederick W. Hoogs to the Commission on the Handicapped, in accordance with Gov. Msg. No. 274.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1000 and Gov. Msg. No. 274 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1001) recommending that the Senate advise and consent to the nominations of Juliette T. Sarmiento, Linda M. Colburn, Andrea L. Simpson, Rosie Chang, Sharon S. Narimatsu, Walette G. Pellegrino and Sharon N. Chiba to the Commission on the Status of Women, in accordance with Gov. Msg. No. 285.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1001 and Gov. Msg. No. 285 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1002) recommending that the Senate advise and consent to the nominations of the following:

Richard M. Iga to the Board of Social Services and Housing, in accordance with Gov. Msg. No. 136;

Toby Bailin Pontius and Barbara Dart to the Board of Social Services and Housing, in accordance with Gov. Msg. No. 225.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1002 and Gov. Msg. Nos. 136 and 225 was deferred until Tuesday, April 16, 1985.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1003) recommending that the Senate advise and consent to the nominations of Frances D. Riggs, M.D., Sumiko Akena, Genevieve T. Okinaga, Beverly Ing Lee, Gail Breakey, Patti J. Lyons and Calvin S.J. Sia, M.D., to the Child Abuse and Neglect Secondary Prevention Advisory Committee, in accordance with Gov. Msg. No. 140.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1003 and Gov. Msg. No. 140 was deferred until Tuesday, April 16, 1985.

ORDER OF THE DAY

MATTERS DEFERRED FROM FRIDAY, APRIL 12, 1985

THIRD READING

House Bill No. 1060:

By unanimous consent, action on House Bill No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred until Tuesday, April 16, 1985.

House Bill 1063, H.D. 1:

By unanimous consent, action on House Bill No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred until Tuesday, April 16, 1985.

FINAL READING

Senate Bill No. 1404, H.D. 1:

By unanimous consent, action on S.B. No. 1404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFERS," was deferred until Tuesday, April 16, 1985.

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

The Senate reconvened at 11:33 o'clock a.m.

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

H.C.R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN,"

and the President granted the waiver.

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 83, S.D. 2, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 83, S.D. 2, H.D. 1, seconded by Senator Mizuguchi.

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 83, S.D. 2, and S.B. No. 83, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," was placed on the calendar for Final Reading on Tuesday, April 16, 1985.

Senate Bill No. 1157, S.D. 1, H.D. 1:

Senator Chang moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1157, S.D. 1, H.D. 1, seconded by Senator Cayetano.

Senator Chang stated as follows:

"Mr. President, the bill had proposed a policy statement with respect to the Hawaii Youth Correctional Facility. Your committee had chosen to go with a very brief statement. The House wanted to expand this statement. Upon fuller consideration, we feel that the full and complete description of the policy with respect to the youth facility is proper."

The motion to reconsider the action was

put by the Chair and carried.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1157, S.D. 1, and S.B. No. 1157, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY," was placed on the calendar for Final Reading on Tuesday, April 16, 1985.

ADJOURNMENT

At 11:37 o'clock a.m., on motion by the Senator Cobb, seconded by Senator Soares and carried, the Senate adjourned until 3:00 o'clock p.m., Tuesday, April 16, 1985.

FIFTY-SEVENTH DAY

Tuesday, April 16, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 3:15 o'clock p.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Alan Fisher of United Church of Christ, after which the Roll was called showing all Senators present.

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

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

Senator Matsuura, on behalf of Senator Aki, introduced members of the Advisory Study Commission on Water Resources as follows:

"Mr. President, it is truly a privilege for me to introduce to this body officers of the Advisory Study Commission on Water Resources of the State of Hawaii.

"First, Mr. Gregory R. Gomes, the chairman. In private life Mr. Gomes is the president of WEBCO Hawaii, a distributor of diversified products; next is Mr. Reuben S.F. Wong, attorney in private practice; thirdly, Mr. Kazu Hayashida, general manager and chief engineer of the Board of Water Supply of the City and County of Honolulu; and lastly, Mr. Samuel Chang, director of the Legislative Reference Bureau.

"As we are all aware, the Legislature in 1982 passed Act 170 which created the Advisory Study Commission on Water Resources. In passing Act 170, the Legislature found that the State of Hawaii, pursuant to Article 11, Section 7 of the Constitution of Hawaii, that the State of Hawaii had an obligation to protect, control and regulate Hawaii's water resources for the benefit of the people.

"The Legislature further found that a comprehensive review of the numerous issues relating to Hawaii's water resources was necessary and that the review should be conducted by a specially designated study group.

"The purpose of Act 170 of 1982 was to establish an advisory study commission on water resources to perform a comprehensive review of the various issues relating to Hawaii's water resources and to formulate a proposed water code.

"The Senate is pleased with the high quality work product of the advisory commission on water resources. The commission is to be commended for a truly

outstanding job on one of the most important subjects, our water resources. The appreciation of the entire State Senate is also extended to each member of the commission and to the director and staff of the Legislative Reference Bureau for time and talent given so fully and freely during the past two and a half years.

"May I introduce the officers of the Advisory Study Commission on Water Resources: Mr. Gregory Gomes, chairman; Mr. Reuben Wong, vice chairman; and Mr. Kazu Hayashida, secretary; and Mr. Samuel B.K. Chang, director of the Legislative Reference Bureau."

The honorees rose to be recognized and were presented with the congratulatory certificate by Senator Aki and Senators A. Kobayashi, Young, Solomon and Fernandes Salling presented them with leis.

Senator Matsuura also recognized other members of the commission as follows: Susumu Ono, Hideto Kono, Kent Keith, James Nakatani, Georgiana Padeken, Charles Clark, Leslie Matsubara, William Sewake, Bill Haines, Vince Bagoyo, Raymond Sato, Charles Reppun, Dickey Nitta and Fred Trotter.

Senator Toguchi then introduced Mr. Kengo Takata, Mrs. Esther Kau and Mr. Art Kaneshiro as follows:

"Mr. President and honorable members of the Senate, it is my pleasure this afternoon to introduce two outstanding individuals in the State of Hawaii who recently received prestigious honors in the area of education from the Freedom Foundation of Valley Forge, Pennsylvania.

"Mr. President, first, I would like to introduce Mr. Kengo Takata who was recently awarded the George Washington Medal of Excellence in the category of Educators for 1984, an award given on a national level by the Freedom Foundation at Valley Forge.

"The honor, Mr. President, was based on the leadership that Mr. Takata has provided the Windward District of the DOE, as well as the State of Hawaii, in the school climate project and for his continued endeavors to make education better for our youngsters.

"Mr. Takata has been with the Department of Education for 35 years and has held positions as a teacher, principal, deputy superintendent and, now, district superintendent.

"Mr. President, the second honoree

receiving the Freedom Foundation Award is Mrs. Esther Kau, principal of Farrington High School.

"Mrs. Kau has been honored with the 1984 Freedom Foundation Educator Award. She was selected for her contribution as an administrator who leaves no stone unturned in her attempts to raise student achievement.

"As principal of the state's largest high school with an enrollment of 2600 students, where the population is a mixture of various ethnic groups, she has been instrumental in targeting successfully specific areas of basic skills such as reading, writing and speaking, and restoring to a once agitated campus a scene of calmness and motivation.

"Mr. President, Mrs. Kau has been in the Hawaii public school system for 34 years as a music coordinator, classroom teacher, registrar, principal, acting district superintendent, and district superintendent of Leeward Schools.

"Mr. President, this afternoon, it is my honor to introduce to this honorable body Mr. Kengo Takata and Mrs. Esther Kau, two pioneers in the field of education in our State of Hawaii. Congratulations to both of you!"

The honorees rose to be recognized and were each presented with a Senate congratulatory certificate by Senator Toguchi and leis by Senators Young and Hee.

Senator Toguchi then continued:

"Mr. President, also here with us this afternoon is another educator with deserving honors. He is Mr. Art Kaneshiro, principal of Kahaluu Elementary School.

"Mr. Kaneshiro was awarded the National Distinguished Principal's Award for 1983-1984 from the National Association of Elementary School Principals, in cooperation with the U.S. Department of Education.

"Mr. Kaneshiro's selection was based on his administrative leadership at his school and his creation of a positive school climate which has brought parents, teachers, school staff and students together in a way he never thought possible in the history of that school.

"As an extraordinary administrator, he earned not only the respect of his peers and neighborhood community leaders but also received statewide recognition as Hawaii's selectee for the National Distinguished Principal's Award.

"Art Kaneshiro, Mr. President, has been

with the Department of Education for 15 years as a classroom teacher, resource teacher, vice principal and principal.

"Mr. President and members of this body, it gives me great pleasure to introduce a dedicated individual in Hawaii's public school system, Mr. Art Kaneshiro.

"Also with us, in the gallery, we have Mr. Kaneshiro's family — his wife Lorraine, daughter Stacy, son Bryce, and his mother Mrs. Elaine Kaneshiro."

Mr. Art Kaneshiro rose to be recognized and was presented with the Senate congratulatory certificate by Senator Toguchi and lei by Senator Fernandes Salling.

Senator McMurdo then introduced Mr. Don Hansen as follows:

"Mr. President, it's my privilege at this time to introduce a man who has been honored very recently as one of nine recipients of the Jefferson Award. This man has worked for many, many years as a volunteer in housing. At one time, he was an advisor to the United Nations.

"During the past ten years he has been known best to all of you in the Legislature and at City Hall for his continuous lobbying on behalf of projects which he thinks are good for the state and for the people of Hawaii.

"His most recent efforts, and one that's been very successful, is the project which he started at Waianae on housing for the low income.

"At this time, I would like to introduce the man that we are honoring today as Mr. Affordable Housing, Mr. Don Hansen, and his lovely wife, Mrs. Jane Hansen."

The honoree and his wife rose to be recognized and was presented with the Senate congratulatory certificate by Senator McMurdo. Senators George and A. Kobayashi presented them with leis.

Senator Abercrombie then introduced Representative Peter Apo who was sitting in the Senate gallery.

At 3:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:56 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 307 and 308) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 307, transmitting copies of

the Hawaii Wildlife Plan, prepared by the Department of Land and Natural Resources in cooperation with the U.S. Forest Service, was referred to the Committee on Economic Development.

Gov. Msg. No. 308, informing the Senate that on April 13, 1985, he signed the following bills into law:

S.B. No. 34 as Act 12, entitled: "RELATING TO PRIVATE ACTIVITY BONDS";

S.B. No. 193 as Act 13, entitled: "RELATING TO THE BOARD OF DENTAL EXAMINERS";

S.B. No. 194 as Act 14, entitled: "RELATING TO DENTAL HYGIENISTS";

S.B. No. 218 as Act 15, entitled: "RELATING TO HEARING AID DEALERS AND FITTERS";

S.B. No. 479 as Act 16, entitled: "RELATING TO ADMINISTRATION OF TAXATION";

S.B. No. 1240 as Act 17, entitled: "RELATING TO CHILD ABUSE";

H.B. No. 112 as Act 18, entitled: "RELATING TO CHICKEN EGGS";

H.B. No. 275 as Act 19, entitled: "RELATING TO TAXATION"; and

H.B. No. 861 as Act 20, entitled: "RELATING TO HOUSING,"

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 542 and 543) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 542, returning Senate Bill No. 1075, S.D. 2, which passed Third Reading in the House of Representatives on April 15, 1985, was placed on file.

Hse. Com. No. 543, returning Senate Bill No. 1132, which passed Third Reading in the House of Representatives on April 15, 1985, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 139 and 140) were read by the Clerk and were disposed of as follows:

S.C.R. No. 139, entitled: "SENATE CONCURRENT RESOLUTION HONORING PROFESSIONAL SECRETARIES ON THE OCCASION OF PROFESSIONAL

SECRETARIES' DAY, APRIL 24, 1985, AND THE PROFESSIONAL SECRETARIES' WEEK, APRIL 21-27, 1985," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Yamasaki, Chang, Cobb, Young, Wong, Hagino, Kawasaki, Fernandes Salling, Abercrombie, Kuroda, Mizuguchi, Cayetano and Solomon.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, S.C.R. No. 139 was adopted.

S.C.R. No. 140, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE WEEK OF MAY 19, 1985, AS TOURISM WEEK IN HAWAII," was offered by Senators Kuroda, Young, Aki, McMurdo, B. Kobayashi, Chang, Fernandes Salling, Mizuguchi, Soares, George, Kawasaki, Matsuura, Abercrombie, Yamasaki, Cayetano, Wong, Cobb, Hee, Toguchi, Solomon, Henderson, Machida, Holt, A. Kobayashi and Hagino.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, S.C.R. No. 140 was adopted.

SENATE RESOLUTION

S.R. No. 185, entitled: "SENATE RESOLUTION HONORING PROFESSIONAL SECRETARIES ON THE OCCASION OF PROFESSIONAL SECRETARIES' DAY, APRIL 24, 1985, AND THE PROFESSIONAL SECRETARIES' WEEK, APRIL 21-27, 1985," was offered by Senators Henderson, Soares, George, A. Kobayashi, Hee, Matsuura, Aki, Holt, Toguchi, Machida, McMurdo, Yamasaki, Wong, Cobb, Young, Chang, Hagino, Kawasaki, Fernandes Salling, Abercrombie, Kuroda, Mizuguchi, Cayetano and Solomon, and was read by the Clerk.

On motion by Senator Kuroda, seconded by Senator Henderson and carried, S.R. No. 185 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Matsuura, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 153, S.D. 1, presented a report (Conf. Com. Rep. No. 1) recommending that S.B. No. 153, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1 and S.B. No. 153, S.D. 1, H.D. 2, C.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY," was deferred for a period of 48 hours.

Senator B. Kobayashi, for the Committee

on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 165, presented a report (Conf. Com. Rep. No. 2) recommending that H.B. No. 165, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2 and H.B. No. 165, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Senator B. Kobayashi, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 76, S.D. 1, presented a report (Conf. Com. Rep. No. 3) recommending that S.B. No. 76, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3 and S.B. No. 76, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1004) recommending that the Senate consent to the nomination of Daniel G. Heely, as Judge, to the First Circuit Court, for a term of ten years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, and in accordance with Gov. Msg. No. 288.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1004 and Gov. Msg. No. 288 was deferred until Wednesday, April 17, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1005) recommending that the Senate advise and consent to the nominations of Joe S. Tanaka, Herbert K. Apaka, Jr., Cora K. Lum, Frank D. Slocum, George Iranon, Roland D. Sagum, Roy Chang and Harold J. Falk to the Hawaii Criminal Justice Commission, in accordance with Gov. Msg. No. 286.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1005 and Gov. Msg. No. 286 was deferred until Wednesday, April 17, 1985.

Senator Chang, the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1006) recommending that Senate Resolution No. 167 be adopted.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 167, entitled: "SENATE RESOLUTION RECOGNIZING LAW WEEK, APRIL 28 - MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1007) recommending that Senate Concurrent Resolution No. 123 be adopted.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING LAW WEEK, APRIL 28- MAY 4, 1985, AND ENCOURAGING COMMUNITY PARTICIPATION IN THE EVENT," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1008) recommending that Senate Resolution No. 164 be referred to the Committee on Legislative Management.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 164, entitled: "SENATE RESOLUTION REQUESTING THE SENATE TO CONDUCT AN INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was referred to the Committee on Legislative Management.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1009) recommending that Senate Resolution No. 122 be referred to the Committee on Legislative Management.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 122, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was referred to the Committee on Legislative Management.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1010) recommending that Senate Concurrent Resolution No. 96 be adopted.

On motion by Senator Cayetano, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 96, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF LAWS BASED ON AGE," was adopted.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1011) recommending that Senate Resolution No. 123 be referred to the Committee on Legislative Management.

On motion by Senator Chang, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 123, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY TO REVIEW AND EVALUATE HAWAII'S JUDICIAL SELECTION AND RETENTION SYSTEM," was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1012) recommending that House Bill No. 1000, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and H.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 17, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1013) recommending that the Senate advise and consent to the nomination of George G. Costa, Jr., to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 135.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1013 and Gov. Msg. No. 135 was deferred until Wednesday, April 17, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1014) recommending that the Senate advise and consent to the nomination of Ryokichi Higashionna, Ph.D., to the Aloha Tower Development Corporation, in accordance with Gov. Msg. No. 205.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1014 and Gov. Msg. No. 205 was deferred until Wednesday, April 17, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1015) recommending that the Senate advise and consent to the nomination of Vance C. Cannon to the Hawaii Community Development Authority, in accordance with Gov. Msg. No. 206.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1015 and Gov. Msg.

No. 206 was deferred until Wednesday, April 17, 1985.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1016) recommending that the Senate advise and consent to the nomination of Fred K. Kwock to the Hawaii Housing Authority, in accordance with Gov. Msg. No. 284.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1016 and Gov. Msg. No. 284 was deferred until Wednesday, April 17, 1985.

ORDER OF THE DAY

MATTERS DEFERRED FROM
MONDAY, APRIL 15, 1985

FINAL READING

Senate Bill No. 1404, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1404, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT TRANSFER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 83, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 83, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none. Excused, 1 (Chang).

Senate Bill No. 1157, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1157, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none. Excused, 1 (Chang).

THIRD READING

House Bill No. 1060:

Senator Cobb moved that H.B. No. 1060, having been read throughout, pass Third Reading, seconded by Senator B. Kobayashi.

Senator Abercrombie spoke on the measure as follows:

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

"Mr. President, I object to the immunity clause on page 2. I have discussed this with the chairman and he has kindly given me information as to the rationale associated with it. But, Mr. President, I think that you are aware of my objection...I do not believe I am the only person on the floor...my general objection to this increasing use of immunity on behalf of various boards and commissions, etc.

"Here we have a situation where it says on page 2: 'In the absence of actual malice, members of the NAIC, their duly authorized committees, subcommittees, and task forces, their delegates, NAIC employees, and all others charged with the responsibility of collecting, reviewing, analyzing' et cetera, information on these annual statements shall have immunity.

"Mr. President, my understanding of it is that negligence could be involved here and these people would be immune. I do not understand why it is, now that we want to protect the government from the people. Why these boards and commissions are in a sense, in more than a sense, given legal license, in fact, under obligation and responsibility to carry out duties and then not assume the responsibility that goes along with the exercise of the opportunities that exist for them because they are a board or commission authorized by the state.

"I think that this is a very unfortunate trend. I think that this allows for sloppiness. It allows for opportunities for people whose motives may not always be the best to operate with impunity. It allows for and in fact encourages or opens the door for decisions being made which people may be uncomfortable with, which in other circumstances they might think twice about, maybe three or four times, and they will not have to do so now because they will find themselves immune.

"There's a great burden of proof placed upon anyone who wishes to dispute it and, therefore, I think it will serve to take a message to the public, yet again, that we are in the business not of protecting the public but protecting these boards and commissions and government officials of one kind or another from the public. I think that is the wrong message.

"I have no objections to the substance of the bill in terms of what it is trying to accomplish by way of filing of requirements and information on behalf of the public, and the revocation provisions that are associated with it, but precisely because these things are so important.

"We have examples in the newspapers and

in other media every day, whether it's failures of savings and loans, whether it's investment companies, no matter what it is, especially in this area of insurance. All these business ventures...we need accurate information. We need to have sober opinion. We need to have a presentation to the public in which they can place confidence. So, if we are talking about filing requirements, if we are talking about revocation of authority, it seems to me that this is not the place then to be invoking immunity with respect to meeting your responsibilities and obligations, whether it's public officials, elected public officials or appointed.

"Thank you."

Senator Cobb then remarked as follows:

"Mr. President, I rise to speak in favor of the measure.

"By way of background and explanation, the NAIC (National Association of Insurance Commissioners) is a nonprofit association formed by the insurance commissioners of the various states. The system in which we are seeking to fully participate in involves the association analyzing annual reports and indicating to the states the problems that are detected from those annual reports. It is in effect an early warning system and should enable us to get involved with problem companies at a much earlier stage.

"This is an important service to the states and one which we believe can save consumers from significant problems in the long run. Nonetheless, because this early warning of problems entails the NAIC staff to make certain judgments about an insurance company's health, judgments to which the company involved would undoubtedly object very strenuously, the NAIC staff must be given very substantial immunity or the tough calls would simply not be made.

"The NAIC analysis is provided to state insurance commissioners as background information only on insurer's companies. In fact, it's provided on a confidential basis, and is only going to be useful if those who provide the advice are freed from the threat of suits for good faith analysis and recommendations that they provide to us.

"If Hawaii chooses not to participate, so be it. But if we do want to participate, we must create a climate in which those analyzing insurance companies have no reason to fear the wrath of the insurers for that analysis.

"In addition, I received a further communication from Mr. Ramil in addition to the one I just quoted from on the Insurance Regulatory Information System or

IRIS. This assertion is that NAIC should not be liable for errors in its reporting for the following reasons: (1) An unfavorable report on a company amounts to no more than a basis for the commissioner at his discretion to take a closer look at the company. That report, initial report, at least, is not public. Any error in that report will therefore at most result in the commissioner doing some extra work. Such a situation is certainly not an occasion for NAIC liability.

"(2) Any report from NAIC is confidential and thus errors, if they are present, should have no harmful effect; and

"(3) The NAIC report would never be a basis for legal action by the commissioner. The commissioner would only proceed on the basis of an independent investigation conducted by the commissioner and the NAIC report would not even be introduced as evidence. In this respect, the NAIC report are analogous to a 'tip' of problem areas. Under these circumstances, errors should not result in harm as the error would be detected either during the investigation or during the subsequent follow up by the insurance commissioner.

"Thank you."

Senator Abercrombie then said:

"Mr. President, as a follow up then, on my remarks, it would seem to me that the chairman has made an excellent argument against this bill because if all of those things are so that none of these areas could result in judgments or suits, then why should we give them immunity?

"If it is on the basis that they might fear the wrath of the companies that they are investigating, why are they doing it in the first place? What kind of people do we have there who would be hesitant to make these judgments purely on the basis that somebody is going to get mad at them. Surely, they don't expect that they are going to be congratulated for being an early warning system, that's in the nature of the business. And if they are in the national association of insurance commissioners, don't they have a higher duty in the first place?

"To say that immunity is required in order to get them to do their duty is a comment on the commissioners and the caliber of the commissioners and probably is a comment on the kind of work that they do.

"It would seem to me that if the results of this are as innocuous as is claimed on the one hand, and yet as fraught with peril as they are claimed on the other, that the awarding of immunity would serve only to further the cause, as I indicated in the first place, of raising in the public mind questions as to the commitment of these commissions

or any other commissions enjoying similar immunity to the public interest."

The motion was put by the Chair and carried, and H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

House Bill No. 1063, H.D. 1:

Senator Aki moved that H.B. No. 1063, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Toguchi on the measure as follows:

"Mr. President and members of the Senate, I rise to speak against H.B. 1063, H.D. 1, relating to land use.

"Mr. President, the purpose of the bill as contained in the committee report is to allow as a permitted use the establishment of golf courses and golf driving ranges in agricultural districts, provided that they're not located on lands not classified as A or B by the Land Study Bureau's Detailed Land Classification study.

"Mr. President, as I go through my arguments against this bill, I would like to refer the members from time to time to a memo that I have placed on all of your desks dated April 16, 1985.

"First, Mr. President, how did the various groups testify on this bill?

"Mr. President, the State Land Use Commission objects to this proposal and recommends that the existing process of requiring that golf courses be approved be either a special use permit or a district boundary amendment procedure. They prefer that that be retained.

"Mr. President, further, the State Land Use Commission believes that the basis for the commission's position is that golf course and driving ranges are not agriculturally related purposes and would remove large acreage of land which may potentially be suited for agricultural uses.

"And they go further in their testimony that the commission finds that the present process which would permit closer review of golf course proposals and its impact on surrounding agricultural uses is an appropriate process and should be retained.

"Mr. President, the Department of Planning and Economic Development (DPED) also testified against this bill. Keep

in mind that this bill came from the Economic Development Committee.

"The Department of Planning and Economic Development opposes the intent of this bill. The DPED also believes that this current procedure is far better in addressing the issues of allowing golf courses and golf driving ranges in the state agricultural districts than that proposed by this House bill.

"Mr. President, the Hawaii Farm Bureau Federation also sent a letter to the chairman of the committee, the Economic Development Committee, opposing this measure. In fact, they recommended that the committee hold the bill till next session so that they can study the impact that this bill might have.

"They also point out in their testimony, Mr. President, that virtually all of our diversified agriculture activities, with the exception of sugar and pineapple, sits on land currently classified C, D and E or marginal. These include practically all agricultural activities in Waianae and on that section of Kauai.

"The City and County in their testimony before the committee on March 16th also asked that the current statutes be retained. They say that the zoning code currently permits golf courses and golf driving ranges as a conditional use in agricultural districts. They also agree that the golf courses and driving ranges should not be located in prime A and B agriculture lands. Allowing such uses in other agricultural district lands, they point out, through the special use permit review process will avoid potential conflicts with the right to farm, as well as other land use conflicts.

"Mr. President, the only group that came in to testify for this bill was the Land Use Research Foundation of Hawaii. If I recall correctly, the former chairman of the Land Use Commission is now the head of this Land Use Research Foundation of Hawaii.

"Second, Mr. President, let's look at the existing system and how it has worked. Mr. President, under Section 205-4, HRS, any person with property interest may petition the State Land Use Commission for a change in the boundary of a district.

"Members, if you look at attachment 5 of the memo that I handed out, part 1 of attachment 5 is the petition to the Land Use Commission for a change in boundary since 1975. I think if you look at it you see that there were 12 petitions. One was a petitioner who came in but denied and came back and applied again. But if you look at the number that applied there's only two pending and of those that have applied all of them have been approved.

"It's interesting also, Mr. President, if you look at the dates of the application, for example, if you look at the Moana Corporation, the first petitioner, in Poipu, they applied in September 1976; they got approved in April of '77. That's approximately 7 months.

"If you look at others that I have presented in the list that I provided you, I think the longest was approximately 14 months.

"Mr. President, additionally, in the HRS section 205-6, Special Permit, 'Any person who desires to use his land within an agricultural ... district other than for an agricultural ... use, ... may petition the planning commission of the county within which his land is located for permission to use his land in the manner desired.'

"In that alternative, Mr. President, a copy of the decision of the county commission, together with the findings shall be transmitted to the Land Use Commission. It is then the role of the Land Use Commission, within 45 days, to approve with modification or deny the petition. Mr. President, a denial at the county or LUC level may be appealable to the Circuit Court.

"Mr. President, what am I saying here? What I'm saying is that the two alternatives that we presently have in our statutes, either going for a boundary change or going through the special permit, as provided for under HRS Section 205-6, is working.

"The list that I provided you showing the application, the numbers approved, the timetable under which they were approved, I think is an argument for not passing this bill.

"I would like to urge all of the members to think about what we are doing with this bill. If this bill is passed, what we are essentially saying is that we are placing golf courses and driving ranges as a permitted use in agricultural districts. What does that mean? It means that we are going to be allowing the counties to make the decisions about golf courses in agricultural lands that have traditionally and historically been the responsibility of the state.

"For all these reasons, Mr. President, I urge all of the members to vote 'no' on this House bill. Thank you."

Senator Hee then inquired as follows:

"Mr. President, on a point of inquiry, would you ask the chairman of the Economic Development Committee if he would yield to several questions?"

The President posed the question to the chairman and Senator Aki having answered

in the affirmative, Senator Hee remarked and asked:

"Mr. President, I don't follow the logic in the committee report, SCR 983, attached to H.B. 1063, H.D.1. The second paragraph, I'll read it for the record: 'Your Committee supports the intent of this bill and believes that allowing these limited recreational uses on non-prime agricultural lands will protect prime agricultural lands.'

"What is the relationship of building a golf course with respect to protecting prime ag lands? In my own view, it doesn't have any relationship, but perhaps the chairman could clarify this."

Senator Aki answered:

"Mr. President, if I understand the question correctly, the question is how do we protect prime agricultural land by this bill. Is that correct?"

Senator Hee responded:

"Mr. President, that is partly correct. I don't understand why that statement is even in the committee report, so perhaps he could, for our edification, clarify what that has to do with the bill."

Senator Aki answered:

"Mr. President, the first way that we protect prime agricultural land in this bill is that we do not touch lands that are classified as A and B, which are the prime agricultural lands. This bill deals chiefly with lands that are classified as C, D and E, or marginal or unproductive agricultural lands."

Senator Hee responded:

"Mr. President, I still don't understand. That's not the answer to my question."

"I don't see what building on non-prime ag land has to do with protecting prime ag land. He still has not clarified that for me. I understand what the bill intends to do, but I don't see the bill as protecting prime ag lands by building on non-prime ag lands because, the bill has nothing to do with protecting prime ag lands. It has everything to do with destroying non-prime ag lands."

"Secondly, according to chairman's response this bill will allow the building of golf courses and driving ranges on C, D and E lands. Would you ask the chairman if, in fact, that is not possible today under the present rules and regs of the Land Use Commission and by statute. Is that not allowed today for this kind of activity to be built?"

Senator Aki answered:

"Yes, Mr. President, it is possible today to build golf courses on lands that are classified C, D and E. And I might add also ... no, I won't say that, A and B, because it is prohibited by law. However, the problem is that it takes a long time and a lot of effort to have these golf courses built. I think what we have to understand here is that the process which involves a special use permit or rezoning of agricultural lands is indeed a very time consuming process. And what this bill does is eliminates the process whereby the developer would have to go the Land Use Commission and get a rezoning request approved."

Senator Hee continued:

"Mr. President and members of this body, this bill is reminiscent of other bills which serve to circumvent the process as it was set up to be, and the integrity of the process."

"Would you ask the chairman, Mr. President, that if this bill does become law, what would be the economic impact of farming and/or other kinds of activities presently, statewide, are performed on lands zoned C, D and E."

Senator Aki answered:

"Mr. President, in terms of the impact this bill will have on agricultural farm lands, I think we have to look at the total number of lands that are available in agriculture today. There's approximately 1.9 million acres of land in all of ag A, B, C, D and E, and out of that 1.9 million acres about 500,000 acres are classified as A and B. The remaining areas are C, D and E; therefore, in terms of development of golf courses, say we do develop 10 golf courses in the next year or two years, that would eliminate approximately 2,000 acres of agricultural land, based on a 200-acre size of each golf course. I do not think that this is a large amount of acreage being taken out of agricultural lands."

Senator Hee continued:

"Mr. President, thanking the chairman for responding to that question, I wonder if of this 1.4 million in C, D and E, if in fact the 2,000 or so acres would be on lands that are presently under production, which is to say, for example, that I do not personally believe that a golf course would be built in some remote area that could not attract or does not have the infrastructure that makes it presently accessible were there to be a golf course there."

"I don't know what the top of Mauna Loa is, but if it's C, D or E, I don't know how many thousands or millions of acres are on the top of Mauna Loa. As a practical matter, a golf course would not in fact be there, but perhaps be in areas where there

are small farms presently. Case in point would be the district in Maunawili or would be on the North Shore near Kuilima where there are presently small farms and, quite frankly, it should not be a surprise that evictions would begin to set in at the outset.

"One last question for the chairman of the Economic Development Committee, Mr. President, does he feel that ag lands presently classified C, D and E are of less economic value than lands classified A or B, and that is why he is in support of this kind of activity on C, D or E lands?"

Senator Aki answered:

"Mr. President, I do not feel that lands classified as C, D and E are of less value. In fact, I would venture to say that I cannot determine myself the impact of the value of each parcel of land. I think this is why we have commissioned the LESA commission to come up with the land evaluations and site assessment report which is pending before us. In fact, I have a copy here with me. I think only through this process we will be able to evaluate each parcel of land for its potential."

Senator Hee continued:

"Then, Mr. President, would you now ask the chairman if it would be not legislatively more appropriate, pending the outcome of the LESA commission, that any such legislation which he apparently does not have the answer for be enacted?"

Senator Aki answered:

"Mr. President, in answer to that last question, the LESA report is just that, a process, and it is before us, and I think we should use this report as a process to determine each applicant on a site by site basis."

Senator Hee then remarked:

"Well, Mr. President, I'm going to vote against this bill. Let me offer just a few comments.

"I don't know why this bill was not taken up in the Agriculture Committee, but, nonetheless, it is before us as an action by the Economic Development Committee. That being the case, Mr. President, I believe the chairman of the Economic Development Committee has made my argument with respect to not having the information available and waiting for the 'process' to unfold. This is a similar argument to a bill that was before this Legislature two years ago with respect to establishing a minimum stream flow in the state. At that time, the chairman of the then Water and Land Committee said we should wait till the water code is before us and presently we

have the argument in reverse. We have the chairman saying we should wait for the LESA commission to submit its report but this bill should go anyway.

"Mr. President and members of this body, it is not correct and is an archaic argument to assume that C, D and E lands are of less value than A and B lands, and the case in point is, if we look at the Natural Energy Laboratory on the Kona Coast where this august body had appropriated millions of dollars, it sits on E land and that the economic potential and the viability as an 'ag productive center' is not yet known. In fact, it is without estimate as to the potential of this project, and the same could be said for the project at Kahuku, the shrimp farm project, that the economic viability of that project which sits on E land is not yet known.

"It will become an archaic argument, Mr. President, for us to assume that in this age of high technology, of hydroponic planting, of aquaculture activities that are all computerized, that it will become a fact that the E land that it will sit on is just that — a commodity which it will sit on — but yet without that commodity you could not have economic development. And in my view, we are not talking about the old traditional thinking processes of lands just sitting on coral or without water. That is an archaic argument.

"For these reasons I will vote 'no.' I hope that the other members will at least allow this bill to be debated again at a more appropriate time, after the outcome of the LESA commission at the very least. Thank you, Mr. President."

Senator Young also spoke on the measure as follows:

"Mr. President, I, too, rise to speak against this measure.

"As stated earlier, this bill proposes to permit golf courses and golf driving ranges in agricultural districts. I would rather see a proposal utilizing marginal agricultural lands for land banking and housing.

"The House committee report justifies this bill by finding that the need for recreational facilities on Oahu has remained unfilled.

"Previously, I informed this body that certain studies indicate the state suffers from a 30,000 housing-unit shortage. The Hawaii Housing Authority estimates are in the vicinity of a 60,000-unit shortage on Oahu alone.

"Letters and phone calls received by my office from residents of our state validate my fear that there is a lot of frustration and anger out there. Hawaii's families want,

more than anything else, to be able to own a home. It is a fundamental dignity that must be afforded to all our residents. Senators, I cannot stress this point enough to you.

"Mr. President, we need to reassess our priorities. The basic need for food and shelter must come before such luxuries as golf courses and driving ranges. I urge a 'no' vote."

Senator Abercrombie then said:

"Mr. President, I have an inquiry of you.

"Mr. President, I believe this bill is defective. If I read this bill correctly, if you look on page 5, line 9, you'll see that a period is removed from the bill and a comma is placed there. If I read this bill correctly, all of the activities or uses in that paragraph starting on page 4, line 19, will be forbidden on lands classified A and B. I am correct, am I not?"

At 4:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:29 o'clock p.m.

Senator Abercrombie then continued:

"Mr. President, I believe my last comment was I am correct, am I not."

The Chair responded:

"The Chair has a slight disagreement with you regarding the grammatical structure, in response to the question that you raised.

"It is the Chair's opinion, after checking with the chairman, that the paragraph merely describes the inclusion of golf courses and golf driving ranges."

Senator Abercrombie then remarked:

"I quite agree, Mr. President. The paragraph does that. The 'they' refers to everything in the paragraph. Then I am correct. You are agreeing with me that all of the activities and uses described, starting on page 4, line 19, up to and including golf courses and golf driving ranges, if this bill passes, are forbidden on land classifications of A and B."

The Chair added:

"And that the thoughts that were mentioned and the articles mentioned prior to that are followed by a semicolon which is broken up by a comma which introduces a new idea which says, after the word facilities, 'including golf courses and golf driving ranges, (comma) provided that they ...' and the 'they' is referring back to golf courses and golf driving ranges."

Senator Abercrombie remarked:

"Mr. President, it may be your desire that it refers back to golf courses and golf driving ranges but that is not what is said. And I think we have to vote on legislation on the basis of what is said, as opposed to what is wished for."

The Chair answered:

"I think, Senator Abercrombie, that you are entitled to your opinion, but the Chair really feels that there is nothing wrong with the paragraph as grammatically constructed. I think that an unbiased reading of the paragraph can only lend to the conclusion that all it does is permit golf courses and golf driving ranges on C and D lands."

Senator Abercrombie continued:

"Very well, Mr. President, then I will continue my argument in another vein, but I will have it entered in the record and, I presume, if this bill passes, and I hope that it does not, that it will be looked at critically. I raised the point seriously. I believe it is defective. If that is the intent, I do not believe that this language does it, and I believe that should it pass, it should be vetoed on the basis that it does not accomplish what is the intent.

"Mr. President, I would speak against the bill, but before I do I have a question of the chairman of the committee. I refer the chairman to Standing Committee Report 963, House Bill 206, H.D. 1, recently passed by this body. The standing committee report was on April 10th and I have discussed this issue with the chairman previously and I wish to refer him to it now.

"Does the chairman have a copy of the bill to which I refer? Standing Committee Report 963, House Bill No. 206, H.D.1, 'A Bill for An Act Relating to the Facilitation of Permit Processing.'"

Senator Aki responded:

"No, I do not have that bill or committee report before me, Mr. President."

Senator Abercrombie remarked:

"Mr. President, would you object if I share the copy that I have with the ..."

The Chair interjected:

"Short recess."

At 4:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:49 o'clock p.m.

Senator Abercrombie then continued:

"Thank you, Mr. President.

"Mr. President, does the chairman of the Economic Development Committee have the bill to which I referred?"

Senator Aki answered:

"Yes, Mr. President."

Senator Abercrombie continued:

"Thank you.

"Mr. President, my reason for bringing the bill to your attention and to the chairman's attention is that the argument that I heard made by the chairman to previous speakers was, there was a necessity, at least in the area of golf course building, to speed up the process, and that this was the principal reason for the passage of the bill in the face of questions which have been raised by previous speakers as to other uses for this land, for waiting on the reclassification of lands for agricultural purposes, and whether or not the process was efficient at the present time.

"If the argument, and it appears to be, at least the from the chairman's previous remarks, the principal argument if not the sole argument, is to speed up the process, would the chairman please elucidate for us as to what the consequences of the passage of H.B. 206 are?

"Prior to him answering, for the benefit of the members who do not have the bill before them or who may not remember the details of H.B. 206, I think that I can summarize them fairly quickly. The title itself is revealing, 'A Bill for an Act Relating to the Facilitation of Permit Processing,' and what it does, it refers to the central coordinating agencies being established for each of the four counties in 1977, and that the purpose of the act is to authorize the Department of Planning and Economic Development 'to facilitate, expedite and coordinate state agency and intergovernmental permit processes.'

"A further purpose of the act is to authorize and establish procedures by which federal, state and county agencies and authorities consolidate their review and action on permit applications for projects in the state. These procedures obviously for state are mandatory, and for federal and county agencies are voluntary.

"The bill then defines permits and projects in a reasonable and sensible way, which includes utilization, use of natural resources of land, air and water within the state for various projects and then it indicates a consolidated application process

to be followed which would considerably reduce the amount of time necessary for regulatory review, hearings, preparations, environmental impact statements, and other actions required to minimize duplication and coordinate activities of the applicant, the agencies and the authorities.

"It goes on to cause the implementation of an information service to facilitate this and concludes with a streamlining requirement for implementing measures for all affected state agencies, county, central coordinating agencies, and members of the public. It includes checklists, applications, and other forms necessary to streamline all of these permit process applications.

"With that in mind, and if the chairman will grant that I fairly summarized the bill, with that in mind, I ask the chairman would not his purpose in this bill be accomplished already with the passage of H.B. 206?"

Senator Aki answered:

"Mr. President, in answer to that question, House Bill 206, H.D.1, proposes to establish a program of permit coordination among the county, state and federal agencies and authorities involved in developing permit processing. I believe, Mr. President, that House Bill 206, H.D. 1, if passed, will streamline the permit process and therefore would cut down on the time required."

The President then responded:

"Yes."

Senator Abercrombie then said:

"Is the Chair agreeing with me?"

The President again responded:

"Yes."

Senator Abercrombie continued:

"Mr. President, I'll ask the chair then, I think my question was, does the chair not believe that the passage of this bill facilitates the very thing that he's trying to accomplish with 1063?"

Senator Aki answered:

"Mr. President, in answer to the question, does it assist. House Bill 206, as I stated, is a bill to coordinate the different agencies, and the bill that the we are talking about 1063 would be affected by this bill. However, I would like to point out, Mr. President, the whole area of permits and development is a very complicated process and I believe that this bill will assist in facilitating the process; however, there are other areas that the developer must go

through to also get approval."

Senator Abercrombie then said:

"Was that preparatory to answering my question? Were those preliminary remarks?"

The President answered:

"My feeling was that that was directed as an answer in response to your question."

Senator Abercrombie continued:

"Well, I'm afraid I must ask it again because.... I'm quite serious about this, Mr. President.

"I am in sympathy with those who have indicated that the permit processes are too complicated and the principal argument being made for the passage of this bill in the face of the other arguments that have been made, which by the way have not to this point been disputed. We're talking about agriculture; we're talking about the advancement of other forms of agriculture in new kinds of agriculture under new technological circumstances, that which was not feasible in previous times may now be feasible because of technological advances. Lands which were previously thought to be unproductive may now be productive as a result of technological advances, alterations, and methodologies of producing agricultural goods.

"Questions concerning housing, all of these points have been raised in dispute of the passage of bill 1063. The question that stands in relation to those points which have been raised was one of facilitating the process for developers to be able to build golf courses, etc.

"Now, I'm maintaining, Mr. President, that when we passed H.B. 206, the very thing the chairman seeks to accomplish has already been accomplished in 206, and that therefore is it not correct (this is the question to the chairman) is it not correct then that we need not pass 1063 at this time because his purposes have already been accomplished in 206 and the objections which have been raised to 1063, legitimate objections, can then take precedence until we come up with the issue further at another time."

The Chair interjected:

"Was that a question?"

Senator Abercrombie then said:

"It's important to have that perspective for the chairman.

"In sum, are his purposes not accomplished with the passage of H.B. 206?"

Senator Aki answered:

"Mr. President, I believe that the passage of House Bill 206 does accomplish some of the things that we want to do; however, it does not accomplish all."

Senator Abercrombie then asked:

"Mr. President, would the chairman please differentiate the 'some' and the 'all,' then?"

Senator Aki answered:

"Yes. Mr. President, what we are trying to do in House Bill 1063 is to avoid the state permit process, and this would eliminate the necessity to bring the proposal to the Land Use Commission to get a redesignation of the land from agriculture to urban."

Senator Abercrombie continued:

"Mr. President, thank you.

"Did I understand him correctly, to say this is to avoid the permit process?"

The President responded:

"That is correct."

Senator Abercrombie continued:

"Okay, so, Mr. President, I speak against the bill.

"The chairman had indicated to other speakers who had raised the issue that the idea here was to speed up the process. Now it is said by the chairman the idea is to avoid the process entirely.

"Mr. Chairman, I do not object to having golf courses or golf driving ranges on these so-called marginal lands. I object to this bill, but I do not object to the idea that's involved. If it was presented in another form and in another way, I think I could vote for it, but I want the members who are thinking of this ... I know some of you agree with me on this ... that you have no objection to golf courses being on marginal lands.

"What I do object to is, now the process is to be avoided entirely, at the very time when we are reclassifying agricultural district lands right now, and there are alternative uses to which these lands might be put. I don't think it is a good idea, and I'm going to say parenthetically that I am not one who is enthralled by the Land Use Commission and the way it has conducted its operations and all the rest of it either, but, it is certainly a legitimate question at this point in time in particular, and especially in the light of the passage of a bill which speeds up the permit process which offers consolidation and streamlining

and puts in statute such consolidation and streamlining, the very thing that people have been asking for in terms of deregulation, in terms of speeding up development process, here we go and do it and now the chairman is saying that's not good enough, you want to avoid it entirely. Now that is bad policy.

"To avoid it entirely is bad policy because you may very well have a situation not only on this island, but on other islands, in which there are alternative agricultural uses which have a higher priority in terms of what the state seeks to accomplish in its public purposes.

"I really don't think that I am being out of line or being competitive about the issue just for the sake of seeing it defeated. I don't have an objection, I repeat, to what is sought by way of accomplishment here. There may be perfectly reasonable conditions under which the golf course is an appropriate utilization, and that can be brought forward. That can be done now. The chairman admits that. It's just that it takes longer. Well, we've already passed a bill that consolidates and streamlines all of that process. To avoid it entirely is anathetical to what we want to accomplish in this Legislature. It most certainly is against those things that we want to accomplish, I will say again, for the Majority party.

"Mr. President, I refer the members to the Thursday, April 11th, scarcely a week ago, less than a week ago, Honolulu Star-Bulletin, I believe. 'The Hawaii Housing Authority' ... I'm quoting now. This was a story on people living on the beach. 'The Hawaii Housing Authority manages 5,124 low rent units throughout the state in a variety of locations. But with nearly 7,000 people on Oahu waiting lists' ... 7,000 people on Oahu waiting lists, '...facing a wait of up to 2-1/2 years...some have nowhere to go.'

"And it goes on to get into the tight rental market, Mr. President. You may know that the rental program of the HHA and the Federal Government and the city is what's called the fair market rental program.

"Mr. President, a check of the classified advertisements in the Honolulu dailies, that is to say, the Advertiser and the Star-Bulletin last week revealed there were no three- or four-bedroom apartments available at prices within the guidelines. I repeat, Mr. President, there was not a single unit on Oahu in three-bedroom or four-bedroom units within the guidelines and there are thousands of people waiting for housing and not a single unit on Oahu available.

"Four, partly-furnished, three-bedroom houses were advertised within the allowed amounts. Four, on the entire island. Furnished, two-bedroom units, similarly scarce, a total of 21 two-bedroom houses and apartments were available, partly-furnished, out of the thousands who need it.

"Mr. President, it is against every thread of values that the Majority party is supposed to hold in this state. To insist that we should pass a bill today to completely obviate the need for people who want to build golf courses to be subject to review, and at the same time with thousands and thousands of people on waiting lists for shelter, with not a single unit available in the three- and four-bedroom category, for those families that exist right now, this very moment as I speak, and not have a bill before us to facilitate the process for them to receive that shelter, simply is beyond belief to me.

"We have already passed a bill that facilitates the time process. To object at this stage to having any review whatsoever in the face of objections that have been made to this point seems to me to run against everything that this party should be standing for. There is no necessity to do this at this moment. There is a necessity to respond to the housing crisis as is being attempted by the Housing Committee and other committees in this Legislature. That's where our attention should be directed. This bill should be defeated at this time so that it can be taken up at a later time when circumstances are more appropriate."

Senator Solomon also spoke on the measure as follows:

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

"I just would like to reiterate some of the positions that have already been stated here on the floor as my own; that I feel it's untimely.

"We should wait for LESA to be completed in terms of reclassifications. I'm going to yield that position to Senator Hagino who will be speaking on the issue later.

"For the body's information, I would just like to quote from the statement of the Land Use Commission. 'The basis for the commission's position is that golf courses and driving ranges are not agriculturally related purposes and would remove large acreages of land which may potentially be suited for agricultural uses. The commission has also found' (and this is why I want to emphasize this point) 'that many golf course proposals are the initial step

towards the development of a major urban facility such as a resort development.'

"I'd like to make the commission's findings as remarks of my own and that the commission concludes, 'that the present process which would permit close review of the golf course proposals and its impact on surrounding agricultural uses is an appropriate process and should be retained.

"Thank you."

Senator Cayetano then rose to ask:

"Mr. President, I would like to ask you a question. Will you yield?"

The President answered in the affirmative and Senator Cayetano asked:

"Mr. President, in reading the bill, I note the word 'agriculture' was used nine times; the word 'farms' was used three times; and the word 'crops' was used one time.

"Mr. President, my question is, why wasn't this bill referred to the Agriculture Committee?"

The Chair answered:

"The reason is that the Chair decided that the matter rests with the permit process and deals with land use in particular, and that is the primary responsibility of the Economic Development Committee."

Senator Cayetano then continued:

"Okay, thank you.

"I have a question, Mr. President, for the chairman of the Committee on Economic Development, if he would yield."

The Chair asked the chairman of Economic Development Committee if he would yield, and Senator Aki, having answered in the affirmative, Senator Cayetano asked:

"Mr. President, would you ask the chairman to point out the section, chapter, line, subsection of our State Plan, our Majority package, or any other living document where we, the Democratic Majority, have given golf courses high priority?"

"I withdraw the question. I think his actions answer the question.

"Mr. President, I'm going to speak against this bill.

"I've always wondered why the Democratic Party chose the jackass as a symbol while the Republicans chose the elephant, and after listening to the debate

today, I've come to the conclusion that with the jackass it's easier to kick yourself in the ass.

"That's what we're doing by passing this bill, I can tell you.

"I won't go over some of the arguments to the points that have been made by those speaking before me in opposition to this bill, except to point out that the array of departments, of committees, committee chairmen who are opposed to this bill is so varied and widespread that it would appear that we should at least take some time and heed the warning of the Hawaii Farm Bureau Federation to withhold this bill and reflect on it and maybe deal with this matter next year.

"Minority members must be clapping their hands in glee (I see Senator Soares with a big smile on his face.) when we Democrats, as we approach the 1986 gubernatorial election continually drive nails into our own coffins, and that's what we're doing when we elevate golf courses, a game in which one spends hours hitting a little white ball, when we elevate that to the level of priority that we don't even give housing, for example, as pointed out by the chairman of the Committee on Housing.

"I have no problem, Mr. President, in attempting to facilitate or speed up the process. I have no problem with that, but, where we do have a process, speeding up the process or passing measures which would do that should be only for those purposes to which we designate high priority. Geothermal, for example, certainly developing alternate energy resources is a high priority with this state. Golf courses are not.

"Housing, I've been told by the Housing chairman, and this is my understanding also, anyone who wants to develop housing will have to struggle through the land use process, but someone who wants to develop a golf course does not have to. So, all of this in my view does not make much sense on the merits. It certainly does not make much sense politically. It certainly is inconsistent with the fundamentals and philosophy of the Democratic Party. Of course, the Democratic Party has been in limbo lately and we are not helping ourselves, again I repeat, by engaging in this kind of activity by passing a measure which is really, if we are honest with ourselves, probably designed to help a particular party. And on this matter, let me ask the chairman of the committee if he would yield to a question. Mr. President, would he yield?"

The Chair posed the question to the chairman of the Economic Development Committee and Senator Aki answered:

"Yes, I will, Mr. President."

Senator Cayetano inquired:

"Mr. President, will you ask the chairman, who is this bill for?"

Senator Aki responded:

"The question is, who is this bill for? This bill is for all of us, for all of Hawaii, for economic development, for jobs."

Senator Cayetano continued:

"For jobs, economic development. Well, Mr. President, I think I asked the chairman this question in the caucus, behind closed doors. I asked him who is this bill for and at that time the answer was not for all of Hawaii, not to my recollection. I'd like for him to state for the record. We all have to take responsibility for our actions here. For him to give me the answer he gave in caucus, if he is brave enough. Give me that answer for the record."

Senator Aki answered:

"Mr. President, the previous speaker refers to the discussion we had in caucus. If I recall, the specific question is, where are these golf course going to be located, and I did relate to him at that time that there are several locations being proposed for golf courses."

Senator Cayetano continued:

"Well, Mr. President, my recollection of the question and I defer to the recollection of the other Majority members who were there when I asked, and I asked expressly and let me quote myself verbatim: 'Who is this bill for?' And the answer was 'some developer in my district.'"

"If anybody has any problem with that answer, then I stand ready to have my memory refreshed because I think that was my answer. Anyway, I think the die has been cast on this and again I find all of this incredible."

"This bill which clearly relates to agriculture is referred only to the Economic Development Committee, and this bill which will now raise the development of golf courses to a level of priority which is higher than housing and maybe it's on the level of geothermal energy. This may become a part of the Majority package for 1986 elections."

"I intend to vote 'no' because then it's easier to explain to my constituents when I say I voted 'no.' No further inquiry may be made. Thank you."

Senator Hagino then spoke on the measure as follows:

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

"Earlier this session, we extended the life of the LESA Commission. Part of their task was to deal with situations such as this. By passing this bill, we are saying that we know more than the commission and we should be giving a blanket approval to all golf courses and not deal with them on a case by case basis."

"Mr. President, there's not much difference between A and B lands and C and D lands. In fact, the Land Study Bureau mentions that there are C and D lands that could become B and A lands with irrigation. C and D lands are so rated because of their capacity to grow general crops. They are lands under C and D which can grow other types of crops which may be classified B lands. These include grazing lands. Even though they are classified C and D, general crops, for grazing they would be classified as a B land. Much of the Kunia lands are C and D lands. Contrary to what the chairman of the Economic Development Committee stated, these are not marginal lands."

"Mr. President, I have a book here from the Land Study Bureau. On it is a picture and it's ironic that this picture is taken from Kunia. These are C and D lands. So maybe sometime in the future we'll have a picture of a golf course on this book, instead."

"Mr. President, permitting golf courses and golf driving ranges on C and D lands will make it easier to obtain an urban classification once LESA is in effect because, under the site assessment portion of LESA, wherever you have infrastructures already available, it will make it that much easier to be reclassified into an urban area."

"As was stated earlier, a recent bill reduces the Land Use Commission period of making decisions on reclassifications. This will reduce it to 120 days. As also stated earlier by Senator Toguchi, in most cases it took six to eight months to reclassify land for golf courses. Under the new bill it would take just 120 days."

"Mr. President, when I was first elected to the House in 1981, one of my first tasks was to find out land for a general aviation airport. They still have not succeeded in that. And I reviewed the Kentron report and I believe there are about 32 sites mentioned, possible sites for a general aviation airport, and under these sites they were thoroughly reviewed and whenever a site was not deemed possible for a general aviation airport, there was a detailed reason why it was not suitable."

"It's funny that whenever there's a golf course listed as a possible site, the only explanation given was that it was a golf

course.

"Mr. President, by passing this bill, as stated earlier, we would be raising golf courses to a higher level of sanctity.

"In conclusion, Mr. President, the chairman of the Economic Development Committee said that we should use the LESA report to take situations up on a case by case basis. Mr. President, let's just do that. Let's just wait for LESA to come up. Thank you."

Senator Kawasaki also spoke on the measure as follows:

"Mr. President, I rise to speak in support of the chairman of the Economic Development Committee, which is to say, I rise to speak in favor of this bill.

"First of all, to respond to the statement made by Senator Cayetano that apparently there's nothing on the books today that gives us the right to place or give the creation of golf courses a high priority. I'm not exactly a golfer and I don't think we should give golf courses much of a priority, but let's face the facts. I would hope that these people who are concerned about golf courses being given such a high priority, at least in this bill as it's designed to do, I would hope that each and everyone of those opposed to this elevating golf courses to such a high priority would do something to rescind the tax exemption that we give golf courses, incidentally, owned by wealthy entities ... Waialae Golf Course, for example, owned by Bishop Estate. They don't pay a nickel of property taxes.

"Now if giving tax exemption is not an expression of placing a high priority on a particular undertaking, then I don't know what is, because agricultural lands, incidentally, pay property taxes. It may be low, but they pay property taxes. Golf courses, on the other hand, as statutes enacted by past legislatures and we continue to maintain these statutes on the books, giving them complete tax exemption, in my judgment, from the bottom line standpoint, is giving them top priority. That being the case, on the basis of expressions I've heard today, let us rescind all exemptions given to Waialae Golf Club, Oahu Country Club, Mid-Pac Golf Course, and all of these golf courses owned by, incidentally, pretty wealthy people, then I would say that I can agree with Senator Cayetano that we should not give golf courses such a high priority.

"Now, in terms of the need for housing, as expressed by Senator Abercrombie, I completely agree. But the sad fact remains that there's very little done, as he stated, to expedite the development of more housing for people who need housing badly.

"And I am for, along with this bill, expediting the process of allowing landowners of marginal lands to use it for golf courses, if they want to.

"I'm also for expediting the process involved in creating housing for people, even from marginal lands.

"I think all of this expediting is needed badly, but I haven't seen much effort on the part of both the Senate, the House or the administration in helping to expedite the creation of housing that's so badly needed.

"It seems to me, if an owner of a property who's got land classified as marginal land decides to sell that land because selling that land as a golf course use might perhaps be more profitable to him, then I think it's his business.

"It seems to me, using land, even marginal land, as agricultural subdivision is one that is more profitable. On pure economics, people who own marginal lands would want to subdivide their land so that lots, one, two-acre lots would be available to farmers, part-time farmers, retirees, so that they could use it as agricultural farms. What worries me is that there's not much effort around here to make these marginal lands available for subdivision, and there's not much effort expended out here to make the creation of subdivisions easier by developers who are willing to take those risks.

"So let us not talk about how bad it is to allow people who own marginal lands to use it as golf courses. If that's the course they decide to go, I am for allowing them to use it, and if they're going to make less money, economically, by using these as golf courses ... I think, if they're that stupid, it's their business.

"It seems to me, using these lands as agricultural lots is more sensible, simply from the pocketbook standpoint.

"We talk a lot over here and Senator Cayetano had said that passing and voting on this bill is a direct path to oblivion or limbo, as he put it, for the Democratic Party. Well, I'll tell you something, on the basis of action we've taken over here in the way of removing all interest rate ceilings for consumers who are having a hard time paying 18 percent on their loans, removing that ceiling so the lending institutions could charge 30 percent or 50 percent, that's really a direct path to oblivion.

"Disallowing minority shareholders to vote for a minority director on one of these big companies, that's a road to oblivion and limbo, but we think nothing of that. In a very cavalier fashion we think nothing of passing these kinds of bills which are

directly against the best interests of our public.

"So let's not get too concerned about measures like this which seem to indicate to some of us that it's a direct path to limbo. We've taken the path to limbo time and again on this floor.

"One of the questions I have for the chairman of the Economic Development Committee is what is the real property tax implication of this bill passing and allowing owners of marginal agricultural lands to use it as golf courses? It seems to me that although the land is still zoned as agriculture, by virtue of the fact that he uses it as a golf course, he may be forcing the property tax division of the City and County to impose a higher property evaluation, assessment. As consequence, he's going to pay a higher property tax because he uses agriculturally zoned land as a golf course. Can I have an answer to that?"

The President asked the chairman if he would yield to the question and Senator Aki answered:

"Yes, Mr. President.

"I think the statements made by the Senator are correct. Agricultural land is taxed based according to highest and best use. Therefore, I believe that by using this land for golf course purposes we derive much higher revenues for our state."

Senator Kawasaki continued:

"So his land is classified, though it's agriculture, is classified at a higher rate of taxation, is that correct? So that he'd be paying more than the ordinary landowner who's not using it as a golf course. Is that correct?"

Senator Aki answered:

"No, that is not correct. The way the agricultural land tax is charged, I believe, is by the highest and best use, and there is a formula that the tax department uses. In other words, when a farmer who produces vegetables accounts for all the crop that he produces on a monthly or yearly basis and he has a figure that he submits to the tax department, he is taxed along that basis. For a golf course the same principle would apply; however, the amount of revenues that would be derived would be many times greater on a golf course as in regards to a small agricultural activity."

Senator Kawasaki then continued:

"Thank you.

"Farmers are given all kinds of tax

exemptions, as I recall. That being the case, from purely the standpoint of counties deriving more revenues, and this is the season when counties are saying they're broke, we need to have help from the State Legislature, particularly because it's a state law that allows collective bargaining to raise the salaries of the county employees. Perhaps a bill like this passing which indirectly raises some revenue, or improves their revenue picture is desirable at this point.

"It appears to me that golf courses, all of a sudden this season, has gotten very unpopular. I recall at one time that we were giving tax exemptions to golf courses because it was very fashionable in those years to say we want open spaces; we want greenery. We were talking about making Hawaii ... the tourist industry saying, let us make Hawaii more attractive from the tourist standpoint; let's beautify Hawaii a little more; perhaps, more golf courses is the answer.

"In any case, Mr. President, I would support any proposition that allows a property owner to do what he wants to do with his land if what he does is not contrary to our trying to create Hawaii to be a more aesthetically pleasing place, more open spaces, places where people would like to come to relax. Perhaps then we don't have to allocate eight, nine, ten million dollars to the HVB to sell Hawaii as a vacation spot. This perhaps has some economic impact.

"So, for these arguments, I do support this bill but, please, don't say that we did not give golf courses a high priority. Let's remove the tax exemption from these high priced golf clubs and golf courses which you and I can't belong to begin with, not that I care. I just want to say that let's not use specious arguments here in opposition to this bill."

Senator Abercrombie then remarked:

"Mr. President, point of inquiry.

"Mr. President, could you inquire of Senator Kawasaki's office where he is. There's an imposter in his seat on the floor."

Senator Hee then said:

"Mr. President, speaking against the measure again.

"In the presence of Senators Cayetano and Abercrombie, I personally asked the previous speaker, Senator Kawasaki, if he would keep an open mind and he said he would. I would like his remarks as if they were my own speaking against the bill because he has again in his enviable fashion crystallized many of the arguments heretofore said by previous speakers, that

being that the land owner should be able to do with his land what is his business, and this bill does not in any way impinge on the landowner's right and in fact as has been stated time and again that this is a permitted use in and of itself, irrespective of whether this bill is passed, but that in fact the Legislature went so far as to streamline the permitting process.

"Mr. President, just as a final comment, speaking against the measure, to add an addendum to Senator Cayetano's remark with respect to the animal species on the floor, I think it's also fair to say that the Minority party will also be accountable. I think that it is not an exclusive kick, if you will, to the Majority party.

"Thank you, Mr. President."

Senator Kuroda then rose to remark as follows:

"Mr. President, after the seven Senators spoke against the bill, I'm glad that Senator Kawasaki stood up in support of the measure because, here I sat, as a person who will be voting for the bill and feeling rather downcast because it appears that the seven Senators who spoke in opposition to the bill, cast an image of evildeings on those of us who will be voting for the measure. So, I rise to speak not only for the measure, Senator Cobb, but also rise to speak as a conscience-clearing effort.

"Senator Kawasaki said he doesn't golf. I do. And when I stand over the putt I shake my shoulders in this fashion (shook shoulders) to relieve myself of evil spirits. So I do it twice as I speak in support of this bill and shake my shoulders twice to cast away the evil spirits that those who speak against the bill cast upon those of us who are going to vote for the bill.

"There seems to be a rising of the specter of housing shortage as the reason why this bill should be defeated. We must all remember that the landowner is the one who determines whether housing will be built and that the profit factor is that which determines whether there'll be affordable housing. I don't think that this measure before us is going to preclude the building of shelter.

"There are two areas of agriculture zoned land that I know of which could be used for housing. One is known as the Waiawa Tract. This is above the Mililani/Pearl City area. There's another one, just above Waipahu. These lands have been laying fallow. Why? Because the landowners are looking for a better opportunity in order to get better returns for the use of the land. Let's consider that land. Should this bill pass and should the landowner decide that he will now utilize a part of that land for

golfing purposes, that land that may still lay fallow ten, fifteen, twenty years from now will be put to use now. Tax wise, revenue wise, as Senator Kawasaki says, it'll bring in revenues. The other better point is that it is now utilized by those who choose a recreation, which is golf, and there are many golfers in Hawaii who wait many hours because of the shortage of golf links.

"Another important factor. The visitors who come to Hawaii also seek more places upon which to enjoy the game of golf. So I think that this bill should be passed and an easier opportunity be provided the developer or the landowner in utilizing this agricultural land for a purpose rather than letting it lay fallow."

"Thank you."

Senator Henderson then spoke on the measure as follows:

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

"Mr. President, there's been a lot of confusion about House Bill 1063. House Bill 1063 really is only trying to clarify what the original legislative intent was back in 1963 when the land use law was adopted.

"If you read the original law, the Legislature defines allowable uses in agricultural districts, and they describe all of the things that may be done, such as farming, energy production, dwellings, living quarters, roadside stands. We've also amended it lately to put in wind machines and wind farms. In the original law, they also had a classification for an allowable use which said 'open area recreational facilities.'

"Now, I ask you, probably the best example of an open area recreational facility is the golf course. So, clearly, golf courses are an allowable use in ag lands. However, in the original law they wanted to protect A and B lands so they specifically excluded a number of things including golf courses and driving ranges from being built on A and B lands. They did not exclude it from C, D and E lands. However, the Land Use Commission, when they drew up their rules and regulations, excluded it in the rules and regulations not only from the A and B lands but also the C, D and E lands, so they effectively, through their rules and regulations and with absolutely no statutory authority, banned golf courses in ag districts.

"If we pass House Bill 1063, it will keep the land designated agriculture. Right now, if you want to build a golf course, you've got to go in, have the land reclassified urban, and the land is forever out of ag. This bill will allow golf courses to be built in ag districts and the land would still be ag.

So, I think the opponents of the bill are fighting what is in their own interests.

"The other thing is this. This bill has nothing to do with housing; it has nothing to do with LESA. This bill strictly clarifies what the original legislative intent was of an allowable use in an ag district. And I ask you to vote in favor of the bill. If you do, you will keep more land in ag. Thank you very much."

Senator Young then spoke on the measure as follows:

"Mr. President, I rise to speak against this measure and respond to the other speakers.

"Land is a precious commodity. It is finite. We here are custodians of land. It is precious. Where are our priorities? What do we use our land for?

"We are custodians of the lands in Hawaii, and I think we should use it for what is best for our people. Thank you."

Senator Hagino then said:

"Mr. President, rising again to speak against the measure. I'd just like to clarify again because there seems to be some confusion.

"C and D lands are not marginal lands. In many instances they can become B or A lands with irrigation. But we are not talking about marginal agricultural lands.

"Mr. President, I'd like to read something that was included by Senator Toguchi from the Land Use Commission, their testimony, I believe you've already read it but I'd like to read it again: 'The Commission has also found that many golf course proposals are the initial step towards the development of a major urban facility, such as a resort development.'

"Mr. President, if you drive from Waipahu to Wahiawa via the Kunia Road, practically all those lands are C and D lands, and to my recollection the only golf course that is not associated with any type of development is the Kunia Golf Course.

"Thank you, Mr. President."

Senator Kawasaki then added:

"Mr. President, in response to the previous speaker.

"Apparently, he seems to have a dim view of and encouraging resort developers. It just seems to me, with our great concern about where are the jobs to provide for the literally hundreds of thousands of graduates of high schools and our colleges here, perhaps, welcoming some of these resort

developers, particularly the quality developers who do develop the Mauna Lani's and some of these beautiful resort developments on the outside islands, perhaps this is necessary if for no other reason than to enhance our economic development situation here. So I don't know that allowing even golf courses, which may be the prelude to resort developments, I don't know that this is a bad thing.

"As a response to Senator Hee who seems a little concerned that I have a closed mind. For 19 years I've tried to keep my mind as open as possible, but I do not propose to keep it so open that my brain falls out."

Senator Chang then remarked as follows:

"Mr. President, in response to Senator Cayetano's inquiry about the basic or organic document which might pertain to this decision, may I just read from Section 1 of Article XI of the Hawaii State Constitution.

"It states: 'For the benefit of present and future generations, the state and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy resources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the state.'

Senator Aki then said:

"Mr. President, I think there has been enough debate. I just want to say that I am in favor of this bill and would like to request a roll call vote."

The motion was put by the Chair and carried and, Roll Call vote having been requested, H.B. No. 1063, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 11 (Abercrombie, Cayetano, Fernandes Salling, Hagino, Hee, B. Kobayashi, Matsuura, McMurdo, Solomon, Toguchi and Young).

At 5:32 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:35 o'clock p.m.

ADVISE AND CONSENT

Stand. Com. Rep. No. 995 (Gov. Msg. Nos. 88, 138 and 226):

Senator Abercrombie moved that Stand.

Com. Rep. No. 995 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Advisory Council for Children and Youth of the following:

Jane Iwalani Han, term to expire December 31, 1988;

Rene M. Mansho and Betty Ona, terms to expire December 31, 1988;

Roberta W.S. Chang, Karen K. Horita and Maria V. Bunye, terms to expire December 31, 1988; and

Marlene B. Maneha, term to expire December 31, 1986,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 996 (Gov. Msg. Nos. 137 and 227):

Senator Abercrombie moved that Stand. Com. Rep. No. 996 be received and placed on file, seconded by Senator Yamasaki and carried.

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

Karen A. Taketa, term to expire December 31, 1988;

Lawrence Pang and Ronald I. Nakatsu, terms to expire December 31, 1988,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 997 (Gov. Msg. No. 141):

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

Senator Abercrombie then moved that the Senate advise and consent to the nominations of Ruby L. Hargrave and Ben B.

Mayes to the Progressive Neighborhoods Task Force, terms to expire December 31, 1988, seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 998 (Gov. Msg. Nos. 139 and 207):

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

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Policy Advisory Board for Elderly Affairs of the following:

Roy Lee Roberts and Colette V. Browne, terms to expire December 31, 1988;

Mary I. Ventura, Tony Tomoso, Shintaro R. Higa and Pedro E. Racelis, Jr., terms to December 31, 1988; and

Jiro Wakumoto, term to expire December 31, 1986,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 999 (Gov. Msg. No. 89):

Senator Abercrombie moved that Stand. Com. Rep. No. 999 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nomination of Susan P. Walker to the Criminal Injuries Compensation Commission, term to expire December 31, 1986, seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 1000 (Gov. Msg. No. 274):

Senator Abercrombie moved that Stand. Com. Rep. No. 1000 be received and placed

on file, seconded by Senator Yamasaki and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Commission on the Handicapped of the following:

Eloise A. Wetherall, term to expire December 31, 1985; and

Kristin C. Mills and Frederick W. Hoogs, terms to expire December 31, 1988,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 1001 (Gov. Msg. No. 285):

Senator Abercrombie moved that Stand. Com. Rep. No. 1001 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Commission on the Status of Women of the following:

Juliette T. Sarmiento and Sharon N. Chiba, terms to expire December 31, 1985; and

Linda M. Colburn, Andrea L. Simpson, Rose Chang, Sharon S. Narimatsu and Walette G. Pellegrino, terms to expire December 31, 1988,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 1002 (Gov. Msg. Nos. 136 and 225):

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

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Board of Social Services and Housing of the following:

Richard M. Iga, term to expire December 31, 1988; and

Toby Bailin Pontius and Barbara Dart, terms to expire December 31, 1988,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

Stand. Com. Rep. No. 1003 (Gov. Msg. No. 140):

Senator Abercrombie moved that Stand. Com. Rep. No. 1003 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Abercrombie then moved that the Senate advise and consent to the nominations to the Child Abuse and Neglect Secondary Prevention Advisory Committee of the following:

Frances G. Riggs, M.D., Sumiko Agena and Beverly Ing Lee, terms to expire December 31, 1985; and

Genevieve T. Okinaga, Gail Breakey, Patti J. Lyons and Calvin S.J. Sia, M.D., terms to expire December 31, 1986,

seconded by Senator Yamasaki.

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

Ayes, 23. Noes, none. Excused, 2 (Fernandes Salling and Toguchi).

At 5:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:37 o'clock p.m.

MATTERS DEFERRED FROM MONDAY, APRIL 15, 1985

By unanimous consent, action on the following House Concurrent Resolutions were deferred until Wednesday, April 17, 1985:

H.C.R. No. 92, H.D. 1; and
H.C.R. No. 103, H.D. 1.

RE-REFERRAL OF RESOLUTIONS

The President made the following re-referral of Senate resolutions that were offered:

Senate	
Concurrent	
Resolution	Referred to:

No. 101 Jointly to the Committee on Economic Development and the Committee on Higher Education

Senate Resolution Referred to:

No. 137 Jointly to the Committee on Economic Development and the Committee on Higher Education

At 5:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:39 o'clock p.m.

At this time, Senator Holt, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following:

Gov. Msg. No. 258, submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Dennis Yamada; and

Gov. Msg. No. 304, submitting for consideration and confirmation to the Board of Directors, Research Corporation, University of Hawaii, the nomination of Thomas S. Yagi,

and the President granted the waiver.

At 5:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:43 o'clock p.m.

Senator Kuroda then rose on a point of personal privilege as follows:

"Mr. President, the Senate just adopted two resolutions, Senate Concurrent Resolution 139 and Senate Resolution 185, and these resolutions honor professional secretaries on the occasion of professional secretaries day and week. I think that when we adjourn today we should show appreciation to our secretaries by a rising, clapping vote."

Senator Soares then rose to remark as follows:

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

"I have not written the speeches that I've heard tonight about the jackass and the offers by Senator Cayetano and my good friend Senator Abercrombie but I can't help but remind the members of this body that all through the past 56 days we've had all the opportunity in the world to pass many, many bills that were requested and were echoed throughout the community by our constituency and we didn't do so.

"We spent an hour and a half fighting over a bill for golf courses and, in that argument, up comes again the role of the Majority and the Minority. And I would say thank God for this body there are only four of us here. If there were ten, it'll be a lot more fun than I see tonight.

"Maybe we're spoiled because we spend so much time in the caucus room as part of the coalition when we learned to respect one another's views and we learned to work very closely together to bring to the floor of the Senate bills that were meaningful and bills that were going to satisfy the needs of our constituents.

"You talk about Republicanism. I feel like Marvin Hagler in '86. Boy, I hope we can come back and do that in '86. Four of us go to 8 or 10. I think the people of this state certainly need that, Mr. President.

"But it seems to me, I see a crew on the Hokule'a here, in the middle of the doldrums, going down to Tahiti because we haven't taken the time to handle the initiative bill, the drinking age bill, capital punishment ... we're fighting over tax increases; we haven't satisfied the budget; we haven't satisfied workers' compensation.

"While I love to hear all this idea about the jackasses and the elephants (my voice is getting better), all of a sudden with four more days left we begin to remind ourselves: Who in the world put us here, Mr. President? Have we not a responsibility to them? And, so, I think as we go down the wire to the end of the session, I do not plan to write any more speeches, but I plan to remind all of ourselves we took the oath of office and we took the responsibility to perform. And I'll remind all of you on the last night of the session.

"I plan to go back and look at the opening day speeches by all the Senate Presidents and the House Speakers and the Governors and the glowing ideas about how we're going to have this state 'fly like a bird' and let's see what happens between now and next year.

"I'm very hopeful, however, that we have the kind of respect for one another and in the next four days we can get together and do our level best to finish the job we set out to do and, I hope, I really hope that we can end up being proud of our achievements be it a jackass or an elephant."

The Chair then made the following announcement:

"Members of the Senate, before adjourning, I would like to request that all conferees stay on call; and Ways and Means, you have a long evening ahead of you."

CONFERENCE COMMITTEE REPORTS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the Senate Clerk to receive conference committee reports prior to midnight. In consequence thereof, subsequent to its recessing at 5:50 o'clock p.m., and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on the following conference committee reports and bills was deferred for a period of 48 hours:

Conf. Com. Rep. No. 4 and House Bill No. 1162, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER";

Conf. Com. Rep. No. 5 and House Bill No. 1386, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

Conf. Com. Rep. No. 6 and Senate Bill No. 1408, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS";

Conf. Com. Rep. No. 7 and House Bill No. 188, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING";

Conf. Com. Rep. No. 8 and Senate Bill No. 1224, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING";

Conf. Com. Rep. No. 9 and Senate Bill No. 93, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS";

Conf. Com. Rep. No. 10 and Senate Bill No. 90, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSE";

Conf. Com. Rep. No. 11 and House Bill No. 268, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT";

Conf. Com. Rep. No. 12 and House Bill No. 488, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH";

Conf. Com. Rep. No. 13 and Senate Bill No. 78, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES";

Conf. Com. Rep. No. 14 and Senate Bill No. 249, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE

CONFIDENTIALITY OF ADULT PROBATION RECORDS";

Conf. Com. Rep. No. 15 and House Bill No. 830, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT";

Conf. Com. Rep. No. 16 and Senate Bill No. 1264, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY";

Conf. Com. Rep. No. 17 and House Bill No. 1393, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL";

Conf. Com. Rep. No. 18 and House Bill No. 89, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY";

Conf. Com. Rep. No. 19 and House Bill No. 519, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES";

Conf. Com. Rep. No. 20 and Senate Bill No. 133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT";

Conf. Com. Rep. No. 21 and House Bill No. 329, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR";

Conf. Com. Rep. No. 22 and House Bill No. 1257, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS";

Conf. Com. Rep. No. 23 and House Bill No. 28, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE";

Conf. Com. Rep. No. 24 and House Bill No. 104, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES";

Conf. Com. Rep. No. 25 and House Bill No. 436, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES"; and

Conf. Com. Rep. No. 26 and House Bill No. 776, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE."

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 17, 1985, in honor of the secretaries.

FIFTY-EIGHTH DAY

Wednesday, April 17, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:45 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Lt. Tom Ford of The Salvation Army, after which the Roll was called showing all Senators present.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 309 to 310) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 309, transmitting the "Report of the Governor's Advisory Council on Foreign Language and International Studies," was referred jointly to the Committee on Education and the Committee on Higher Education.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:51 o'clock a.m.

Gov. Msg. No. 310, informing the Senate that on April 15, 1985, he signed the following bills into law:

S.B. No. 1318 as Act 21, entitled: "RELATING TO DERELICT VEHICLE";

H.B. No. 284 as Act 22, entitled: "RELATING TO DRAWBRIDGE ACROSS SECOND CHANNEL INTO HONOLULU HARBOR"; and

H.B. No. 720 as Act 23, entitled: "RELATING TO MOTOR AND OTHER VEHICLES,"

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 544 to 609) were read by the Clerk and were disposed of as follows:

Hse. Com. Nos. 544 to 550 transmitting the following House Concurrent Resolutions which were adopted by the House of Representatives on April 16, 1985 were placed on the calendar for further consideration on Thursday, April 18, 1985:

Hse. Com. No. 544 - H.C.R. No. 4;
Hse. Com. No. 545 - H.C.R. No. 11;
Hse. Com. No. 546 - H.C.R. No. 43, H.D. 2;
Hse. Com. No. 547 - H.C.R. No. 47;
Hse. Com. No. 548 - H.C.R. No. 57, H.D. 1;
Hse. Com. No. 549 - H.C.R. No. 66, H.D. 1 and;
Hse. Com. No. 550 - H.C.R. No. 72.

Hse. Com. Nos. 551 to 609 informing the Senate that the amendments proposed by the Senate to the following House Bills were agreed to by the House of Representatives and said bills passed Final Reading in the House of Representatives on April 16, 1985 and were placed on file:

Hse. Com. No. 551 - H.B. No. 839, H.D. 1, S.D. 1;
Hse. Com. No. 552 - H.B. No. 860, H.D. 1, S.D. 1;
Hse. Com. No. 553 - H.B. No. 949, S.D. 1;
Hse. Com. No. 554 - H.B. No. 1054, H.D. 1, S.D. 1;
Hse. Com. No. 555 - H.B. No. 1056, H.D. 1, S.D. 1;
Hse. Com. No. 556 - H.B. No. 1163, H.D. 2, S.D. 1;
Hse. Com. No. 557 - H.B. No. 1243, S.D. 1;
Hse. Com. No. 558 - H.B. No. 1271, H.D. 2, S.D. 1;
Hse. Com. No. 559 - H.B. No. 1275, H.D. 1, S.D. 2;
Hse. Com. No. 560 - H.B. No. 1356, S.D. 1;
Hse. Com. No. 561 - H.B. No. 1357, H.D. 1, S.D. 1;
Hse. Com. No. 562 - H.B. No. 160, S.D. 1;
Hse. Com. No. 563 - H.B. No. 162, S.D. 1;
Hse. Com. No. 564 - H.B. No. 171, S.D. 1;
Hse. Com. No. 565 - H.B. No. 174, H.D. 1, S.D. 1;
Hse. Com. No. 566 - H.B. No. 176, S.D. 1;
Hse. Com. No. 567 - H.B. No. 181, S.D. 1;
Hse. Com. No. 568 - H.B. No. 184, S.D. 2;
Hse. Com. No. 569 - H.B. No. 263, H.D. 1, S.D. 1;
Hse. Com. No. 570 - H.B. No. 264, S.D. 1;
Hse. Com. No. 571 - H.B. No. 267, H.D. 1, S.D. 2;
Hse. Com. No. 572 - H.B. No. 311, H.D. 1, S.D. 1;
Hse. Com. No. 573 - H.B. No. 333, H.D. 1, S.D. 1;
Hse. Com. No. 574 - H.B. No. 346, H.D. 1, S.D. 1;
Hse. Com. No. 575 - H.B. No. 352, S.D. 1;
Hse. Com. No. 576 - H.B. No. 355, S.D. 1;
Hse. Com. No. 577 - H.B. No. 363, H.D. 1, S.D. 1;
Hse. Com. No. 578 - H.B. No. 382, S.D. 1;
Hse. Com. No. 579 - H.B. No. 401, S.D. 1;
Hse. Com. No. 580 - H.B. No. 434, H.D. 1, S.D. 1;
Hse. Com. No. 581 - H.B. No. 460, H.D. 1,

S.D. 1;
 Hse. Com. No. 582 - H.B. No. 479, H.D. 1, S.D. 1;
 Hse. Com. No. 583 - H.B. No. 492, H.D. 1, S.D. 1;
 Hse. Com. No. 584 - H.B. No. 509, S.D. 1;
 Hse. Com. No. 585 - H.B. No. 558, H.D. 1, S.D. 1;
 Hse. Com. No. 586 - H.B. No. 697, H.D. 1, S.D. 2;
 Hse. Com. No. 587 - H.B. No. 743, H.D. 1, S.D. 1;
 Hse. Com. No. 588 - H.B. No. 29, H.D. 1, S.D. 1;
 Hse. Com. No. 589 - H.B. No. 33, H.D. 1, S.D. 1;
 Hse. Com. No. 590 - H.B. No. 39, H.D. 2, S.D. 2;
 Hse. Com. No. 591 - H.B. No. 111, H.D. 1, S.D. 1;
 Hse. Com. No. 592 - H.B. No. 129, S.D. 1;
 Hse. Com. No. 593 - H.B. No. 235, S.D. 1;
 Hse. Com. No. 594 - H.B. No. 239, S.D. 1;
 Hse. Com. No. 595 - H.B. No. 240, H.D. 1, S.D. 1;
 Hse. Com. No. 596 - H.B. No. 236, H.D. 2, S.D. 1;
 Hse. Com. No. 597 - H.B. No. 227, H.D. 1, S.D. 1;
 Hse. Com. No. 598 - H.B. No. 230, H.D. 1, S.D. 1;
 Hse. Com. No. 599 - H.B. No. 232, H.D. 1, S.D. 1;
 Hse. Com. No. 600 - H.B. No. 193, H.D. 2, S.D. 1;
 Hse. Com. No. 601 - H.B. No. 195, S.D. 1;
 Hse. Com. No. 602 - H.B. No. 209, H.D. 1, S.D. 1;
 Hse. Com. No. 603 - H.B. No. 223, H.D. 1, S.D. 1;
 Hse. Com. No. 604 - H.B. No. 231, S.D. 1;
 Hse. Com. No. 605 - H.B. No. 234, H.D. 2, S.D. 1;
 Hse. Com. No. 606 - H.B. No. 755, S.D. 1;
 Hse. Com. No. 607 - H.B. No. 757, S.D. 1;
 Hse. Com. No. 608 - H.B. No. 759, S.D. 1; and
 Hse. Com. No. 609 - H.B. No. 761, S.D. 1.

CONFERENCE COMMITTEE REPORTS

Senator Aki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 149, S.D. 1, presented a report (Conf. Com. Rep. No. 27) recommending that S.B. No. 149, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27 and S.B. No. 149, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the

House to Senate Bill No. 1358, S.D. 1, presented a report (Conf. Com. Rep. No. 28) recommending that S.B. No. 1358, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28 and S.B. No. 1358, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1285, H.D. 2, presented a report (Conf. Com. Rep. No. 29) recommending that H.B. No. 1285, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29 and H.B. No. 1285, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 615, S.D. 1, presented a report (Conf. Com. Rep. No. 30) recommending that S.B. No. 615, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30 and S.B. No. 615, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1017) recommending that Senate Resolution No. 166, as amended in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.R. No. 166, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was adopted.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1018) recommending that Senate Concurrent Resolution No. 122, as amended

in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.C.R. No. 122, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF THE HAWAII CONGRESS ON FAMILY LAW TO STUDY THE LAWS RELATING TO THE FAMILY AND FAMILY RELATIONSHIPS," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 1019) recommending that Senate Concurrent Resolution No. 103, as amended in S.D. 1, be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.C.R. No. 103, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 1020) recommending that Senate Resolution No. 140, as amended in S.D. 1, be adopted.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the report of the Committee was adopted and S.R. No. 140, S.D.1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO EXPEDITE GEOTHERMAL DEVELOPMENT," was adopted.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 1021) recommending that Senate Resolution No. 18 be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and S.R. No. 18, entitled: "SENATE RESOLUTION REQUESTING AN EPIDEMIOLOGICAL STUDY TO DETERMINE WHY LANAI AND MOLOKAI HAVE EXTRAORDINARILY HIGH RATES OF BIRTH DEFECTS," was adopted.

Senator B. Kobayashi for the Committee on Health, presented a report (Stand. Com. Rep. No. 1022) recommending that Senate Concurrent Resolution No. 115, as amended in S.D. 1, be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted

and S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A PLANNING COMMITTEE TO DEVELOP A PROGRAM PLAN AND ORGANIZATIONAL STRUCTURE FOR A DEPARTMENT OF ENVIRONMENTAL AFFAIRS," was adopted.

Senator Young for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1023) recommending that Senate Resolution No. 104 be adopted.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.R. No. 104, entitled: "SENATE RESOLUTION CONCERNING THE ESTABLISHMENT OF A RURAL HOUSING PROGRAM FOR THE STATE OF HAWAII," was adopted.

Senator Young for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1024) recommending that Senate Resolution No. 157 be adopted.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.R. No. 157, entitled: "SENATE RESOLUTION RESPECTFULLY REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DESIGNATING MAY 24, 1985 AS 'SELF-HELP HOUSING DAY' AND THE PRESIDENT OF THE UNITED STATES TO DESIGNATE THAT SAME DAY AS 'NATIONAL SELF-HELP HOUSING DAY'," was adopted.

Senator Young for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1025) recommending that Senate Resolution No. 179 be referred to the Committee on Legislative Management.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.R. No. 179, entitled: "SENATE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRUCIAL PROBLEM," was referred to the Committee on Legislative Management.

Senator Young for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1026) recommending that Senate Concurrent Resolution No. 134 be adopted.

On motion by Senator Young, seconded by Senator Hee and carried, the report of the Committee was adopted and S.C.R. No. 134, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THE MOST CRUCIAL PROBLEM," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1027) recommending that Senate Resolution No. 64, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 64, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE IMPACT OF HIGHER RESIDENTIAL TELEPHONE SERVICE RATES," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1028) recommending that Senate Resolution No. 35 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 35, entitled: "SENATE RESOLUTION REQUESTING THAT CEDED LANDS BE MADE AVAILABLE TO THE OFFICE OF HAWAIIAN AFFAIRS," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1029) recommending that Senate Concurrent Resolution No. 31 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 31, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT CEDED LANDS BE MADE AVAILABLE TO THE OFFICE OF HAWAIIAN AFFAIRS," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1030) recommending that Senate Concurrent Resolution No. 22, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 22, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF CONSTRAINTS ON THE BENEFICIAL USES OF STATEWIDE FOREST RESOURCES," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1031) recommending

that Senate Concurrent Resolution No. 50, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO STUDY THE IMPACT OF HIGHER RESIDENTIAL TELEPHONE SERVICE RATES," was adopted.

Senator Aki for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1032) recommending that House Concurrent Resolution No. 37, H.D. 1, S.D. 1, as amended in S.D. 2, be adopted.

Senator Aki moved that Stand. Com. Rep. No. 1032 be adopted and H.C.R. No. 37, H.D. 1, S.D. 2, be adopted, seconded by Senator Matsuura.

Senator Hagino rose to speak against the resolution as follows:

"Mr. President, I'd like the Clerk to record a 'no' vote for me on H.C.R. 37, H.D. 1, S.D. 2, relating to the State Agriculture Functional Plan and in so doing I'd just like to state that I do not oppose the Agriculture Functional Plan, but I do oppose certain special interests that prevail in the rewriting of this plan.

"This has happened for the past two years and whenever there are two opposing interests, both sides try to accommodate each other and try to reach a happy middle ground, but in this instance I really doubt the sincerity of these special interests.

"The Agriculture Committee, last year and this year, gave ground grudgingly and acceded to the wishes of these interest groups and they kept on opposing it and finally this Agriculture Functional Plan, B(5)(C), the implementing action being questioned really represents their point of view.

"So I just wanted to state that I do not oppose the Agriculture Functional Plan, but I do oppose the special interests that represented this. Thank you."

By unanimous consent, action on Stand. Com. Rep. No. 1032 and H.C.R. No. 37, H.D. 1, S.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was deferred until Thursday, April 18, 1985.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1033) recommending that Senate Concurrent Resolution No. 120 be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HOUSE OF REPRESENTATIVES AND THE SENATE TO CONDUCT A JOINT INTERIM STUDY ON THE PROPOSED REVISIONS TO THE HAWAII PENAL CODE," was adopted.

At 11:52 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:56 o'clock a.m.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1034) recommending that the Senate advise and consent to the nomination of George H. Walker to the Board of Registration, Island of Hawaii, in accordance with Gov. Msg. No. 143.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1034 and Gov. Msg. No. 143 was deferred until Thursday, April 18, 1985.

Senator Machida, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1035) recommending that the Senate advise and consent to the nominations of the following:

Edward L. Correa, Jr. to the Labor and Industrial Relations Appeals Board, in accordance with Gov. Msg. No. 157; and

Carol Yamamoto to the Labor and Industrial Relations Appeals Board, in accordance with Gov. Msg. No. 305.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1035 and Gov. Msg. Nos. 157 and 305 was deferred until Thursday, April 18, 1985.

Senator Machida for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1036) recommending that Senate Concurrent Resolution No. 113, as amended in S.D. 1, be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.C.R. No. 113, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1037) recommending

that Senate Resolution No. 76 be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 76, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO STUDY EMPLOYEE INNOVATION, PERFORMANCE, AND PRODUCTIVITY IN THE PUBLIC SERVICE," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1038) recommending that Senate Resolution No. 77 be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 77, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO STUDY EMPLOYEE 'BURNOUT' IN THE PUBLIC SERVICES," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1039) recommending that Senate Resolution No. 79, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 79, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT A SURVEY DURING THE 1985 LEGISLATIVE INTERIM OF PRIVATE BUSINESSES THAT DO NOT PROVIDE REST AND LUNCH PERIODS TO THEIR EMPLOYEES," was referred to the Committee on Legislative Management.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1040) recommending that Senate Resolution No. 83 be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 83, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO REPORT ON PAY INEQUITIES IN THE DEPARTMENT OF EDUCATION," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1041) recommending that Senate Resolution No. 92, as amended in S.D. 1, be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 92, S.D. 1, entitled: "SENATE

RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF AUTHORIZING THE STATE AND THE COUNTIES TO ESTABLISH CAFETERIA BENEFIT PLANS," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1042) recommending that Senate Resolution No. 102 be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS AND THE OFFICE OF COLLECTIVE BARGAINING TO DETERMINE THE FEASIBILITY OF AUTHORIZING WORKERS TO TAKE UNPAID VACATION FOR PARENTING PURPOSES," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1043) recommending that Senate Resolution No. 126 be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 126, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF 'EXEMPT' EMPLOYMENT IN THE CIVIL SERVICE," was adopted.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1044) recommending that Senate Resolution No. 127 be referred to the Committee on Legislative Management.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 127, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON LABOR AND EMPLOYMENT TO STUDY THE FEASIBILITY OF ESTABLISHING PERMANENT OFFICES FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM ON THE NEIGHBOR ISLANDS," was referred to the Committee on Legislative Management.

Senator Machida for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1045) recommending that Senate Resolution No. 128, as amended in S.D. 1, be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 128, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CONFERENCE OF PERSONNEL DIRECTORS TO STUDY AND ANALYZE

THE CHAPTER 89, HRS, DEFINITION OF 'PROFESSIONAL EMPLOYEE' FOR THE PURPOSE OF PROPOSING LEGISLATION TO INCLUDE TECHNICAL EMPLOYEES WITHIN THIS DEFINITION," was adopted.

Senator Machida for the majority of the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 1046) recommending that Senate Resolution No. 154, as amended in S.D. 1, be adopted.

On motion by Senator Machida, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.R. No. 154, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE DEPARTMENT OF PERSONNEL SERVICES REVIEW AND AMEND THEIR RULES RELATING TO VETERAN'S PREFERENCE," was adopted.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1047) recommending that the Senate advise and consent to the nomination of J.D. Watumull to the Western Interstate Commission for Higher Education, in accordance with Gov. Msg. No. 248.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1047 and Gov. Msg. No. 248 was deferred until Thursday, April 18, 1985.

Senator Cobb for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1048) recommending that Senate Resolution No. 23, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.R. No. 23, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO PROPOSE RECOMMENDATIONS FOR ESTABLISHING NO-FAULT INSURANCE RATES FOR TAXICABS AND PEDI-CABS," was adopted.

Senator Cobb for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1049) recommending that Senate Resolution No. 24 be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 24, entitled: "SENATE RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was adopted.

Senator Cobb for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No.

1050) recommending that Senate Concurrent Resolution No. 19 be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.C.R. No. 19, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF HAWAII INSURANCE LAWS," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1051) recommending that the Senate advise and consent to the nominations of the following:

Nelson K. Moku, Jr. to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 84; and

Stephen D. Goodenow to the Board of Private Detectives and Guards, in accordance with Gov. Msg. No. 162.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1051 and Gov. Msg. Nos. 84 and 162 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1052) recommending that the Senate advise and consent to the nomination of Henry L. Freund to the CATV Advisory Committee, in accordance with Gov. Msg. No. 181.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1052 and Gov. Msg. No. 181 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1053) recommending that the Senate advise and consent to the nominations of the following:

George J.A. Kaahanui, Jr. and Thomas S. Shimabuku to the Boxing Commission, in accordance with Gov. Msg. No. 98;

Gloria Damron and Constance B. Smales to the Real Estate Commission, in accordance with Gov. Msg. No. 111;

Toshio Fujimoto to the Credit Union Review Board, in accordance with Gov. Msg. No. 200;

Lou Geronimo and Delmond J.H. Won to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 240; and

Charles T. Kudo, Alfred C.K. Chee and Steven M. Shinn to the Board of Public

Accountancy, in accordance with Gov. Msg. No. 251.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1053 and Gov. Msg. Nos. 98, 111, 200, 240 and 251 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1054) recommending that the Senate advise and consent to the nominations of the following:

Lani Hiyane Nakazawa to the State Board of Nursing, in accordance with Gov. Msg. No. 85;

Abe Sakai, Dorothy C. Hoe and Steven A. Scott-Hosaka to the Board of Examiners of Nursing Home Administrators, in accordance with Gov. Msg. No. 108;

Mary A. Wahlman to the Board of Pharmacy, in accordance with Gov. Msg. No. 110;

Darryl N. Ing and Clifford E. Miller, Jr. to the Board of Examiners of Nursing Home Administrators, in accordance with Gov. Msg. No. 184; and

Richard J. Roth to the Board of Pharmacy, in accordance with Gov. Msg. No. 202.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1054 and Gov. Msg. Nos. 85, 108, 110, 184 and 202 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1055) recommending that the Senate advise and consent to the nominations of the following:

George Uesato, D.D.S. to the Board of Dental Examiners, in accordance with Gov. Msg. No. 101;

Karen J. Bardin-Billman to the Board of Dental Examiners, in accordance with Gov. Msg. No. 182;

Martin H. Zais, D.D.S. and Thomas E. Crowley, III to the Board of Dental Examiners, in accordance with Gov. Msg. No. 252;

Bert J. Okuhara and Ronald T. Iwata to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 253;

Kevin Doyle to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 266; and

Dudley G. Akama and Robert L. Simich, D.O. to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 267.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1055 and Gov. Msg. Nos. 101, 182, 252, 253, 266 and 267 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1056) recommending that the Senate advise and consent to the nominations of the following:

Patricia N. Kramer to the Board of Cosmetology, in accordance with Gov. Msg. No. 100;

Miyoji Furusho and Claire Wolter to the Pest Control Board, in accordance with Gov. Msg. No. 109;

Steven J. Choy, Ph.D. to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 218;

Patrick Y. Nakagawa and Patrick A.Y.H. Ahana, D.V.M. to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 241;

Christobal J. Quintana and David Boback to the Board of Barbers, in accordance with Gov. Msg. No. 262; and

Frances Y.M. Oh and Peter J. Jones to the Board of Cosmetology, in accordance with Gov. Msg. No. 264.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1056 and Gov. Msg. Nos. 100, 109, 218, 241, 262 and 264 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1057) recommending that the Senate advise and consent to the nominations of the following:

Joseph Akiona and Tsukasa Murakami to the Contractors License Board, in accordance with Gov. Msg. No. 99;

Warren M. La France to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 102;

E. Claude Moore and Michael T. Miyabara to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Gov. Msg. No. 103;

Gene T. Nishimoto to the Elevator Mechanics Licensing Board, in accordance

with Gov. Msg. No. 216;

K. David Malama and Francis I. Hirakawa to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 239;

Japo I. Yokoyama and Edward S. Kusuda to the Contractors License Board, in accordance with Gov. Msg. No. 263; and

George T. Okamoto to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, in accordance with Gov. Msg. No. 265.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1057 and Gov. Msg. Nos. 99, 102, 103, 216, 239, 263 and 265 was deferred until Thursday, April 18, 1985.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1058) recommending that the Senate advise and consent to the nominations of the following:

Dwane Brennemann and Carolyn C. van der Linden to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 106;

Clifford K.M. Yuen to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 107;

Robert G. Schmitt to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 183; and

Clyde Akina and John T. Komeiji to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 249.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1058 and Gov. Msg. Nos. 106, 107, 183 and 249 was deferred until Thursday, April 18, 1985.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1059) recommending that Senate Resolution No. 85, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.R. No. 85, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY PROBLEMS RELATING TO THE PROCEDURES NOW FOLLOWED IN COMPENSATING WITNESSES SUBPOENAED TO TESTIFY IN CRIMINAL PROCEEDINGS," was referred to the Committee on Legislative Management.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1060) recommending that Senate Concurrent Resolution No. 65, as amended in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.C.R. No. 65, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY PROBLEMS RELATING TO THE PROCEDURES NOW FOLLOWED IN COMPENSATING WITNESSES SUBPOENAED TO TESTIFY IN CRIMINAL PROCEEDINGS," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1061) recommending that the Senate advise and consent to the nominations of the following:

Roy R. Kamisato and George Kimata, M.D. to the Board of Hearing Aid Dealers and Fitters, in accordance with Gov. Msg. No. 104;

Paul T. Esaki, M.D. to the Board of Medical Examiners, in accordance with Gov. Msg. No. 105;

Marion L. Hanlon, M.D. to the Board of Medical Examiners, in accordance with Gov. Msg. No. 201;

Stephen Okumura to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 215; and

Willow Sekiya Morton to the State Board of Nursing, in accordance with Gov. Msg. No. 217.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1061 and Gov. Msg. Nos. 104, 105, 201, 215 and 217 was deferred until Thursday, April 18, 1985.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1062) recommending that House Concurrent Resolution No. 33, H.D. 1 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and H.C.R. No. 33, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII, THE STATE DEPARTMENT OF AGRICULTURE, AND HAWAII'S CONGRESSIONAL DELEGATION TO URGE THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO TAKE QUICKER ACTION TO COMPLETE THE REVIEW OF THE IRRADIATION TREATMENT OF

TROPICAL PRODUCE," was adopted.

At 11:57 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:02 o'clock p.m.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 64, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was deferred until Friday, April 19, 1985.

Senate Bill No. 1354, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1354, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," was deferred until Friday, April 19, 1985.

THIRD READING

House Bill No. 1000:

By unanimous consent, action on H.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Thursday, April 18, 1985.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1004 (Gov. Msg. No. 288):

Senator Cobb moved that Stand. Com. Rep. No. 1004 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 Daniel G. Heely, as Judge, to the First Circuit Court, for a term of ten years, seconded by Senator Soares.

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

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

Stand. Com. Rep. No. 1005 (Gov. Msg. No. 286):

Senator Cobb moved that Stand. Com. Rep. No. 1005 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 Joe S. Tanaka, Herbert K. Apaka, Jr., Cora K. Lum, Frank D. Slocum, George Iranon,

Roland D. Sagum, Roy Chang and Harold J. Falk to the Hawaii Criminal Justice Commission, terms to expire June 30, 1989 or upon the expiration of the board, whichever occurs sooner, seconded by Senator Soares.

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

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

Stand. Com. Rep. No. 1013 (Gov. Msg. No. 135):

Senator Cobb moved that Stand. Com. Rep. No. 1013 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 George G. Costa, Jr. to the Hawaii Housing Authority, term to expire December 31, 1988, seconded by Senator Soares.

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

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

Stand. Com. Rep. No. 1014 (Gov. Msg. No. 205):

Senator Cobb moved that Stand. Com. Rep. No. 1014 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., to the Board of Directors, Aloha Tower Development Corporation, term to expire December 31, 1988, seconded by Senator Soares.

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

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

Stand. Com. Rep. No. 1015 (Gov. Msg. No. 206):

Senator Cobb moved that Stand. Com. Rep. No. 1015 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 Vance C. Cannon to the Hawaii Community Development Authority, term to expire December 31, 1988, seconded by Senator Soares.

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

and Noes:

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

Stand. Com. Rep. No. 1016 (Gov. Msg. No. 284):

Senator Cobb moved that Stand. Com. Rep. No. 1016 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 Fred K. Kwock to the Hawaii Housing Authority, term to expire December 31, 1988, seconded by Senator Soares.

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

Ayes, 22. Noes, none. Excused, 3 (Cayetano, Holt and Yamasaki).

MATTERS DEFERRED FROM MONDAY, APRIL 15, 1985

House Concurrent Resolution No. 92, H.D. 1:

On motion by Senator Solomon, seconded by Senator Hagino and carried, H.C.R. No. 92, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING THE NEED FOR AND SUPPORT OF THE SERVICES OF THE U.S. SOIL CONSERVATION SERVICE," was adopted.

House Concurrent Resolution No. 103, H.D. 1:

Senator Kuroda moved that H.C.R. No. 103, H.D. 1, be adopted, seconded by Senator Kawasaki.

Senator McMurdo spoke in favor of the resolution as follows:

"Mr. President, it is with great relief that I see this resolution and I would like to commend the House Committee on Water Land Use Development and Hawaiian Affairs for putting in this resolution.

"The fight to keep Fort DeRussy green and to keep Waikiki from being inundated with tall buildings and more traffic is one in which I've been actively engaged and I would just like to point out the fourth 'WHEREAS' in this resolution which is the reason that I think this is a good resolution: 'WHEREAS, Fort DeRussy is valuable to the people of Hawaii because it provides Waikiki with its largest area of open green space west of Kapiolani Park, and this open space must be preserved to alleviate the seriousness of the present and increasing congestion which threatens the viability and attraction of Waikiki';

"I urge that everyone vote for this

resolution. Thank you."

The motion was put by the Chair and carried, and H.C.R. No. 103, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN OR SELL, FOR NOMINAL CONSIDERATION, THE PROPERTY IN THE FORT DERUSSY AREA TO THE STATE OF HAWAII," was adopted.

At this time, Senator Hee made the following introduction to the members of the Senate:

"There's a group of people who came from Waimanalo this morning to see the adoption of Standing Committee Report 1025 and 1026, two Senate Resolutions: requesting the convening of a task force to study the issue of homelessness in Hawaii and to develop short-term and long-term solutions to this most crucial problem. I don't know all of them, but I do know a few of them. Kalani Ohela is sitting in the gallery with Kawahine Kamakea."

Senator Hee then added:

"Mr. President, just by way of commentary; it's a point of personal privilege. I'm glad to see that the Senate has put forth a resolution. I am somewhat remiss that the Senate could not do something of a more substantive measure. At any rate, I'm glad that this is being passed today. I don't know that a study is required. I think the evidence is clear and convincing. Thank you, Mr. President."

At 12:10 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.

AFTERNOON SESSION

The Senate reconvened at 5:26 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 311 to 313) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 311, transmitting a report prepared by the Department of Health, in response to S.R. No. 129 (1984), Urging the Assessment of Implementing Proposed Administrative Rules on Underground Injection Control, was referred to the Committee on Health.

Gov. Msg. No. 312, transmitting " 'Aina Ho'opulapula 1983-'84 Annual Report," prepared by the Department of Hawaiian Home Lands, pursuant to Section 222 of the

Hawaiian Homes Commission Act, 1920, as amended, was referred to the Committee on Economic Development.

Gov. Msg. No. 313, transmitting the "Final Report, Organization of Centralized Workers' Compensation Unit," prepared by the Department of Personnel Services, pursuant to Section 71A, Act 285, Appropriations Act, (1984), was referred to the Committee on Labor and Employment.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 610 to 611) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 610, transmitting Senate Concurrent Resolution No. 30, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH ALL REQUIRED ACTIONS TO CONSUMMATE, IF FEASIBLE, A LAND EXCHANGE BETWEEN CAMPBELL ESTATE LANDS AT KAHUALE'A WITH THE ADJACENT STATE-OWNED LANDS FOR THE PURPOSE OF FACILITATING THE DEVELOPMENT OF GEOTHERMAL RESOURCES ON THE EXCHANGED STATE LANDS," which was adopted by the House of Representatives on April 17, 1985, was placed on file.

Hse. Com. No. 611, transmitting House Concurrent Resolution No. 78, H.D. 2, which was adopted by the House of Representatives on April 17, 1985, was placed on file.

By unanimous consent, action on H.C.R. No. 78, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT A BATTLESHIP AND NINE ASSOCIATED SHIPS AT PEARL HARBOR," was deferred until Thursday, April 18, 1985.

CONFERENCE COMMITTEE REPORTS

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 854, S.D. 1, presented a report (Conf. Com. Rep. No. 31) recommending that S.B. No. 854, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31 and S.B. No. 854, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 253, S.D. 1, presented a report (Conf. Com. Rep. No. 32) recommending that S.B. No. 253, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32 and S.B. No. 253, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 461, S.D. 1, presented a report (Conf. Com. Rep. No. 33) recommending that S.B. No. 461, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33 and S.B. No. 461, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 462, S.D. 1, presented a report (Conf. Com. Rep. No. 34) recommending that S.B. No. 462, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34 and S.B. No. 462, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS," was deferred for a period of 48 hours.

Senator B. Kobayashi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1231, H.D. 2, presented a report (Conf. Com. Rep. No. 35) recommending that H.B. No. 1231, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35 and H.B. No. 1231, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the

Senate to the amendments proposed by the House to Senate Bill No. 1413, S.D. 1, presented a report (Conf. Com. Rep. No. 36) recommending that S.B. No. 1413, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36 and S.B. No. 1413, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 266, H.D. 1, presented a report (Conf. Com. Rep. No. 37) recommending that H.B. No. 266, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37 and H.B. No. 266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," was deferred for a period of 48 hours.

Senator Cayetano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 453, H.D. 1, presented a report (Conf. Com. Rep. No. 38) recommending that H.B. No. 453, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38 and H.B. No. 453, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1063) recommending that Senate Concurrent Resolution No. 39, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO STUDY THE NEED

FOR POST-HARVEST TREATMENT FACILITIES FOR THE PAPAYA INDUSTRY AND OTHER HAWAIIAN GROWN AGRICULTURAL CROPS," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1064) recommending that Senate Resolution No. 46, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 46, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO STUDY THE NEED FOR POST-HARVEST TREATMENT FACILITIES FOR THE PAPAYA INDUSTRY AND OTHER HAWAIIAN GROWN AGRICULTURAL CROPS," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1065) recommending that Senate Concurrent Resolution No. 38, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 38, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND ALTERNATIVE CONCEPTS FOR THE MANAGEMENT OF THE AGRICULTURAL PARKS PROGRAM," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1066) recommending that Senate Resolution No. 45, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND ALTERNATIVE CONCEPTS FOR THE MANAGEMENT OF THE AGRICULTURAL PARKS PROGRAM," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1067) recommending that Senate Concurrent Resolution No. 95, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1068) recommending that Senate Concurrent Resolution No. 91 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.C.R. No. 91, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1069) recommending that Senate Resolution No. 118 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 118, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS TO FURTHER ESTABLISH COOPERATIVE PROGRAMS THAT UTILIZE THE RESOURCES OF THE KAMEHAMEHA SCHOOLS AND THE INSTITUTIONAL CAPABILITIES OF THE DEPARTMENT OF EDUCATION TO PROVIDE EDUCATIONAL OPPORTUNITIES TO HAWAIIAN AND PART HAWAIIAN CHILDREN AND YOUTH," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1070) recommending that Senate Concurrent Resolution No. 77 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.C.R. No. 77, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CRITICALLY EXAMINE THE APPARENTLY ADVERSE IMPACT OF THE SCHOOL ATTENDANCE AREA DESIGNATION FOR THE VILLAGE PARK,

CRESTVIEW, AND WAIPIO-GENTRY SUBDIVISIONS, SPECIFICALLY, AND THE WAIPAHU AND PEARL CITY COMMUNITIES, GENERALLY, UPON THE PROVISION OF EQUAL EDUCATIONAL OPPORTUNITIES, PARTICULARLY IN THE WAIPAHU EDUCATIONAL COMPLEX," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1071) recommending that Senate Resolution No. 101 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 101, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CRITICALLY EXAMINE THE APPARENTLY ADVERSE IMPACT OF THE SCHOOL ATTENDANCE AREA DESIGNATION FOR THE VILLAGE PARK, CRESTVIEW, AND WAIPIO-GENTRY SUBDIVISIONS, SPECIFICALLY, AND THE WAIPAHU AND PEARL CITY COMMUNITIES, GENERALLY, UPON THE PROVISION OF EQUAL EDUCATIONAL OPPORTUNITIES, PARTICULARLY IN THE WAIPAHU EDUCATIONAL COMPLEX," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1072) recommending that Senate Concurrent Resolution No. 93 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1073) recommending that Senate Resolution No. 119 be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 119, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATIVES FOR THE CONTINUED USE OF HOLUALOA LIBRARY, HAWAII," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1074) recommending that Senate Resolution No. 116, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 116, S.D. 1, entitled: "SENATE

RESOLUTION URGING THE BOARD OF TRUSTEES OF THE BISHOP ESTATE AND THE DEPARTMENT OF EDUCATION TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUHI BISHOP ESTATE," was adopted.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1075) recommending that the Senate advise and consent to the nominations of the following:

Sam Leong to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 119; and

Dee Dudley to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 120.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1075 and Gov. Msg. Nos. 119 and 120 was deferred until Thursday, April 18, 1985.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1076) recommending that Senate Resolution No. 121, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 121, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING THE UPCOMING 200TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST CHINESE TO HAWAII AND REQUESTING THE ESTABLISHMENT OF A COMMISSION TO COORDINATE ACTIVITIES COMMEMORATING THE ANNIVERSARY," was adopted.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1077) recommending that Senate Concurrent Resolution No. 86, as amended in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.C.R. No. 86, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF AND WORKSHOP ON TORT LAWS," was adopted.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1078) recommending that Senate Resolution No. 112, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.R. No.

112, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF AND WORKSHOP ON TORT LAWS," was referred to the Committee on Legislative Management.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1079) recommending that the Senate advise and consent to the nominations of the following:

Chieko K. Tanimoto to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 203;

Arlene M. Waiamau to the Library Advisory Commission, County of Kauai, in accordance with Gov. Msg. No. 220;

John H. Fitzgibbon, Jr., Verna Ann Alo and Shigeko Ogawa to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 243;

Robert N. Kumasaki, Linda Mae Victor and Nancy E. Brown to the Library Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 271;

Joseph W. Lapilio, III, to the Education Commission of the States, in accordance with Gov. Msg. No. 277; and

Doris M. Ching and John L. Knorek to the Hawaii Education Council, in accordance with Gov. Msg. No. 278.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1079 and Gov. Msg. Nos. 203, 220, 243, 271, 277 and 278 was deferred until Thursday, April 18, 1985.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1080) recommending that House Concurrent Resolution No. 38, H.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and H.C.R. No. 38, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE EDUCATION FUNCTIONAL PLAN," was adopted.

Senators Toguchi and Aki for the majority of the Committee on Education and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1081) recommending that Senate Concurrent Resolution No. 90 be adopted.

On motion by Senator Toguchi, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE

FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was adopted.

Senators Toguchi and Aki for the majority of the Committee on Education and the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1082) recommending that Senate Resolution No. 117 be adopted.

On motion by Senator Toguchi, seconded by Senator Aki and carried, the report of the majority of the Committee was adopted and S.R. No. 117, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE OFFICE OF HAWAIIAN AFFAIRS ASSUMING RESPONSIBILITY FOR THE SUPPORT AND MANAGEMENT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES KUPUNA PROGRAM," was adopted.

Senator Toguchi for the Committee on Education, presented a report (Stand. Com. Rep. No. 1083) recommending that Senate Concurrent Resolution No. 89, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.C.R. No. 89, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF TRUSTEES OF THE BISHOP ESTATE AND THE DEPARTMENT OF EDUCATION TO FURTHER REFINE THE STATEMENT OF UNDERSTANDING BETWEEN THE DEPARTMENT OF EDUCATION AND THE KAMEHAMEHA SCHOOLS/BERNICE PAUAAHI BISHOP ESTATE," was adopted.

Senator Yamasaki for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1084) recommending that Senate Concurrent Resolution No. 108, as amended in S.D. 1, be adopted.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.C.R. No. 108, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was adopted.

Senator Yamasaki for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1085) recommending that Senate Resolution No. 148, as amended in S.D. 1, be adopted.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the

report of the Committee was adopted and S.R. No. 148, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBLE REPLACEMENT OF THE AD VALOREM LIQUOR TAX WITH A GALLONAGE LIQUOR TAX," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1086) recommending that House Bill No. 219, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1086 and H.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," was deferred until Thursday, April 18, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1087) recommending that House Bill No. 20, H.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1087 and H.B. No. 20, 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," was deferred until Thursday, April 18, 1985.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1088) recommending that House Bill No. 154, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1088 and H.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Thursday, April 18, 1985.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1089) recommending that Senate Resolution No. 180 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.R. No. 180, entitled: "SENATE RESOLUTION DESIGNATING THE FIRST SUNDAY IN AUGUST AS 'NATIONAL DAY OF PEACE'," was adopted.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1090) recommending that Senate Concurrent Resolution No. 126 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.C.R. No. 126, entitled: "SENATE

CONCURRENT RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was adopted.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1091) recommending that Senate Resolution No. 171 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.R. No. 171, entitled: "SENATE RESOLUTION URGING THAT THE POSTMASTER GENERAL FOREGO ANY INTENTION OF CLOSING VARIOUS POST OFFICES ON KAUAI," was adopted.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1092) recommending that Senate Concurrent Resolution No. 92, as amended in S.D. 1, be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES NAVY TO SELECT PEARL HARBOR, HAWAII, AS THE HOMEPORT FOR A BATTLESHIP AND NINE ASSOCIATED SHIPS," was adopted.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1093) recommending that Senate Concurrent Resolution No. 107 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was adopted.

Senator Kawasaki for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 1094) recommending that Senate Resolution No. 147 be adopted.

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, the report of the Committee was adopted and S.R. No. 147, entitled: "SENATE RESOLUTION REQUESTING THAT THE UNITED STATES CONGRESS CONDUCT FURTHER PUBLIC HEARINGS TO INVESTIGATE THE POSSIBLE EXISTENCE OF AMERICAN PRISONERS OF WAR IN

SOUTH EAST ASIA, AND TO PRESS FOR THE RELEASE OF THE RECORDS AND REMAINS OF THOSE MISSING IN ACTION," was adopted.

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1095) recommending that Senate Concurrent Resolution No. 87, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.C.R. No. 87, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was adopted.

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1096) recommending that Senate Resolution No. 113, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO STUDY THE POSSIBILITY OF USING THE RICHARDS STREET AND HOTEL STREET CITY PARKING GARAGE FOR STATE OR JOINT STATE AND CITY PARKING AS AN ALTERNATIVE TO PARKING ON THE IOLANI PALACE GROUNDS," was adopted.

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1097) recommending that Senate Concurrent Resolution No. 109, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.C.R. No. 109, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL CONFERENCE," was adopted.

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1098) recommending that Senate Resolution No. 149, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded

by Senator McMurdo and carried, the report of the Committee was adopted and S.R. No. 149, S.D. 1, entitled: "SENATE RESOLUTION INVITING THE PACIFIC AREA TRAVEL ASSOCIATION (PATA) TO HAWAII FOR ITS 1989 ANNUAL CONFERENCE," was adopted.

Senator Abercrombie for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1099) recommending that Senate Concurrent Resolution No. 29 be adopted.

On motion by Senator Abercrombie, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 29, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING 1985 AS THE INTERNATIONAL YOUTH YEAR (IYY) IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1100) recommending that Senate Concurrent Resolution No. 82 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1101) recommending that Senate Resolution No. 97 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 97, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO UNDERTAKE A FEASIBILITY STUDY FOR THE ESTABLISHMENT OF A MAJOR PUBLIC INFORMATION AND EDUCATION PROGRAM," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1102) recommending that Senate Concurrent Resolution No. 66 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION URGING A STUDY ON THE FEASIBILITY OF DESIGNATING THE

WATERS OF MAKAIWA BAY, SOUTH KOHALA, HAWAII, AS A MARINE LIFE CONSERVATION DISTRICT," was adopted.

Senator Aki for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1103) recommending that Senate Resolution No. 86 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 86, entitled: "SENATE RESOLUTION URGING A STUDY ON THE FEASIBILITY OF DESIGNATING THE WATER OF MAKAIWA BAY, SOUTH KOHALA, HAWAII, AS A MARINE LIFE CONSERVATION DISTRICT," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1104) recommending that the Senate advise and consent to the nominations of Clifford Winston Smith, John R. Henderson and Timothy A. Burr to the Animal Species Advisory Commission, in accordance with Gov. Msg. No. 242.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1104 and Gov. Msg. No. 242 was deferred until Thursday, April 18, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1105) recommending that the Senate advise and consent to the nomination of Teofilo Tacbian to the Land Use Commission, in accordance with Gov. Msg. No. 268.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1105 and Gov. Msg. No. 268 was deferred until Thursday, April 18, 1985.

Senator Aki, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1106) recommending that the Senate advise and consent to the nomination of Hideto Kono to the Public Utilities Commission, in accordance with Gov. Msg. No. 269.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1106 and Gov. Msg. No. 269 was deferred until Thursday, April 18, 1985.

At 5:28 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:33 o'clock p.m.

At 5:35 o'clock p.m., on motion by Senator Kuroda, seconded by Senator Soares and carried, the Senate stood in recess until 10:00 o'clock p.m.

NIGHT SESSION

The Senate reconvened at 10:33 o'clock p.m.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 612 to 619) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 612, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 153, and the Speaker on April 17, 1985, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 613, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 194, and the Speaker on April 17, 1985, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 614, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 824, H.D. 1, was placed on file.

Hse. Com. No. 615 to 619, informing the Senate that the amendments proposed by the Senate to the following House Bills were agreed to by the House of Representatives and said bills passed Final Reading in the House of Representatives on April 17, 1985, were placed on file:

Hse. Com. No. 615 - H.B. No. 1166, H.D. 2, S.D. 1;

Hse. Com. No. 616 - H.B. No. 1131, H.D. 2, S.D. 1;

Hse. Com. No. 617 - H.B. No. 614, H.D. 1, S.D. 1;

Hse. Com. No. 618 - H.B. No. 214, H.D. 1, S.D. 1; and

Hse. Com. No. 619 - H.B. No. 522, H.D. 1, S.D. 1.

CONFERENCE COMMITTEE REPORTS

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 229, H.D. 2, presented a report (Conf. Com. Rep. No. 39) recommending that H.B. No. 229, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39 and H.B. No. 229, H.D. 2, S.D. 1, C.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," was deferred for a period of 48 hours.

Senator Cobb, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 557, H.D. 1, presented a report (Conf. Com. Rep. No. 40) recommending that H.B. No. 557, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40 and H.B. No. 557, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS," was deferred for a period of 48 hours.

Senator Cobb, for the majority of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 995, H.D. 2, presented a report (Conf. Com. Rep. No. 41) recommending that H.B. No. 995, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41 and H.B. No. 995, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," was deferred for a period of 48 hours.

Senator Chang, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 610, S.D. 1, presented a report (Conf. Com. Rep. No. 42) recommending that S.B. No. 610, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42 and S.B. No. 610, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," was deferred for a period of 48 hours.

Senator Solomon, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1353, S.D. 1, presented a report (Conf. Com. Rep. No. 43) recommending that S.B. No. 1353, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43 and S.B. No. 1353, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

PESTICIDES," was deferred for a period of 48 hours.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1107) recommending that the Senate advise and consent to the nomination of Hiroshi Kato to the Hawaii Criminal Justice Commission, in accordance with Gov. Msg. No. 303.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1107 and Gov. Msg. No. 303 was deferred until Thursday, April 18, 1985.

Senators Aki and Holt for the Committee on Economic Development and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1108) recommending that Senate Concurrent Resolution No. 101 be adopted.

On motion by Senator Aki, seconded by Senator Holt and carried, the joint report of the Committees was adopted and S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was adopted.

Senators Aki and Holt for the Committee on Economic Development and the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1109) recommending that Senate Resolution No. 137 be adopted.

On motion by Senator Aki, seconded by Senator Holt and carried, the joint report of the Committees was adopted and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF AN INSTITUTE FOR PEACE TECHNOLOGY," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1110) recommending that the Senate advise and consent to the nominations of Walter J. Smith, Jr., and Louis Agard, Jr., to the Hawaiian Homes Commission, in accordance with Gov. Msg. No. 254.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1110 and Gov. Msg. No. 254 was deferred until Thursday, April 18, 1985.

Senators Solomon and Cayetano for the Committee on Agriculture and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1111) recommending that Senate Concurrent Resolution No. 37, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF DEREGULATION OF THE INTERISLAND BARGE SYSTEM," was adopted.

Senators Solomon and Cayetano for the Committee on Agriculture and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1112) recommending that Senate Resolution No. 41, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.R. No. 41, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF DEREGULATION OF THE INTERISLAND BARGE SYSTEM," was adopted.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1113) recommending that the Senate advise and consent to the nominations of the following:

Franklin S. Odo, Ph.D., and Joanne Vaughan Trotter to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 117;

Bernadette H. Sakoda to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 219;

Rochelle Lee Gregson and Willard E. Welsh to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 118;

Millicent Y.H. Kim and Karen Ho Hong to the Board of Public Broadcasting, in accordance with Gov. Msg. No. 221; and

Gladys E. Rodenhurst, William E.K. Allen, Jr., and Winona L. Resents to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 270.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1113 and Gov. Msg. Nos. 117, 219, 118, 221 and 270 was deferred until Thursday, April 18, 1985.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1114) recommending that the Senate advise and consent to the nomination of Roy Chang as Chairman to the Hawaii Criminal Justice Commission, in accordance with Gov. Msg. No. 295.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1114 and Gov. Msg. No. 295 was deferred until Thursday, April 18, 1985.

Senator Chang for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1115) recommending that House Concurrent Resolution No. 16, H.D. 1 be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.C.R. No. 16, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR'S CORRECTIONS TASK FORCE TO PRESENT AN UPDATED REPORT ON THE PROGRESS OF THE U.S. DEPARTMENT OF JUSTICE'S CRITICISMS REGARDING THE OAHU COMMUNITY CORRECTIONAL FACILITY AND THE STATE'S RESPONSES THERETO," was adopted.

Senators Chang and Cayetano for the majority of the Committee on Judiciary and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1116) recommending that Senate Concurrent Resolution No. 73, as amended in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the joint report of the majority of the Committees was adopted and S.C.R. No. 73, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senators Chang and Cayetano for the majority of the Committee on Judiciary and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1117) recommending that Senate Resolution No. 91, as amended in S.D. 1, be adopted.

On motion by Senator Chang, seconded by Senator Cayetano and carried, the joint report of majority of the the Committees was adopted and S.R. No. 91, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO FILE AN AMICUS CURIAE BRIEF TO THE LAWSUIT CHALLENGING THE FEDERAL MINIMUM DRINKING AGE LEGISLATION," was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Cayetano for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1118) recommending that Senate Concurrent Resolution No. 67 be adopted.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.C.R. No. 67, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII ISLAND TRANSPORTATION AUTHORITY," was adopted.

Senator Cayetano for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1119) recommending that Senate Resolution No. 87 be adopted.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.R. No. 87, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A HAWAII ISLAND TRANSPORTATION AUTHORITY," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1120) recommending that the Senate advise and consent to the nominations of the Reverend George A. Rozycki and Bina M. Chun to the Commission on Transportation, in accordance with Gov. Msg. No. 231.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1120 and Gov. Msg. No. 231 was deferred until Thursday, April 18, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1121) recommending that the Senate advise and consent to the nominations of Chew Hoy Lee and Paul T. Matsumoto to the Commission on Transportation, in accordance with Gov. Msg. No. 151.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1121 and Gov. Msg. No. 151 was deferred until Thursday, April 18, 1985.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1122) recommending that the Senate advise and consent to the nominations of Arthur H. Loebl, Paul K. Findeisen, Clyde W. Namuo and Herbert S. Tsuda to the State Highway Safety Council, in accordance with Gov. Msg. No. 152.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1122 and Gov. Msg. No. 152 was deferred until Thursday, April 18, 1985.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1124) recommending that the Senate advise and consent to the nomination of Dennis Yamada to the Board of Regents,

University of Hawaii, in accordance with Gov. Msg. No. 258.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1123 and Gov. Msg. No. 258 was deferred until Thursday, April 18, 1985.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1124) recommending that the Senate advise and consent to the nomination of Thomas S. Yagi to the Board of Directors, Research Corporation of the University of Hawaii, in accordance with Gov. Msg. No. 304.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1124 and Gov. Msg. No. 304 was deferred until Thursday, April 18, 1985.

Senators Kuroda and Cayetano for the Committee on Tourism and Recreation and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1125) recommending that Senate Concurrent Resolution No. 32, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.C.R. No. 32, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES GOVERNING COMMERCIAL JET SKI USE THROUGHOUT THE STATE," was adopted.

Senators Kuroda and Cayetano for the Committee on Tourism and Recreation and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1126) recommending that Senate Resolution No. 36, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.R. No. 36, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO ADOPT RULES GOVERNING COMMERCIAL JET SKI USE THROUGHOUT THE STATE," was adopted.

Senator Kuroda for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1127) recommending that Senate Resolution No. 70 be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.R. No. 70, entitled: "SENATE RESOLUTION SUPPORTING THE NOMINATION OF THE PU'UHONUA O HONAUNAU TO THE WORLD HERITAGE LIST," was adopted.

At this time, Senator Holt, chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following measure:

Gov. Msg. No. 134, nominating Julia Frolich, M.D. and James F. Gary to the Board of Regents, University of Hawaii,

and the President granted the waiver.

The Chair stated:

"The Chair would like to ask members of the Senate that in view of the time constraints that we continue in our conference deliberations in an effort to place on deck all those bills coming out of conference by midnight. The Chair would also like to note that we are prepared to go into conference at anytime between now and midnight with the House. So with that in mind, I'd like to remind everyone to keep working."

CONFERENCE COMMITTEE REPORTS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the Senate Clerk to receive conference committee reports prior to midnight. In consequence thereof, subsequent to its recessing at 10:37 o'clock p.m., and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on the following bills and conference committee reports was deferred for a period of 48 hours:

Conf. Com. Rep. No. 44 and S.B. No. 201, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS";

Conf. Com. Rep. No. 45 and S.B. No. 224, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES";

Conf. Com. Rep. No. 46 and S.B. No. 932, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE";

Conf. Com. Rep. No. 47 and H.B. No. 40, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST";

Conf. Com. Rep. No. 48 and H.B. No. 347, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS";

Conf. Com. Rep. No. 49 and S.B. No. 309, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES";

Conf. Com. Rep. No. 50 and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES";

Conf. Com. Rep. No. 51 and S.B. No. 588, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES";

Conf. Com. Rep. No. 52 and S.B. No. 665, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE";

Conf. Com. Rep. No. 53 and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET";

Conf. Com. Rep. No. 54 and S.B. No. 726, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY";

Conf. Com. Rep. No. 55 and S.B. No. 460, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER";

Conf. Com. Rep. No. 56 and S.B. No. 459, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER";

Conf. Com. Rep. No. 57 and S.B. No. 1186, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS";

Conf. Com. Rep. No. 58 and S.B. No. 702, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY";

Conf. Com. Rep. No. 59 and H.B. No. 49, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY"; and

Conf. Com. Rep. No. 60 and H.B. No. 101, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES."

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 18, 1985.

FIFTY-NINTH DAY

Thursday, April 18, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 11:55 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Z. Alexandria Berry of the United Church of Religious Science, after which the Roll was called showing all Senators present with the exception of Senator Holt who was excused.

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

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

Senator Aki then introduced the following:

"Mr. President and members of the Senate, we have today, sitting in the gallery, two very close and dear friends from Waianae who have been very instrumental in furthering culture and the arts in the State of Hawaii. First of all, Auntie Aggie Cope, director of the Waianae Coast Culture and Arts Society, and her son Tom Kanahele, deputy director of education, National Endowment for the Arts, the federal agency that deals with the nation's endowment program in arts education."

Auntie Aggie Cope and her son Tom rose to be recognized.

Senator McMurdo introduced 128 fifth grade students from the Ala Wai School and "their very able teacher," Mrs. Fujiwara.

STANDING COMMITTEE REPORTS

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1128) recommending that Senate Resolution No. 103 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 103, entitled: "SENATE RESOLUTION CONCERNING THE IMPORTANCE OF THE HAWAIIAN PAPAYA INDUSTRY TO THE HAWAIIAN DIVERSIFIED AGRICULTURAL ECONOMY," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1129) recommending that Senate Concurrent Resolution No. 116 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of

the Committee was adopted and S.C.R. No. 116, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1130) recommending that Senate Resolution No. 162 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 162, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENT OF INTEGRATED AGRICULTURE/AQUACULTURE SYSTEMS IN HAWAII," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1131) recommending that Senate Concurrent Resolution No. 111 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1132) recommending that Senate Resolution No. 151 be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 151, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FORMULATE AN ACTION PLAN TO ACQUIRE THE KOHALA DITCH SYSTEM," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1133) recommending that Senate Concurrent Resolution No. 100, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 100, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND

URGING THE PRESIDENT AND CONGRESS TO PREVENT ANY REDUCTION IN THE STAFFING AND FUNDING LEVELS OF THE HAWAII OFFICE OF THE SOIL CONSERVATION SERVICE," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1134) recommending that Senate Resolution No. 136, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 136, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING THE IMPORTANCE OF THE FEDERAL SOIL CONSERVATION SERVICE TO HAWAIIAN AGRICULTURE AND URGING THE PRESIDENT AND CONGRESS TO PREVENT ANY REDUCTION IN THE STAFFING AND FUNDING LEVELS OF THE HAWAII OFFICE OF THE SOIL CONSERVATION SERVICE," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1135) recommending that Senate Concurrent Resolution No. 117, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 117, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS, AND SUBSEQUENT MARKETABILITY OF THESE FRUITS," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1136) recommending that Senate Resolution No. 160, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 160, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY AND ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS, AND SUBSEQUENT MARKETABILITY OF THESE FRUITS," was adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 160, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE ECONOMIC VIABILITY OF CRYOGENIC PROCESSING OF HAWAIIAN FRUITS, AND SUBSEQUENT MARKETABILITY OF THESE FRUITS," was

adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1137) recommending that Senate Concurrent Resolution No. 110, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STUDIES TO DETERMINE THE APPROPRIATE FOOTAGE AND FEASIBILITY OF PROVIDING BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was adopted.

Senator Solomon for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1138) recommending that Senate Resolution No. 150, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 150, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING STUDIES TO DETERMINE THE APPROPRIATE FOOTAGE AND FEASIBILITY OF PROVIDING BUFFER ZONES BETWEEN RESIDENTIAL LOTS OR HOTELS AND FARMING OPERATIONS," was adopted.

Senators Solomon and B. Kobayashi for the Committee on Agriculture and the Committee on Health, presented a report (Stand. Com. Rep. No. 1139) recommending that Senate Concurrent Resolution No. 34 be adopted.

On motion by Senator Solomon, seconded by Senator B. Kobayashi and carried, the joint report of the Committees was adopted and S.C.R. No. 34, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE TRI-FLY ERADICATION PROGRAM AS PROPOSED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE, AND ENCOURAGING FURTHER RESEARCH IN GENETIC, BEHAVIORAL, AND BIOLOGICAL PEST CONTROL," was adopted.

Senators Solomon and B. Kobayashi for the Committee on Agriculture and the Committee on Health, presented a report (Stand. Com. Rep. No. 1140) recommending that Senate Resolution No. 161 be adopted.

On motion by Senator Solomon, seconded by Senator B. Kobayashi and carried, the joint report of the Committees was adopted and S.R. No. 161, entitled: "SENATE RESOLUTION OPPOSING THE AERIAL

APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was adopted.

Senators Solomon and B. Kobayashi for the Committee on Agriculture and the Committee on Health, presented a report (Stand. Com. Rep. No. 1141) recommending that Senate Concurrent Resolution No. 118 be adopted.

On motion by Senator Solomon, seconded by Senator B. Kobayashi and carried, the joint report of the Committees was adopted and S.C.R. No. 118, entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE AERIAL APPLICATION OF MALATHION ON THE ISLAND OF KAUAI," was adopted.

Senators Kuroda and Cayetano, for the Committee on Tourism and Recreation and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1142) recommending that Senate Concurrent Resolution No. 42, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the joint report of the Committees was adopted and S.C.R. No. 42, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED BY THE SENATE TOURISM AND TRANSPORTATION COMMITTEES REGARDING RULES GOVERNING THE USE OF MOTORIZED WATER SPORTS ACTIVITIES," be adopted.

Senators Kuroda and Cayetano for the Committee on Tourism and Recreation and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1143) recommending that Senate Resolution No. 55, as amended in S.D. 1, be adopted.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.R. No. 55, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED BY THE SENATE TOURISM AND TRANSPORTATION COMMITTEES REGARDING RULES GOVERNING THE USE OF MOTORIZED WATER SPORTS ACTIVITIES," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1144) recommending that House Bill No. 905, H.D. 1, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1144 and H.B. No. 905, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred until Monday, April 22, 1985.

ORDER OF THE DAY

THIRD READING

MATTERS DEFERRED FROM

WEDNESDAY, APRIL 17, 1985

By unanimous consent, action on the following House Bills was deferred until Friday, April 18, 1985:

H.B. No. 1000;
H.B. No. 219;
H.B. No. 20, H.D. 2; and
H.B. No. 154.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1034 (Gov. Msg. No. 143):

Senator Chang moved that Stand. Com. Rep. No. 1034 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of George H. Walker to the Board of Registration, Island of Hawaii, term to expire December 31, 1988, seconded by Senator Cayetano.

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

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

Stand. Com. Rep. No. 1035 (Gov. Msg. Nos. 157 and 305):

Senator Machida moved that Stand. Com. Rep. No. 1035 be received and placed on file, seconded by Senator Abercrombie and carried.

Senator Machida then moved that the Senate advise and consent to the nominations to the Labor and Industrial Relations Appeals Board of the following:

Edward L. Correa, term to expire December 31, 1993; and

Carol Yamamoto, term to expire December 31, 1994,

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 (Holt).

Stand. Com. Rep. No. 1047 (Gov. Msg. No. 248):

Senator Holt moved that Stand. Com. Rep. No. 1047 be received and placed on file, seconded by Senator Chang and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of J.D. Watumull, to the Western Interstate Commission for Higher Education, term to expire December 31, 1988, seconded by Senator Soares.

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

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

Stand. Com. Rep. No. 1051 (Gov. Msg. Nos. 84 and 162):

Senator Cobb moved that Stand. Com. Rep. No. 1051 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Private Detectives and Guards of the following:

Nelson K. Moku, term to expire December 31, 1987; and

Stephen D. Goodenow, term to expire December 31, 1988,

seconded by Senator B. Kobayashi.

Stand. Com. Rep. No. 1052 (Gov. Msg. No. 181):

Senator Cobb moved that Stand. Com. Rep. No. 1052 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Henry R. Freund to the CATV Advisory Committee, term to expire December 31, 1987, seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1053 (Gov. Msg. Nos. 98, 111, 200, 240, and 251):

Senator Cobb moved that Stand. Com. Rep. No. 1053 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

George J.A. Kaahanui, Jr., and Thomas S.

Shimabuku to the Boxing Commission, terms to expire December 31, 1988;

Gloria Damron and Constance B. Smales to the Real Estate Commission, terms to expire December 31, 1988;

Toshio Fujimoto to the Credit Union Review Board, term to expire December 31, 1988;

Lou Geronimo and Delmond J.H. Won to the Board of Pilot Commissioners, terms to expire December 31, 1988; and

Charles T. Kudo, Alfred C.K. Chee and Steven M. Shinn to the Board of Public Accountancy, terms to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1054 (Gov. Msg. Nos. 85, 108, 110, 184 and 202):

Senator Cobb moved that Stand. Com. Rep. No. 105 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

Lani Hiyane Nakazawa to the State Board of Nursing, term to expire December 31, 1986;

Abe Sakai, Dorothy C. Hoe and Steven A. Scott-Hosaka to the Board of Examiners of Nursing Home Administrators, terms to expire December 31, 1988;

Mary A. Whalman to the Board of Pharmacy, term to expire December 31, 1988;

Darryl N. Ing to the Board of Examiners of Nursing Home Administrators, term to expire December 31, 1987;

Clifford E. Miller to the Board of Examiners of Nursing Home Administrators, terms to expire December 31, 1985; and

Richard J. Roth to the Board of Pharmacy, term to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

Ayes, 25. Noes, none. Excused, 1 (Holt).

Stand. Com. Rep. No. 1055 (Gov. Msg. Nos. 101, 182, 252, 253, 266 and 267):

Senator Cobb moved that Stand. Com. Rep. No. 1055 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

George Uesato, D.D.S., Karen J. Bardin-Billman, Martin H. Zais, D.D.S., and Thomas E. Crowley, III, to the Board of Dental Examiners, terms to expire December 31, 1988;

Bert J. Okuhara to the Board of Dispensing Opticians, term to expire December 31, 1985;

Ronald T. Iwata to the Board of Dispensing Opticians, term to expire December 31, 1988;

Kevin Doyle to the Board of Examiners in Optometry, term to expire December 31, 1988; and

Dudley G. Akama and Robert L. Simich, D.O., to the Board of Osteopathic Examiners, terms to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1056 (Gov. Msg. Nos. 100, 109, 218, 241, 262 and 264):

Senator Cobb moved that Stand. Com. Rep. No. 1056 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

Patricia N. Kramer to the Board of Cosmetology, term to expire December 31, 1988;

Miyoji Furusho and Claire Wolter to the Pest Control Board, terms to expire December 31, 1988;

Steven J. Choy, Ph.D., to the Board of Certification for Practicing Psychologists, term to expire December 31, 1988;

Patrick Y. Nakagawa and Patrick A.Y.H. Ahana, D.V.M., to the Board of Veterinary Examiners, terms to expire December 31, 1988;

Christobal J. Quintana and David Boback to the Board of Barbers, terms to expire December 31, 1988; and

Francis Y.M. Oh and Peter J. Jones to the Board of Cosmetology, terms to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1057 (Gov. Msg. Nos. 99, 102, 103, 216, 239, 263 and 265):

Senator Cobb moved that Stand. Com. Rep. No. 1057 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

Joseph Akiona and Tsukasa Murakami to the Contractors License Board, terms to expire December 31, 1988;

Warren M. La France to the Board of Electricians and Plumbers, term to expire December 31, 1988;

E. Claude Moore and Michael T. Miyabara to the Board of Registration of Professional Engineers, Architects, Surveyor and Landscape Architects, terms to expire December 31, 1988;

Gene T. Nishimoto to the Elevator Mechanics Licensing Board, term to expire December 31, 1988;

K. David Malama to the Board of Electricians and Plumbers, term to expire December 31, 1985;

Francis I. Hayakawa to the Board of Electricians and Plumbers, term to expire December 31, 1988;

Japo L. Yokoyama and Edward S. Kusuda to the Contractors License Board, terms to expire December 31, 1988; and

George T. Okamoto to the Board of Registration of Professional Engineers, Architects, Surveyors and Landscape Architects, term to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1058 (Gov. Msg. Nos. 106, 107, 183 and 249):

Senator Cobb moved that Stand. Com. Rep. No. 1058 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

Dwane Brennemann and Carolyn C. Van Der Linden to the Motor Vehicle Industry Licensing Board, terms to expire December 31, 1988;

Clifford K. Yuen to the Motor Vehicle Repair Industry Board, term to expire December 31, 1988;

Robert G. Schmitt to the Motor Industry Licensing Board, term to expire December 31, 1988; and

Clyde Akina and John T. Komeiji to the Motor Vehicle Repair Industry Board, terms to expire December 31, 1985,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1061 (Gov. Msg. Nos. 104, 105, 201, 215 and 217):

Senator Cobb moved that Stand. Com. Rep. No. 1061 be received and placed on file, seconded by Senator B. Kobayashi and carried.

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

Roy R. Kamisato and George Kimata, M.D., to the Board of Hearing Aid Dealers and Fitters, terms to expire December 31, 1988;

Paul T. Esaki, M.D., to the Board of Medical Examiners, term to expire December 31, 1988;

Marion L. Hanlon, M.D., to the Board of Medical Examiners, term to expire December 31, 1985;

Stephen Okumura to the Board of Chiropractic Examiners, term to expire

December 31, 1988; and

Willow Sekiya Morton to the State Board of Nursing, term to expire December 1987,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1075 (Gov. Msg. Nos. 119 and 120):

Senator Toguchi moved that Stand. Com. Rep. No. 1075 be received and placed on file, seconded by Senator Solomon and carried.

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

Sam Leong to the Library Advisory Commission, County of Hawaii, term to expire December 31, 1988; and

Dee Dudley to the Library Advisory Commission, County of Maui, term to expire December 31, 1988,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1079 (Gov. Msg. Nos. 203, 220, 243, 271, 277 and 278):

Senator Toguchi moved that Stand. Com. Rep. No. 1079 be received and placed on file, seconded by Senator Solomon and carried.

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

Chieko K. Tanimoto to the Library Advisory Commission, County of Hawaii, term to expire December 31, 1988;

Arlene M. Waiamau to the Library Advisory Commission, County of Kauai, term to expire December 31, 1985;

John H. Fitzgibbon, Jr., to the Library Advisory Commission, County of Maui, term to expire December 31, 1986;

Verna Ann Alo to the Library Advisory Commission, County of Maui, term to expire December 31, 1987;

Shigeko Ogawa to the Library Advisory Commission, County of Maui, term to

expire December 31, 1988;

Robert N. Kumasaka, Linda Mae Victor and Nancy E. Brown to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1988;

Joseph W. Lapilio, III, to the Education Commission of the States, term to expire December 31, 1988; and

Doris M. Ching and John L. Knorek to the Hawaii Education Council, term to expire December 31, 1988,

seconded by Senator Solomon.

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

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

Stand. Com. Rep. No. 1104 (Gov. Msg. No. 242):

Senator Aki moved that Stand. Com. Rep. No. 1104 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the Animal Species Advisory Commission of the following:

Clifford Winston Smith and John R. Henderson, terms to expire December 31, 1988; and

Timothy A. Burr, term to expire December 31, 1987,

seconded by Senator B. Kobayashi.

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

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

Stand. Com. Rep. No. 1105 (Gov. Msg. No. 268):

Senator Aki moved that Stand. Com. Rep. No. 1105 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of Teofilo Tacbian to the Land Use Commission, term to expire December 31, 1988, seconded by Senator Matsuura.

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

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

Stand. Com. Rep. No. 1106 (Gov. Msg. No.

269):

Senator Aki moved that Stand. Com. Rep. No. 1106 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nomination of Hideto Kono to the Public Utilities Commission, term to expire December 31, 1989, seconded by Senator Matsuura.

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

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

Stand. Com. Rep. No. 1107 (Gov. Msg. No. 303):

Senator Chang moved that Stand. Com. Rep. No. 1107 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Hiroshi Kato to the Hawaii Criminal Justice Commission, term to expire June 30, 1989 or upon the expiration of the board, whichever occurs sooner, seconded by Senator Cayetano.

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

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

Stand. Com. Rep. No. 1110 (Gov. Msg. No. 254):

Senator Aki moved that Stand. Com. Rep. No. 1110 be received and placed on file, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission of the following:

Walter J. Smith, Jr., term to expire December 31, 1988; and

Louis Agard, term to expire December 31, 1986,

seconded by Senator Matsuura.

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

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

Stand. Com. Rep. No. 1113 (Gov. Msg. Nos. 117, 219, 118, 221 and 270):

Senator Toguchi moved that Stand. Com. Rep. No. 1113 be received and placed on

file, seconded by Senator Solomon and carried.

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

Franklin S. Odo, Ph.D., and Joanne Vaughan Trotter to the State Foundation on Culture and the Arts, terms to expire December 31, 1988;

Bernadette H. Sakoda to the State Foundation on Culture and the Arts, term to expire December 31, 1988;

Rochelle Lee Gregson and Willard E. Welsh to the Board of Public Broadcasting, terms to expire December 31, 1990;

Millicent Y.H. Kim to the Board of Public Broadcasting, term to expire December 31, 1990;

Karen Ho Hong to the Board of Public Broadcasting, term to expire December 31, 1988; and

Gladys E. Rodenhurst, William E.K. Allen, Jr., and Winona L. Resents to the King Kamehameha Celebration Commission, terms to expire December 31, 1988,

seconded by Senator Solomon.

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

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

Stand. Com. Rep. No. 1114 (Gov. Msg. No. 295):

Senator Chang moved that Stand. Com. Rep. No. 1114 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Roy Chang as Chairman of the Hawaii Criminal Justice Commission, term to expire June 30, 1989 or upon expiration of the board, whichever occurs sooner, seconded by Senator Cayetano.

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

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

Stand. Com. Rep. No. 1120 (Gov. Msg. No. 231):

Senator Cayetano moved that Stand. Com. Rep. No. 1120 be received and placed on file, seconded by Senator Toguchi and carried.

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

Reverend George A. Rozycki, term to expire December 31, 1985; and

Bina M. Chun, term to expire December 31, 1987,

seconded by Senator Toguchi.

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

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

Stand. Com. Rep. No. 1121 (Gov. Msg. No. 151):

Senator Cayetano moved that Stand. Com. Rep. No. 1121 be received and placed on file, seconded by Senator Toguchi and carried.

Senator Cayetano then moved that the Senate advise and consent to the nominations of Chew Hoy Lee and Paul T. Matsumoto to the Commission on Transportation, terms to expire December 31, 1988, seconded by Senator Toguchi.

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

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

Stand. Com. Rep. No. 1122 (Gov. Msg. No. 152):

Senator Cayetano moved that Stand. Com. Rep. No. 1122 be received and placed on file, seconded by Senator Toguchi and carried.

Senator Cayetano then moved that the Senate advise and consent to the nominations of Arthur H. Loeb, Paul K. Findeisen, Clyde W. Namuo and Herbert S. Tsuda to the State Highway Safety Council, terms to expire December 31, 1988, seconded by Senator Toguchi.

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

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

Stand. Com. Rep. No. 1123 (Gov. Msg. No. 258):

Senator Cobb moved that Stand. Com. Rep. No. 1123 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

Dennis Yamada to the Board of Regents, University of Hawaii, term to expire December 31, 1987, seconded by Senator Soares.

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

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

Stand. Com. Rep. No. 1124 (Gov. Msg. No. 304):

Senator Cobb moved that Stand. Com. Rep. No. 1124 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 Thomas S. Yagi to the Board of Directors of the Research Corporation of the University of Hawaii, term to expire December 31, 1988.

MATTERS DEFERRED FROM WEDNESDAY, APRIL 17, 1985

HOUSE CONCURRENT RESOLUTIONS

Stand. Com. Rep. No. 1032 (H.C.R. No. 37, H.D. 1, S.D. 2):

Senator Aki moved that Stand. Com. Rep. No. 1032 be adopted and H.C.R. No. 37, H.D. 1, S.D. 2, be adopted seconded by Senator Matsuura.

The motion was put by the Chair and Stand. Com. Rep. No. 1032 was adopted and H.C.R. No. 37, H.D. 1, S.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE STATE AGRICULTURE FUNCTIONAL PLAN," was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hagino). Excused, 1 (Holt).

House Concurrent Resolution No. 4:

On motion by Senator Kawasaki, seconded by Senator Fernandes Salling and carried, H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO REVIEW AND REVISE THE FEDERAL BANKRUPTCY PREFERENCE LAW," was adopted.

House Concurrent Resolution No. 78, H.D. 2:

By unanimous consent, action on H.C.R. No. 78, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT A BATTLESHIP AND NINE ASSOCIATED SHIPS AT PEARL HARBOR," was deferred until Friday, April 19, 1985.

HOUSE CONCURRENT RESOLUTIONS

By unanimous consent, the following House Concurrent Resolutions were referred to the Committee on Legislative Management:

H.C.R. No. 11, entitled: "REQUESTING A REVIEW OF THE COLLECTIVE BARGAINING LAW";

H.C.R. No. 43, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON COUNSELING SERVICES IN THE PUBLIC SCHOOLS";

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PROGRAM AND MANAGEMENT AUDIT OF STATE ENVIRONMENTAL PROTECTION PROGRAMS";

H.C.R. No. 57, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE REVIEW OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM";

H.C.R. No. 66, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION"; and

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE SERVICES FOR SCHIZOPHRENICS PROVIDED BY THE MENTAL HEALTH DIVISION."

RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 217, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 217, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 217, S.D. 1, and S.B. No. 217, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Cobb then explained as follows:

"Mr. President, the basic difference was that Section 6 of the bill in the Senate version provided for recognition of podiatrists being in hospitals. The House position was that we cannot compel such recognition but in the conference it was determined that the problem exists only on Oahu and not on the neighbor islands; however, there is no way that we can by law require a hospital to accept a particular type of medical practitioner and therefore

we will be agreeing with the House position."

The motion was put by the Chair and carried and S.B. No. 217, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PODIATRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 327, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 327, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 327, S.D. 1, and S.B. No. 327, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Cobb then explained as follows:

"Mr. President, the House eliminated the language conclusively and stated that the party who the presumption under the section is directed shall have the burden of proof to rebut the presumption. While the standard of evidence is not quite what we would have liked to have seen, it is a step in the right direction and, therefore, we reluctantly agreed with the House position."

The motion was put by the Chair and carried and S.B. No. 327, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1127, S.D. 1, H.D. 2:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1127, S.D. 1, H.D. 2, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1127, S.D. 1, and S.B. No. 1127, S.D. 1, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Cobb then explained as follows:

"Mr. President, the bill in question had House language providing for inter-oral infiltration of local anesthetics instead of just local anesthetics as was in the Senate version. The practical effect of this is that the topical anesthetics and very small scale injections would be allowed under the House

language; however, if the lower or mandibular block is to be entirely anesthetized, it will require six injections.

"The dentists felt that this was a step in the right direction although it doesn't go nearly as far as the Senate would have preferred, however, we felt after considerable discussion and testimony by interested parties on the subject, in conference, it was called upon by the conferees that we would accept half a loaf rather than none.

"So, at this time, we felt if this is what we can get, we'll take it."

The motion was put by the Chair and carried and S.B. No. 1127, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

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

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

Senate Bill No. 1144, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1144, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

Senator Cobb then moved that the Senate agree to the amendments proposed by the House to S.B. No. 1144, S.D. 1, and S.B. No. 1144, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Cobb then remarked:

"Mr. President, the House version provides for requiring further diagnosis and treatments to be made by a licensed physician in case a patient evidences ocular abnormalities, symptoms of systematic diseases and so forth. It also has a provision where it requires a licensed optometrist to report any adverse effects from using eye drops during an examination to the board.

"The House version also corrected the definition that the Senate had passed on the subject of malpractice where it was determined we cannot define malpractice as a matter of law in here. It specified that a failure to perform or the exercise of a certain practice could constitute negligence. They provided for that in the bill.

"During the conference committee we had one ophthalmologist who was present, others

who had been there earlier and left and when we questioned the ophthalmologist at length, he could find no substantive reason to continue with disagreement and, therefore, the Senate is recommending that we agree with the bill.

The motion was put by the Chair and carried and S.B. No. 1144, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPTOMETRY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1270, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1270, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi.

Senator Cobb then moved that the Senate agree with the amendments proposed by the Senate to S.B. No. 1270, S.D. 1, and S.B. No. 1270, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator B. Kobayashi.

Senator Cobb then remarked as follows:

"Mr. President, the House made some minor language changes which did not disturb the intent and direction of the bill and, on discussion in conference, the changes were considered acceptable."

The motion was put by the Chair and carried and S.B. No. 1270, S.D. 1, H.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, 24. Noes, none. Excused, 1 (Holt).

Senate Bill No. 59, S.D. 1, H.D. 1:

Senator Toguchi moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 59, S.D. 1, H.D. 1, seconded by Senator B. Kobayashi and carried.

Senator Toguchi then moved that the Senate agree on the amendments proposed by the House on S.B. No. 59, S.D. 1, and that S.B. No. 59, S.D. 1, H.D. 1, pass Final Reading, seconded by Senator B. Kobayashi.

Senator B. Kobayashi then explained as follows:

"Mr. President, the difference between the House and Senate bills is the difference between a 'shall' in the House draft and a 'may' in the Senate draft. The department between the passage of the bill from one house to the other reconsidered its priorities and suggested that they could live with the

'shall.' They indicated that there are other sections in statute which allow them flexibility and discretion. The present 'shall' language is also the circumstance under which we presently operate."

The motion was put by the Chair and carried and S.B. No. 59, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 86, S.D. 1, H.D. 1:

Senator Aki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 86, S.D. 1, H.D. 1, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate agree to the amendments proposed by the House to S.B. No. 86, S.D. 1, and that S.B. No. 86, S.D. 1, H.D. 1, pass Final Reading, seconded by Senator Matsuura.

Senator Aki explained as follows:

"Mr. President, the House made a new sub-section that speaks to aquaculture directly. The Senate had the aquaculture together with another section and the House decided to make it a separate section and we agree on this point."

The motion was put by the Chair and carried and S.B. No. 86, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENVIRONMENTAL POLICY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 280, S.D. 1, H.D. 1:

Senator Aki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 280, S.D. 1, H.D. 1, seconded by Senator Matsuura and carried.

Senator Aki then moved that the Senate agree to the amendments proposed by the House on S.B. No. 280, S.D. 1, and that S.B. No. 280, S.D. 1, H.D. 1, pass Final Reading, seconded by Senator Matsuura.

Senator Aki then explained as follows:

"Mr. President, this bill deals with rental to be set at fair market value at the time of reopening. House draft 1 provides that the fair market value provision would apply to existing leases as well as future leases but only those reopening dates fall after the enactment of this bill. The Senate wanted

to look into some of the problems with existing leases that have passed and are having problems; however, at this time, we agree with the amendments made by the House."

The motion was put by the Chair and carried and S.B. No. 280, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

CONFERENCE COMMITTEE REPORT

Conf. Com. Rep. No. 17 (H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 17 and H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Toguchi.

Senator Cayetano then remarked:

"Mr. President, we discovered some technical errors. We will coordinate with the House and correct those errors."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 17 and H.B. No. 1393, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," was recommitted to the Committee on Conference.

At this time, Senator B. Kobayashi, chairman of the Committee on Health, requested a waiver of the 48-hour notice of a Public Hearing on the following:

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MAY, 1985, AS BETTER

HEARING AND SPEECH MONTH,"

and the President granted the waiver.

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

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

The Chair announced as follows:

"Members of the Senate, before adjournment today, the Chair would like to remind all conferees to make themselves available to meet in conference committees and for signing of conference reports."

CONFERENCE COMMITTEE REPORTS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the Senate Clerk to receive conference committee reports prior to midnight. In consequence thereof, subsequent to its recessing at 12:37 o'clock p.m., and, in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on the following conference committee reports and bills was deferred for a period of 48 hours:

Conf. Com. Rep. No. 61 and House Bill No. 463, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION";

Conf. Com. Rep. No. 62 and House Bill No. 1393, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL"; and

Conf. Com. Rep. No. 63 and House Bill No. 99, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

ADJOURNMENT

At 12:00 o'clock midnight the Senate adjourned until 3:00 o'clock p.m., Friday, April 19, 1985.

SIXTIETH DAY

Friday, April 19, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 3:25 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Mr. James Carroll, Deacon, St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senator Soares who was excused.

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

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

Senator Abercrombie introduced the following:

"Mr. President, in the gallery are two young ladies who were kind enough to bring me this lauhala lei here as we end the session. They are connected with all the work that we have done in the area of social welfare this year, particularly in the area of substance abuse and in small group homes. I'd like to introduce Cookie Moon-Ng and Lenore Sheldon and thank them very much for their kindness.

"Mr. President, I have a distinctive honor today in introducing a young lady who is seated on the floor with her husband. Elizabeth Wichmann is with us from the University of Hawaii and for those who may not be familiar with the singular achievement that she has contributed to the State of Hawaii this year, I'd like to elucidate a bit.

"The certificate is on behalf of her active role in furthering U.S.-China relations both as a student and a teacher of Asian theater.

"From an early childhood fascination with Chinese culture, Elizabeth Wichmann has cultivated her passion through her education and artistic creativity. With an education in Asian theater she obtained in the United States, she travelled to China where she studied at the Jung Su Province Beijing Opera Company and the Provincial School of Traditional Theater there. During her two years' study in China she was able to rekindle an interest in Beijing opera, while being honored as the first Westerner to appear in a Beijing opera in China—a really singular honor. Since returning to the United States and to the State of Hawaii she has completed what can only be termed a triumph in the theater in being involved in the direction and production of 'Phoenix Returns to Its Nest.' She translated from Chinese and directed for the University

Theater at the University of Hawaii at Manoa.

"This tremendous achievement offers yet another glimpse of the talent not only of this artist, Elizabeth Wichmann, but a tremendous potential and possibilities that Kennedy Theater has at the University of Hawaii in Manoa. They have staged many productions there of tremendous note that some of us, I think, may take for granted because it is taking place here in the state and I don't think all of us realize what a tremendous asset, culturally, artistically, educationally that the Kennedy Theater is and a star in that crown most certainly is our guest today.

"So on your behalf, Mr. President, and that of the members, I want to indicate that the Senate of the State of Hawaii is proud to recognize and commend Elizabeth Wichmann for her many outstanding achievements which have been demonstrated in her unselfish dedication to theater arts and particularly in the area of United States-China relations in the theater. With her today is her husband Liu Dan."

At this time, a Senate Certificate and a lei were presented to Elizabeth Wichmann by Senator Hee and a lei was presented to her husband, Liu Dan, by Senator Fernandes Salling.

Senator Kuroda made the following introduction:

"Mr. President, I'd like to introduce a fellow who has returned to these halls as a deacon and who gave us the invocation this afternoon. He used to be the lobbyist for HMSA, Mr. James Carroll."

At 3:29 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:40 o'clock p.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 314, informing the Senate of the withdrawal of the nomination of Paul C.T. Loo to the Board of Trustees, Employees' Retirement System, term to expire January 1, 1991, under Gov. Msg. No. 301, was read by the Clerk and was placed on file.

In compliance with Gov. Msg. No. 314, the nomination listed under Gov. Msg. No. 301 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 620 to 633) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 620, returning Senate Concurrent Resolution No. 62, which was adopted by the House of Representatives on April 17, 1985, was placed on file.

Hse. Com. No. 621, transmitting House Concurrent Resolution No. 131, which was adopted by the House of Representatives on April 17, 1985, was placed on file.

By unanimous consent, action on H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MAY, 1985, AS BETTER HEARING AND SPEECH MONTH," was deferred until Monday, April 22, 1985.

Hse. Com. Nos. 622 to 633 transmitting the following House Concurrent Resolutions which were adopted by the House of Representatives on April 18, 1985 were placed on the calendar for further consideration on Monday, April 22, 1985:

Hse. Com. No. 622 - H.C.R. No. 25;
Hse. Com. No. 623 - H.C.R. No. 40, H.D. 1;
Hse. Com. No. 624 - H.C.R. No. 62, H.D. 1;
Hse. Com. No. 625 - H.C.R. No. 67, H.D. 1;
Hse. Com. No. 626 - H.C.R. No. 88, H.D. 2;
Hse. Com. No. 627 - H.C.R. No. 106;
Hse. Com. No. 628 - H.C.R. No. 117, H.D. 1;
Hse. Com. No. 629 - H.C.R. No. 125;
Hse. Com. No. 630 - H.C.R. No. 126, H.D. 1;
Hse. Com. No. 631 - H.C.R. No. 124, H.D. 1;
Hse. Com. No. 632 - H.C.R. No. 141, H.D. 1; and
Hse. Com. No. 633 - H.C.R. No. 142, H.D. 1.

STANDING COMMITTEE REPORTS

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1145) recommending that the Senate advise and consent to the nomination of Georgina M. Yuen to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 300.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1145 and Gov. Msg. No. 300 was deferred until Monday, April 22, 1985.

Senator B. Kobayashi, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1146) recommending that the Senate advise and

consent to the nominations of the following:

Thomas Lee and Bernard K. Punikaia to the Board of Health, in accordance with Gov. Msg. No. 296;

Akira Omonaka to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 297;

James W. Linman, M.D., Ellen K. Serra and Kathleen K.M. de Silva to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 298; and

Robert G.B. Bjornson, M.D., Donna W. Saiki, John A. Bissell, John F. McDermott, Jr., M.D., Tina L. Dameron, Masaru Oshiro, Reverend Frank A. Chong, Ray M. Higa, Reverend Vincent De Paul O'Neill, Connie C. Chun, Frank Su'a, Bishop Edmond Lee Browning, Jane R. Smith, Kenneth "Shannon" Steele and Guy A. Paul to the State Council on Mental Health and Substance Abuse, in accordance with Gov. Msg. No. 299.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1146 and Gov. Msg. Nos. 296, 297, 298 and 299 was deferred until Monday, April 22, 1985.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1147) recommending that House Concurrent Resolution No. 73, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator B. Kobayashi, seconded by Senator Machida and carried, the report of the Committee was adopted and H.C.R. No. 73, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO TAKE CERTAIN ACTIONS TO ASSIST SCHIZOPHRENICS," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1148) recommending that the Senate advise and consent to the nomination of Danilo V. Lucila, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 302.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1148 and Gov. Msg. No. 302 was deferred until Monday, April 22, 1985.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1149) recommending that Senate Resolution No. 138 be adopted.

On motion by Senator Kuroda, seconded by Senator McMurdo and carried, the report of the Committee was adopted and S.R. No.

138, entitled: "SENATE RESOLUTION RELATING TO RECREATIONAL FISHING ISLAND," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1150) recommending that Senate Resolution No. 78, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 78, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS ON ALTERING THE BOARD OF DENTAL EXAMINERS TO INCLUDE GREATER REPRESENTATION BY DENTAL HYGIENISTS AND REPRESENTATION BY DENTAL AUXILIARIES," was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Soares and Toguchi).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1151) recommending that Senate Concurrent Resolution No. 61, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.C.R. No. 61, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND RECOMMENDATIONS ON ALTERING THE BOARD OF DENTAL EXAMINERS TO INCLUDE GREATER REPRESENTATION BY DENTAL HYGIENISTS AND REPRESENTATION BY DENTAL AUXILIARIES," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Soares and Toguchi).

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1152) recommending that House Bill No. 813, H.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1152 and H.B. No. 813, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS AND FINANCING SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES," was deferred until Monday, April 22, 1985.

Senators Toguchi and Cayetano, for the Committee on Education and the Committee on Transportation, presented a

report (Stand. Com. Rep. No. 1153) recommending that Senate Resolution No. 109, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, THE DEPARTMENT OF EDUCATION, AND THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO IMPLEMENT A CHANGE IN SCHOOL HOURS TO REDUCE PEAK-HOUR TRAFFIC CONGESTION," was adopted.

Senators Toguchi and Cayetano, for the Committee on Education and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1154) recommending that Senate Concurrent Resolution No. 83, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Cayetano and carried, the joint report of the Committees was adopted and S.C.R. No. 83, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, THE DEPARTMENT OF EDUCATION, AND THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY TO IMPLEMENT A CHANGE IN SCHOOL HOURS TO REDUCE PEAK-HOUR TRAFFIC CONGESTION," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1155) recommending that Senate Resolution No. 133 be adopted.

Senator Cayetano moved that Stand. Com. Rep. No. 1155 be adopted and S.R. No. 133 be adopted, seconded by Senator Toguchi.

Senator Cayetano rose to speak in favor of the resolution as follows:

"Mr. President, I just want to inform the body that this resolution was introduced by Senator Abercrombie who predicted that 2500 people would show up at his fund raiser, but when only 500 showed up he blamed the absence of the other 2000 on the lack of signs."

Senator Hee added:

"Mr. President, speaking for Senator Abercrombie, he would like to request that the sign be a neon sign. Thank you, Mr. President."

Senator Holt added:

"Mr. President, my mom thanks you for the resolution."

Senator Kawasaki commented:

"Mr. President, speaking in behalf of the bill and in behalf of Senator Abercrombie, sometimes the attendance at your fund raising functions depends on how well you accede to the demands of lobby groups who are in a position to purchase a helluva lot of tickets around here. Sometimes the lack of attendance is a measure of the legislator's effectiveness in serving the general public."

Senator Abercrombie stated:

"Mr. President, I'd like to announce that Senator Cayetano's too kind. He should take one of the zeros off of the attendance...what Senator Kawasaki just said, but I have to ask a conflict ruling before I can vote on this resolution. The Bishop Museum has offered me the taxi concession from Waikiki to the museum if these signs come in."

The Chair replied: "The Chair declares no conflicts. It really feels sorry for you."

The motion was put by the Chair and carried, the report of the Committee was adopted and S.R. No. 133, entitled: "SENATE RESOLUTION REQUESTING DIRECTIONAL SIGNS FOR THE BISHOP MUSEUM," was adopted.

Senator Yamasaki, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1156) recommending that House Bill No. 1272, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 1156 and H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred until Monday, April 22, 1985 on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Soares and Toguchi).

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1157) recommending that Senate Resolution No. 98, as amended in S.D. 1, be adopted.

On motion by Senator Toguchi, seconded by Senator Solomon and carried, the report of the Committee was adopted and S.R. No. 98, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REVIEW AND REPORT ON THE NEWSWRITING AND YEARBOOK PUBLICATIONS CURRICULUM AND PROGRAMS OFFERED IN PUBLIC

SECONDARY SCHOOLS," was adopted.

At 3:41 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:42 o'clock p.m.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 64, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," was deferred until Monday, April 22, 1985.

Senate Bill No. 1354, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1354, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," was deferred until Monday, April 22, 1985.

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 1170, H.D. 2:

Senator Yamasaki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1170, H.D. 2, seconded by Senator Mizuguchi.

Senator Yamasaki stated:

"The amendment made by the House on S.B. 1170 amends computation of actuarial valuation for public employees retirement system trust fund. It provides that valuation for the years ending June 30, 1985 and 1986 shall be based on an eight percent investment yield rate."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1170, and S.B. No. 1170, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading.

Senate Bill No. 937, S.D. 2, H.D. 2:

Senator Yamasaki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 937, S.D. 2, H.D. 2, seconded by Senator Mizuguchi.

Senator Yamasaki stated:

"The amendment made by the House on

S.B. No. 937 extends the general excise tax exemptions for the sale of gasohol to June 30, 1992 (sunset). It repeals provisions that starting July 1, 1985 exemption shall be exclusively for gasohol derived from alcohol produced within the state from biomass.

The amendment extends the income tax credit for solar or wind energy devices and heat pumps from December 31, 1985, to December 31, 1992 (sunset). It provides that if federal energy tax credits are not extended beyond December 31, 1985, the state tax credit shall be increased to fifteen percent of the total cost from time of expiration of the federal tax credit to December 31, 1992."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 937, S.D. 2, and S.B. No. 937, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Soares and Toguchi).

Senate Bill No. 237, S.D. 2, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 237, S.D. 2, H.D. 1, seconded by Senator Mizuguchi.

Senator Yamasaki stated:

"The amendment made by the House on S.B. 237, S.D. 2, conforms to the Federal Internal Revenue Code which increases the personal exemption for income tax purposes from \$1,000 to \$1,040."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 237, S.D. 2, and S.B. No. 237, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading on the following showing of Ayes and Noes:

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

At 3:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:53 o'clock p.m.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi, S.B. No. 1170, H.D. 2, 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, 24. Noes, none. Excused, 1 (Soares).

The Chair stated:

"Perhaps the Chair should notify the Senators that the House is now going through the process of signing the petition for an extension. The reason we're coming back later on this evening is to receive the petition and then issue the proclamation for an extension of the 1985 session."

At 3:54 o'clock p.m., on motion by Senator Cobb, seconded by Senator Henderson and carried, the Senate stood in recess until 8:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 8:35 o'clock p.m.

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

"PROCLAMATION

WE, Richard S.H. Wong, President of the Senate, and Henry Haalilio Peters, Speaker of the House of Representatives, of the Thirteenth Legislature of the State of Hawaii, pursuant to the power vested in us by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which each house is entitled, do hereby extend the Regular Session of 1985 of the Thirteenth Legislature of the State of Hawaii for a period of One Day beyond the Sixtieth day of the 1985 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

DONE at the State Capitol,
Honolulu, Hawaii,
this 19th day of April,
1985

/s/ Richard S.H. Wong
RICHARD S.H. WONG
President of the Senate

/s/ Henry H. Peters
HENRY HAALILIO PETERS
Speaker of the House
of Representatives"

Senator Yamasaki stated:

FINAL READING

"Mr. President, I would like to call to the members' attention on House Bill No. 1, the operating budget, H.D. 1, S.D. 1, C.D. 1, attached to Conference Committee Report No. 53. This is the state budget bill.

"On the copy of the bill, which has been printed and distributed to members of the Senate, an earlier preliminary copy of page 136 was inadvertently inserted instead of the actual final copy.

"At this time, Mr. President, I would like to ask that the corrected copy of House Bill No. 1, H.D. 1, S.D. 1, C.D. 1 be distributed to all Senators so that we comply with the 48-hour requirement when we pass this bill in final reading next week.

"I would like to note for the record that the corrected form of this bill may be identified by looking at the first page of Conference Committee Report No. 53 which has WAM 4-19 coded on the bottom left-hand corner, Mr. President."

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 1089, S.D. 2, H.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 4, 1985 on S.B. No. 1089, S.D. 2, H.D. 1, seconded by Senator Mizuguchi.

Senator Yamasaki stated:

"Mr. President, in agreeing to the House amendment, the House merely took out the section of the bill which authorizes the issuance of general obligation bonds. This is not necessary because in the bond declaration bill there is a section which provides for the issuance of bonds for Senate Bill 1089."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1089, S.D. 2, and S.B. No. 1089, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATIONS FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC.," was placed on the calendar for Final Reading on Monday, April 22, 1985.

Conf. Com. Rep. No. 61 (H.B. No. 463, H.D. 2, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 61 and H.B. No. 463, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," be recommitted to the

Committee on conference, and the President, noting that there were no objections, so ordered.

Senator Yamasaki stated:

"The reason for the recommitment is that there is a typographical error on the bill and we would like to have it corrected."

GOVERNOR'S MESSAGE

Gov. Msg. No. 315, informing the Senate that on April 18, 1985, he signed the following bills into law:

H.B. No. 262 as Act 24, entitled: "RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

H.B. No. 421 as Act 25, entitled: "RELATING TO MEDICINE";

H.B. No. 490 as Act 26, entitled: "RELATING TO EXAMINATION OF APPLICANTS FOR HAWAII DRIVER'S LICENSE"; and

H.B. No. 838 as Act 27, entitled: "RELATING TO TRAILER REGISTRATIONS,"

was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 634 to 669) were read by the Clerk and were disposed of as follows:

Hse. Com. Nos. 634 to 653, informing the Senate that the report of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to the following Senate bills were adopted by the House and said bills passed Final Reading in the House of Representatives on April 19, 1985 and were placed on file:

Hse. Com. No. 634 - S.B. No. 78, S.D. 1, H.D. 2, C.D. 1;
Hse. Com. No. 635 - S.B. No. 90, S.D. 1, H.D. 1, C.D. 1;
Hse. Com. No. 636 - S.B. No. 93, H.D. 1, C.D. 1;
Hse. Com. No. 637 - S.B. No. 133, S.D. 1, H.D. 1, C.D. 1;
Hse. Com. No. 638 - S.B. No. 149, S.D. 1, H.D. 1, C.D. 1;
Hse. Com. No. 639 - S.B. No. 153, S.D. 1, H.D. 2, C.D. 1;
Hse. Com. No. 640 - S.B. No. 249, S.D. 1, H.D. 1, C.D. 1;
Hse. Com. No. 641 - S.B. No. 253, S.D. 1, H.D. 1, C.D. 1;
Hse. Com. No. 642 - S.B. No. 459, S.D. 2, H.D. 2, C.D. 1;
Hse. Com. No. 643 - S.B. No. 460, S.D. 2,

H.D. 2, C.D. 1;
 Hse. Com. No. 644 - S.B. No. 461, S.D. 1,
 H.D. 1, C.D. 1;
 Hse. Com. No. 645 - S.B. No. 462, S.D. 1,
 H.D. 1, C.D. 1;
 Hse. Com. No. 646 - S.B. No. 615, S.D. 1,
 H.D. 2, C.D. 1;
 Hse. Com. No. 647 - S.B. No. 702, S.D. 2,
 H.D. 2, C.D. 1;
 Hse. Com. No. 648 - S.B. No. 1186, S.D. 2,
 H.D. 1, C.D. 1;
 Hse. Com. No. 649 - S.B. No. 1224, S.D. 1,
 H.D. 1, C.D. 1;
 Hse. Com. No. 650 - S.B. No. 1264, S.D. 1,
 H.D. 1, C.D. 1;
 Hse. Com. No. 651 - S.B. No. 1358, S.D. 1,
 H.D. 2, C.D. 1;
 Hse. Com. No. 652 - S.B. No. 1408, S.D. 2,
 H.D. 1, C.D. 1; and
 Hse. Com. No. 653 - S.B. No. 1413, S.D. 1,
 H.D. 1, C.D. 1.

Hse. Com. Nos. 654 to 658 informing the Senate that the amendments proposed by the Senate to the following House Bills were agreed to by the House of Representatives and said bills passed Final Reading in the House of Representatives on April 19, 1985, were placed on file:

Hse. Com. No. 654 - H.B. No. 108, H.D. 2, S.D. 1;
 Hse. Com. No. 655 - H.B. No. 153, S.D. 1;
 Hse. Com. No. 656 - H.B. No. 194, H.D. 1, S.D. 2;
 Hse. Com. No. 657 - H.B. No. 674, H.D. 1, S.D. 1; and
 Hse. Com. No. 658 - H.B. No. 824, H.D. 1, S.D. 1.

Hse. Com. No. 659 informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 1354, H.D. 1, and the Speaker on April 19, 1985, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 660, informing the Senate that the amendments proposed by the Senate to House Bill No. 166, H.D. 2, were agreed to by the House; and H.B. No. 166, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 19, 1985, was placed on file.

Hse. Com. No. 661, informing the Senate that the House reconsidered its action taken on April 3, 1985 in disagreeing to the amendments made by the Senate to House Bill No. 166, H.D. 2, and the Speaker on April 19, 1985, discharged the Managers on the part of the House for the consideration of said amendments, was placed on file.

Hse. Com. No. 662, returning Senate Concurrent Resolution No. 59, which was adopted by the House of Representatives on

April 19, 1985, was placed on file.

Hse. Com. No. 663, returning Senate Concurrent Resolution No. 69, S.D. 1, which was adopted by the House of Representatives on April 19, 1985, was placed on file.

Hse. Com. Nos. 664 to 669, returning the following Senate bills which passed Third Reading in the House of Representatives on April 19, 1985, were placed on file:

Hse. Com. No. 664 - S.B. No. 192;
 Hse. Com. No. 665 - S.B. No. 342, S.D. 1;
 Hse. Com. No. 666 - S.B. No. 561;
 Hse. Com. No. 667 - S.B. No. 730, S.D. 1;
 Hse. Com. No. 668 - S.B. No. 1209, S.D. 1;
 and
 Hse. Com. No. 669 - S.B. No. 1297, S.D. 1.

STANDING COMMITTEE REPORTS

Senator Solomon, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1158) recommending that Senate Resolution No. 124, as amended in S.D. 1, be adopted.

On motion by Senator Solomon, seconded by Senator Hagino and carried, the report of the Committee was adopted and S.R. No. 124, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SECRETARY OF AGRICULTURE TO INCLUDE HAWAII IN THE FEDERAL CROP INSURANCE PROGRAM," was adopted.

Senator Holt, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1159) recommending that the Senate advise and consent to the nomination of Julia Frolich, M.D., and James F. Gary to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 134.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1159 and Gov. Msg. No. 134 was deferred until Monday, April 22, 1985.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1160) recommending that Senate Resolution No. 165, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 165, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1161) recommending that Senate Concurrent Resolution No. 136, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 136, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1162) recommending that Senate Resolution No. 100 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 100, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1163) recommending that Senate Resolution No. 182, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 182, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1164) recommending that Senate Concurrent Resolution No. 121, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF ENVIRONMENTAL AND RECREATIONAL SAFEGUARDS REGULATING STATE-LICENSED MARICULTURAL

OPERATIONS AND OCEAN LEASING IN THE SEA WATERS OF THE STATE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1165) recommending that Senate Resolution No. 152, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 152, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CORPS OF ENGINEERS TO CONDUCT A STUDY ON BEACH EROSION FOR THE NEIGHBOR ISLANDS," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1166) recommending that Senate Resolution No. 181 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 181, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1167) recommending that Senate Concurrent Resolution No. 138 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 138, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1168) recommending that Senate Resolution No. 184 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 184, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENTS OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAII, LAND AND NATURAL RESOURCES, HAWAIIAN HOME

LANDS AND THE OFFICE OF HAWAIIAN AFFAIRS TO CONTINUE ITS EFFORTS IN FULFILLING THE INTENT AND PURPOSE OF H.R. NO. 304, H.D. 1, WHICH REQUESTS A STUDY ON THE FEASIBILITY OF SETTING ASIDE STATE LANDS FOR THE PRACTICE OF SUBSISTENCE LIFESTYLES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1169) recommending that Senate Resolution No. 175 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 175, entitled: "SENATE RESOLUTION REQUESTING THE STATE SEEK WAYS TO PROTECT THE SEA BIRDS THAT NEST OUTSIDE OF THE KILAUEA POINT WILDLIFE ADMINISTRATIVE SITE ON KAUAI," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1170) recommending that Senate Resolution No. 142 be referred to the Committee on Legislative Management.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 142, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF AN INTERIM TASK FORCE TO EXAMINE PRIVATE SECTOR ACTIVITIES WHICH AFFECT ECONOMIC AND COMMUNITY DEVELOPMENT," was referred to the Committee on Legislative Management.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1171) recommending that Senate Concurrent Resolution No. 135 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A STATEWIDE KAPU SYSTEM TO PROTECT AND MANAGE HAWAII'S OCEAN RESOURCES," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1172) recommending that Senate Resolution No. 155, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 155, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE

GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1173) recommending that Senate Concurrent Resolution No. 114, as amended in S.D. 1, be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE METHODS TO CONTROL THE GROWTH OF AND TO ELIMINATE POTENTIALLY DANGEROUS STANDS OF MOLUCCA ALBIZIA IN THE STATE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1174) recommending that Senate Concurrent Resolution No. 76 be adopted.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.C.R. No. 76, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO UNDERTAKE A PROGRAM OF EDUCATIONAL AND PROMOTIONAL ACTIVITIES ON EMPLOYEE STOCK OWNERSHIP AND TO FORM AN EMPLOYEE STOCK OWNERSHIP ADVISORY COMMITTEE," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1175) recommending that Senate Resolution No. 177 be referred to the Committee on Legislative Management.

On motion by Senator Aki, seconded by Senator Matsuura and carried, the report of the Committee was adopted and S.R. No. 177, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND EVALUATION OF THE COSTS AND EFFECTS OF AMENDING THE HAWAII STATE CONSTITUTION TO PROVIDE FOR A SINGLE DEFINITION OF HAWAIIAN," was referred to the Committee on Legislative Management.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1176) recommending that Senate Resolution No. 153 be adopted.

On motion by Senator Cayetano, seconded by Senator Toguchi and carried, the report of the Committee was adopted and S.R. No. 153, entitled: "SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO FORMULATE JOINTLY A PLAN TO PROMOTE HAWAII'S COMMERCIAL HARBORS," was adopted.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1177) recommending that Senate Concurrent Resolution No. 84, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY OF THE MEDICAL MALPRACTICE INSURANCE SYSTEM," was adopted.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1178) recommending that Senate Resolution No. 110, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the majority of the Committee was adopted and S.R. No. 110, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO CONDUCT A STUDY OF THE MEDICAL MALPRACTICE INSURANCE SYSTEM," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1179) recommending that Senate Resolution No. 146, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 146, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL INVESTIGATIVE COMMITTEE TO STUDY THE CREATION AND ADMINISTRATION OF THE THRIFT GUARANTY CORPORATION," was referred to the Committee on Legislative Management.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1180) recommending that Senate Resolution No. 156, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by

Senator B. Kobayashi and carried, the report of the Committee was adopted and S.R. No. 156, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT CONDOMINIUM PUBLIC REPORTS ISSUED BY THE REAL ESTATE COMMISSION BE WRITTEN IN PLAIN LANGUAGE," was adopted.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 1 (S.B. No. 153, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 1 and S.B. No. 153, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

At 8:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:44 o'clock p.m.

Conf. Com. Rep. No. 2 (H.B. No. 165, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 2 was adopted and H.B. No. 165, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Aki, Chang, Henderson, Holt, Soares and Toguchi).

At 8:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:50 o'clock p.m.

Conf. Com. Rep. No. 3 (S.B. No. 76, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 3 was adopted and S.B. No. 76, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, none. Excused, 6 (Aki, Chang, Henderson, Holt, Soares and Toguchi).

Conf. Com. Rep. No. 4 (H.B. No. 1162, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com.

Rep. No. 4 was adopted and H.B. No. 1162, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RIGHTS OF VICTIMS AND SURVIVING IMMEDIATE FAMILY MEMBERS TO NOTIFICATION OF PAROLE OR RELEASE OF A PRISONER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 5 (H.B. No. 1386, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 1386, 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, 21. Noes, none. Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 6 (S.B. No. 1408, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 6 was adopted and S.B. No. 1408, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 7 (H.B. No. 188, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 188, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 8 (S.B. No. 1224, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 8 was adopted and S.B. No. 1224, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Kawasaki and A.

Kobayashi). Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 9 (S.B. No. 93, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 93, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH CATCH REPORTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Aki, Henderson, Holt and Soares).

Conf. Com. Rep. No. 10 (S.B. No. 90, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 10 was adopted and S.B. No. 90, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE LICENSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 11 (H.B. No. 268, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 11 was adopted and H.B. No. 268, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 12 (H.B. No. 488, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 12 was adopted and H.B. No. 488, H.D. 1, S.D. 1, C.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, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 13 (S.B. No. 78, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 13 was adopted and S.B. No. 78, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL

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

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 14 (S.B. No. 249, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 14 was adopted and S.B. No. 249, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 15 (H.B. No. 830, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 15 was adopted and H.B. No. 830, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 16 (S.B. No. 1264, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 16 was adopted and S.B. No. 1264, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 18 (H.B. No. 89, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 89, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 5 (Abercrombie, Cobb, Fernandes Salling, Kawasaki and Kuroda). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 19 (H.B. No. 519, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 519, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 20 (S.B. No. 133, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 20 was adopted and S.B. No. 133, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGISTRATION OF AIRCRAFT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (McMurdo). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 21 (H.B. No. 329, H.D. 1, S.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 21 be adopted and H.B. No. 329, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator George.

Senator Abercrombie rose to speak in favor of the bill as follows:

"Mr. President, I'd like to note that I believe that the sentence is too light and that the sentence originally proposed by the Senate was preferable to that which came out, and that the request of the House to lessen the penalty is at variance with their purported interest in the area of drunk driving and in preventing drunk driving and/or punishing the act of drunk driving; that is to say, having people accept the consequences of being arrested and convicted for drunk driving.

"In this particular instance, you're talking about people who have already had a suspended or revoked license because of a conviction for driving under the influence of intoxicating liquor or refusal to submit to a blood or breath test. If that is already the case, to lighten the sentence, it seems to me, is a further indication of some of the hypocrisy that's involved when we come to discuss drunk driving.

"And in my mind, a further reason not to pursue raising the drinking age from 18 to 21 as somehow providing a solution to the problem of drunk driving, let alone repeat

offenses. If we are unwilling to deal forthrightly with repeat offenders, it seems to me that to punish an entire class of people is even more heinous in terms of its implications, legislatively speaking. I would have preferred a heavier sentence.

"In the result of the conference, we must take what is before us, but I believe that that commentary should be registered when we begin to deal with this question of penalties with respect to drunk driving and what is to be done about drunk driving in general when other legislation is concerned."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 21 was adopted and H.B. No. 329, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 22 (H.B. No. 1257, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 1257, 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, 21. Noes, 1 (Kawasaki). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 23 (H.B. No. 28, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 28, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 24 (H.B. No. 104, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 104, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NAMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki,

Holt and Soares).

Conf. Com. Rep. No. 25 (H.B. No. 436, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 25 was adopted and H.B. No. 436, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL CARE SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 26 (H.B. No. 776, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 776, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 27 (S.B. No. 149, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and S.B. No. 149, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 28 (S.B. No. 1358, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 28 was adopted and S.B. No. 1358, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COSTS OF COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 29 (H.B. No. 1285, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 1285, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL RECORD CLEARANCE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 30 (S.B. No. 615, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30 and S.B. No. 615, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL, was deferred to Monday, April 22, 1985.

Conf. Com. Rep. No. 31 (S.B. No. 854, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 31 was adopted and S.B. No. 854, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SAFETY INSPECTIONS OF MOTOR CARRIER VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 32 (S.B. No. 253, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 32 was adopted and S.B. No. 253, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 33 (S.B. No. 461, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 33 was adopted and S.B. No. 461, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie). Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 34 (S.B. No. 462, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 34 was adopted and S.B. No. 462, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERMS OF BOARDS AND COMMISSIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 35 (H.B. No. 1231, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 35 was adopted and H.B. No. 1231, H.D. 2, S.D. 1, C.D. 1, 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, 22. Noes, none. Excused, 3 (Aki, Holt and Soares).

Conf. Com. Rep. No. 36 (S.B. No. 1413, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 36 be adopted and S.B. No. 1413, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator George.

Senator Abercrombie rose to speak in favor of the bill as follows:

"Mr. President, I have the privilege of having my name on this bill. As a result, I would like to enter into the record my reservation with respect to the final results.

"This is the bill, commonly known as the 'sunshine' bill, or 'the sunshine' bill for this year, in any event in our Legislature.

"Mr. President, while I appreciate the work done on it, I must express my disappointment with the section regarding the manner in which a board or a commission shall deal with legal issues that may be before it. I believe that the method that may be utilized by boards and commissions to avoid dealing with issues in the public and the opportunity that the language in this bill presents for abuse in the name of legal inquiry by a board or commission is far too great and I want the people who are in charge of, whoever they may be next session, in charge of this bill or in charge of the area of 'sunshine' law to know that both Representative Tam in the House and myself in the Senate, at least, if we are not joined by others, and I'm sure we will be, will be introducing legislation to amend this bill to see to it that the only time that you may utilize a smokescreen of legal inquiry will not be as it is now in this bill, but rather in connection with an actual law suit.

"Anything short of that, it seems to me, should be dealt with in a public and forthright manner, particularly where we have deputies attorney general available to any board or commission of the state. It is the right of the people to have questions with respect to duties and obligations of boards discussed in public. After all, we should be referring to the law, and if an

inquiry appears or question arises in the course of a meeting as to what is the law, it seems to me that it is in the public interest to have such questions discussed in public because it will be educational and informative, at the very least, and decisive and possibly a key element in deciding an issue; at best, to have these kinds of discussions take place in a public manner. The audiences at such hearings and individuals who may be asking the questions or causing the questions to be asked of boards and commissions as a result of their testimony or inquiry at hearings will be the beneficiaries. The public as a whole will be the beneficiaries.

"This is the great flaw in this bill, but there are other sections which do, in fact, open the dialogue both for the public and in public with respect to the various issues that come before our boards and commissions. It requires more openness in government. For that reason, I support it, but I want it quite clear that next year we will be coming and we will be putting to the task our genuine commitment to open government in this state. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 36 was adopted and S.B. No. 1413, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, George and Soares).

Conf. Com. Rep. No. 37 (H.B. No. 266, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 266, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, George and Soares).

Conf. Com. Rep. No. 38 (H.B. No. 453, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 38 was adopted and H.B. No. 453, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE METROPOLITAN PLANNING ORGANIZATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki,

George and Soares).

Conf. Com. Rep. No. 39 (H.B. No. 229, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Henderson and carried, Conf. Com. Rep. No. 39 was adopted and H.B. No. 229, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Aki, George and Soares).

Conf. Com. Rep. No. 40 (H.B. No. 557, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 40 was adopted and H.B. No. 557, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPARATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki and Soares).

Conf. Com. Rep. No. 41 (H.B. No. 995, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 41 and H.B. No. 995, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," was deferred until Monday, April 22, 1985.

Conf. Com. Rep. No. 42 (S.B. No. 610, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 42 was adopted and S.B. No. 610, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki and Soares).

Conf. Com. Rep. No. 43 (S.B. No. 1353, S.D. 1, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 43 be adopted and S.B. No. 1353, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator George.

Senator Hee rose to speak in favor of the bill as follows:

"Mr. President, I would just like to note

that this is one of the pieces of legislation which addresses the pesticide problem which the state has historically been less than energetic about addressing. I would like to congratulate the Governor for beating the Legislature to the punch by banning the chemical DBCP, which this bill specifically addresses. I would like to send the message out to the corporations—don't ask for anymore exemptions; they will not be granted. And again would like to commend those responsible for passing this legislation which is timely. Thank you, Mr. President."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 43 was adopted and S.B. No. 1353, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki and Soares).

By unanimous consent, action on the following conference committee reports and bills was deferred to Monday, April 22, 1985:

Conf. Com. Rep. No. 44 and S.B. No. 201, S.D. 1, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 45 and S.B. No. 224, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 46 and S.B. No. 932, S.D. 1, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 47 and H.B. No. 40, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 48 and H.B. No. 347, H.D. 1, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 49 and S.B. No. 309, S.D. 1, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 50 and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 51 and S.B. No. 588, S.D. 1, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 52 and S.B. No. 665, S.D. 1, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 53 and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 54 and S.B. No. 726, S.D. 2, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 55 and S.B. No. 460, S.D. 2, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 56 and S.B. No. 459, S.D. 2, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 57 and S.B. No. 1186, S.D. 2, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 58 and S.B. No. 702, S.D. 2, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 59 and H.B. No. 49, H.D. 2, S.D. 2, C.D. 1; and

Conf. Com. Rep. No. 60 and H.B. No. 101, H.D. 1, S.D. 2, C.D. 1.

THIRD READING

House Bill No. 1000:

On motion by Senator Cobb, seconded by Senator George and carried, H.B. No. 1000, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki and Soares).

House Bill No. 219:

On motion by Senator Cobb, seconded by Senator George and carried, H.B. No. 219, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Aki and Soares).

House Bill No. 20, H.D. 2:

By unanimous consent, action on H.B. No. 20, 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," was deferred until Monday, April 22, 1985.

House Bill No. 154:

On motion by Senator Cobb, seconded by Senator George and carried, H.B. No. 154, 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, 23. Noes, none. Excused, 2 (Aki and Soares).

House Bill No. 905, H.D. 1:

On motion by Senator Cobb, seconded by Senator George and carried, H.B. No. 905, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki

and Soares).

**MATTER DEFERRED FROM
THURSDAY, APRIL 18, 1985**

House Concurrent Resolution No. 78, H.D. 2:

By unanimous consent, action on H.C.R. No. 78, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT A BATTLESHIP AND NINE ASSOCIATED SHIPS AT PEARL HARBOR," was deferred until Monday, April 22, 1985.

**MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR**

Conf. Com. Rep. No. 1 (S.B. No. 153, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 153, 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, 21. Noes, 2 (Abercrombie and Solomon). Excused, 2 (Aki and Soares).

Conf. Com. Rep. No. 27 (S.B. No. 149, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator George and carried, Conf. Com. Rep. No. 27 was adopted and S.B. No. 149, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Aki and Soares).

At 9:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:53 o'clock p.m.

At this time, Senator Chang introduced his father, Mr. Hoo Kin Chang.

Senator Cobb introduced his dentist, Dr. Mark Tajima.

CONFERENCE COMMITTEE REPORTS

On motion by Senator Cobb, seconded by Senator Henderson and carried unanimously, the Senate suspended Rule 30 of the Senate Rules to authorize the Senate Clerk to receive conference committee reports prior to midnight. In consequence thereof, subsequent to its recessing at 9:51 o'clock p.m., and, in accordance with Article III,

Section 15, of the Constitution of the State of Hawaii, action on the following bills and conference committee reports was deferred for a period of 48 hours:

Conf. Com. Rep. No. 64 and H.B. No. 463, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION";

Conf. Com. Rep. No. 65 and H.B. No. 134, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

Conf. Com. Rep. No. 66 and H.B. No. 146, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";

Conf. Com. Rep. No. 67 and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND";

Conf. Com. Rep. No. 68 and S.B. No. 1198, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT";

Conf. Com. Rep. No. 69 and S.B. No. 463, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

Conf. Com. Rep. No. 70 and S.B. No. 20, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

Conf. Com. Rep. No. 71 and S.B. No. 1286, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII";

Conf. Com. Rep. No. 72 and S.B. No. 1287, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII";

Conf. Com. Rep. No. 73 and S.B. No. 239, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION";

Conf. Com. Rep. No. 74 and S.B. No. 589, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES";

Conf. Com. Rep. No. 75 and S.B. No. 471, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES AND MAKING AN APPROPRIATION THEREFOR";

Conf. Com. Rep. No. 76 and H.B. No. 281, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND"; and

Conf. Com. Rep. No. 77 and S.B. No. 384, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS."

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Monday, April 22, 1985.

SIXTY-FIRST DAY

Monday, April 22, 1985

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, convened at 10:20 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Charles T. Crane, Rector, Holy Church of the Nativity, Aina Haina, after which the Roll was called showing all Senators present.

The Chair announced that he had read and approved the Journal of the Sixtieth Day.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 53 (H.B. No. 1, H.D. 1, S.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 53 be adopted and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

Senator Kawasaki rose to speak on the measure as follows:

"Mr. President, I rise to speak in favor of the bill, but I do want to enter into the records of the Senate Journal some concerns that I have.

"On page 7 of the committee report emanating from the Conference Committee, the Health Department is directed to take necessary action to accelerate the deinstitutionalization of mentally retarded and mentally ill patients into group homes, transitional living and day activity programs. While it seems to me that this new emphasis may be merited, it becomes absolutely necessary that the Health Department very carefully screen, qualify and efficiently monitor the staff and the personnel of these homes and programs, as these mentally ill patients are susceptible and helpless to cope with neglect, with abuse and inefficient care at the hands of non-government, private care providers who are less than compassionate and qualified. If the Health Department does not oversee this new deinstitutionalization emphasis efficiently, then we could do more harm than the good that was intended.

"Page 13 of the committee report expresses concerns regarding the accountability of funding for purchase of services contracted by the State Foundation on Culture and the Arts. And on page 17, the committee expresses concerns and directs the departments to re-evaluate the use of purchase of services, especially the development of requests for services.

"I believe the committee is justified in expressing these concerns as my perusal of a list of purchase of services, and even a cursory examination of the list of fund requests and allocations, seems to indicate to me that many items of funding for a whole variety of programs seem less than efficiently justified and funded.

"Senator Cayetano and I have some familiarity with the number of these funding requests as former chairman and vice chairman of the Ways and Means Committee. We have experienced and discovered inefficiencies and misuse of funds by the agency management and the use of state funds in the past has been less than efficient. I do not believe that even with the Act 42 statute in place that we have completely eliminated or discouraged improprieties in the abuse and misdirection of funding resources yet.

"In this connection, I have in the past and continue at the present time to strongly recommend to you that we provide the necessary resources and funds and staffing for the Ways and Means Committee, the Human Services Committee and the relevant departments, that is to say, the Health Department and the Department of Social Services, to coordinate their efforts to routinely monitor these programs of these agencies, unannounced, to reasonably ensure the proper utilization of funds appropriated by the state.

"On page 252 of the budget bill, I am somewhat disturbed to note that the CIP allocation for the widening of Kalakaua Avenue has been needlessly encumbered with a proviso mandating 'a simulation' of the projected improvements to Kalakaua Avenue. Incidentally, this simulation effort is estimated to cost anywhere between \$350,000 and \$450,000 before funds are going to be released for the contractual needs. This proviso, I understand, is contrary to the wishes of the chairman and the majority members of the Tourism Committee. Its inclusion in the bill, it seems to me, delays the commencement of the widening project which was explained to four of us in the Senate by Mr. John Hurten, now the director of the City and County's Transportation Department.

"And finally, I would like to register my concern that again this Legislature, amazingly, has neglected to allocate an equitable share of funds in the revenue sharing formula for the taxpayers of the City and County of Honolulu. In its long standing revenue sharing grants-in-aid to the counties, the conference committee has allocated to Oahu, with its 803,000 taxpayers, a sum per capita of

\$11.18 for a total of \$6 million. It has allocated to Kauai County with a population of 44,000, \$3 million, or a per capita allocation of \$57. To the Island of Hawaii, it has allocated some \$38 per capita. To Maui it has allocated \$25 per capita more than the allocation to the citizens of Oahu.

"I think it is way past due that we in the Legislature treat Oahu County and its 800,000 taxpayers a little more fairly. In this connection, the committee in the Senate on Government Operations has reported out favorably a bill to repeal the statute that today requires the City and County to pay a 4 percent excise tax on all its payment of goods and services. This would have saved the County of Oahu some \$9 million. I regret to see that this bill got nowhere.

"The committee also reported out favorably a proposition to return to the County of Oahu some 50 percent of the total amount of fines collected, again to help the plight of the City and County of Honolulu. This bill apparently has met with defeat again.

"It seems to me that it is high time, in view of the fact that the residents on this island are responsible for 80 percent of the total revenue generated in this state, that we allocate to Oahu County a more equitable share of the funds that are passed out to the counties. With this concern expressed and entered in the Senate Journal, I, with reservation, support the passage of this bill."

Senator Abercrombie also spoke on the measure as follows:

"Mr. President, speaking in favor of the bill, I would like to begin what I'm sure is a chorus of thank you's and acknowledgments to the efforts of the Ways and Means Committee, its chairman, vice chairman and members.

"I particularly want to do so, however, and feel that it is in order to make specific mention because this Ways and Means Committee, in cooperation with the members in general and the members on my committee in particular, have made what can only be termed a revolutionary stride in the area of human services this year.

"As you know, Mr. President, the committee this year which was previously the Labor and Human Resources Committee was split in half. Sometimes that is done in legislative circles to accommodate the organization of the moment; however, in this particular instance, the workload that was involved in the committee was such that almost inevitably the labor issue side of the committee would receive attention to the detriment of an adequate understanding

and survey of the human services side. That, by virtue of the split in the committee this year, we were given an opportunity, rather, to reverse that idea, and I'm very grateful for having had the opportunity to work with my committee members on this, not only from a budgetary point of view, but from a legislative point of view.

"We have had several bills, some of which are before us today, which materially advance the area of human services in this state in a bipartisan and progressive way, and with particular reference to the budget, we are now moving into the idea that we will have prevention in the area of child abuse, in the area of family violence, prevention in the area by working in a cooperative way with the Health Committee and the Department of Health, and in services to the elderly, to the frail elderly, to the helpless, to the needy. We are not following any kind of trend or fashion which indicates that we should be less than compassionate and have less than the number of dollars that are needed. By the same token, I am again grateful to the Ways and Means Committee, its members and chairman, because they recognized as well that the welfare drum, if you will, Mr. President, has been beat on for quite some length of time.

"Speaking of political fashion, again, it was certainly fashionable for a long time to cite the area of social services and housing as one in which there was abuse, one in which one could expect to have inefficiency in government spending, an area which could not be governed. That is not the case, Mr. President. What it requires is a legislative oversight. It requires foresight. It requires a little bit of hard work and concentration in having a coherent philosophy. I think we have developed one, and I think it's manifested in this budget.

"We are improving services. We are increasing the amount of money that will be spent at the grassroots community level without increasing the budget. As a matter of fact, the chairman of the Ways and Means Committee will confirm, I am sure, for you that we will be requiring less in the way of federal dollars without harming our programs in any instance whatsoever; in fact, we will be improving them.

"Mr. President, for the edification of those who are not familiar with this budget, virtually every area of it is known as an entitlement budget. The general assistance area, the aid to families with dependent children, the medical payments area and the area for aged, blind and disabled. The medical payments area alone, Mr. President, is a \$200 million plus expenditure area for our budget in this state every year.

"We have added a medical payments

office with the cooperation of the House and its good chairman, Representative Renaldo Grauly, and with the cooperation of the Finance Committee there we were able to work out a budget that is well within the Governor's ceiling and yet as reversed, if you will, the expenditure at the top and put it down at the level where it is most needed, at the client level. We can be proud of it. It was a bipartisan effort; particularly grateful to those members of the Minority whose stalwart support throughout this session has been invaluable in putting this budget and this legislation together.

"Mr. President, I can assure you that when this session ends and you are called to account by the public at large, by the media, by those who are interested in our work output, that you may confidently cite the work of the Human Services Committee and all the attendant work done on the financial end of it as a major accomplishment which will have a ripple effect down the line to the positive benefit of the taxpayers and the people of this state for years to come.

"Thank you."

Senator Kawasaki then added:

"Mr. President, I believe I would be remiss if I did not, in behalf of the people of this state, thank the chairman of the Ways and Means Committee and to the six members on that committee, and along with seven others here for a total of 13 to 14 Senators, and you know who you are, who steadfastly refused to increase the excise tax. This puts the Senate of the State of Hawaii squarely on record as having kept faith with the consumers of the state that we will not increase the sales tax as being an additional burden on the people of this state. This makes me very proud in the decision of the chairman of the Ways and Means Committee and the Majority members of this Senate.

"I have some criticism to make on some other bills later on, but I do appreciate this effort on the part of the Senate to steadfastly, as I said, refuse to go along with the House in increasing the sales tax."

Senator Yamasaki then spoke on the measure as follows:

"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 Budget.

"Before 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, and also the subject matter committee chairmen. I especially want to thank the members of my Ways and Means staff for their dedicated work and their effort put into this

bill.

"The bill represents \$2.3 billion for each fiscal year for the operations of the nineteen executive departments. Appropriations are also provided for capital improvement projects totalling \$200 million and \$175 million for fiscal year 1986 and fiscal year 1987, respectively.

"Mr. President, based on the March 1985 Council of Revenues projections for general fund tax revenues, there are adequate revenues to fund the total general fund appropriations provided for in this bill along with the specific appropriations bills that are being considered for Final Reading today. I project an end balance at the end of the fiscal biennium 1985-87 of approximately \$84 million. However, I must caution you that the financial picture of the state is not as financially sound as it first appears. The impact of the Reagan administration's policies as it relates to local and state fiscal responsibilities, human services, and health care services have not been fully assessed.

"Furthermore, we continue to rely heavily on our tourist industry to maintain our local economic growth. Because of reliance on the tourist industry, investment in the promotion of and improvement of the infrastructure of Hawaii was a strong commitment of the Senate. We had hoped that our tourist tax measure would be given favorable consideration by the House to fund this investment in tourism. However, the Senate and House conferees could not come to agreement with this tax measure as well as other measures that would have benefited the taxpayers and businesses of Hawaii.

"During the interim, I intend to study various tax alternatives that would provide relief to our taxpayers, and improve our business climate, while improving our state's tax revenue base.

"Mr. President, with your indulgence, I would like to just highlight some of the budgetary decisions made by your conference committee.

"In ECONOMIC DEVELOPMENT, your committee has provided the Hawaii Visitors Bureau with an annual appropriation of \$5.2 million, increasing its advertising and marketing/promotional budget by over \$1.8 million per year. In doing so, we acknowledge the tourism industry's significant role in promoting Hawaii and its economy.

"We have also provided an additional \$1 million per year to the Pacific International Center for High Technology Research (PICHTR). It is your committee's hope that such support will increase PICHTR's potential to become a major center for

high technology research in the Pacific region.

"Your committee has provided funds for the promotion of papayas, pineapples, local seafoods and diversified agricultural commodities to further the development of our state's agricultural industry.

"In HEALTH, your committee focused on three major health issues:

"1. For child abuse and neglect prevention about \$250,000 was provided to supplement existing programs in the Department of Health, in coordination with the funds provided for in the Department of Social Services.

"2. Over \$1.0 million in additional funds have been provided for group homes, and day activity programs designed to keep the mentally ill out of the hospital and in the community.

"3. The Department of Health's plan for the deinstitutionalization of patients at Waimano Training School and Home was given an added impetus by your committee. In the first year, the program will be planning for the eventual movement of over 200 patients into the community from Waimano in the next six years. Nearly \$1.0 million has been provided for this purpose.

"In SOCIAL SERVICES, major emphasis was placed on addressing the needs and problems associated with the increase in child abuse and neglect cases. Additional social workers, aides, and clerical support are provided for both prevention and treatment programs within the Departments of Health and Social Services and Housing. Also, the level of services provided through purchases of service has been expanded to reflect the increasing role private organizations have in the provision of human services. An additional \$1.1 million for prevention, and \$1.3 million for treatment, have been provided for this purpose in each year of the fiscal biennium 1985-87. Eight attorneys are also provided specifically for child abuse and neglect to handle the increase in legal services. Further, a computerized tracking system of known perpetrators will be set up within the DSSH to monitor child abuse and neglect cases as they proceed through the system.

"In HIGHER EDUCATION, your committee has provided the University of Hawaii with approximately \$7 million in each year of the fiscal biennium over and above the original Governor's budget request. This additional support is a reflection of both the Governor's request that \$5 million be added in support of the University's activities, and your committee's commitment that a portion of the increased general fund revenues from recent tuition increases should be given

back to the students. As a result, you will find increased funding to improve the areas of equipment, supplies, repairs and maintenance, computerized systems, and new instructional and research programs.

"In LOWER EDUCATION, focus has been on the students at the intermediate school level. It is at this educational level that the number of alienated students increase, and these students are prone to conflicts with the law. About \$1.4 million in each year was provided to alleviate this problem.

"Emphasis has also been place in education programs at the formative years in the elementary school. Besides ensuring each child's achievement to his full potential, a total of \$3.5 million in the first year and \$1 million in the second year was provided for the early provisions for school success program, music instruments, textbooks and classroom equipment have been provided.

"To supplement the regular instruction program, an increase to the priority fund will allow each school flexibility in the use of the fund above and beyond each school's basic needs. The total funding for this purpose in both years was \$2.8 million. The physical atmosphere within the public school system is as equally important as academics. Recognizing the need for the state to protect its substantial investment in its school plant and to insure that existing facilities are safe and functional, a total of \$31 million for each year of the biennium has been authorized for the purpose of repair, maintenance, and renovation of school facilities.

"In PUBLIC SAFETY, your committee has provided funds for additional adult correctional officers and additional training, expand community service programs, and to repair the existing correctional facilities.

"In LEGAL SERVICES, a major concern which revolved around the mismanagement of the litigation fund within the Attorney General's office has been addressed during conference. A request has been made for a management audit or a budget review to be conducted by the Legislative Auditor. This audit would examine the handling of funds in the litigation fund. The appropriation of this fund was deleted in the second year pending the recommendations of the Legislative Auditor's audit, the better determination of statewide litigation needs and the improved coordination by the Attorney General's office with each state department requiring legal services.

"In CAPITAL IMPROVEMENT PROJECTS, funds have been provided for such major projects as:

"An additional 248 rooms for the Halawa Medium Security Facility,

\$11.5 million;

"A new Hawaii State Hospital Mental Health Facility, \$15 million;

"The Hawaii Ocean Center to be located at the present Aquarium site in Waikiki, \$10.5 million;

"The dredging of Pearl Harbor to accommodate the home porting of the battleship U.S.S. Missouri, 41 million;

"Permanent facilities for the University of Hawaii School of Architecture, \$3.2 million;

"The development of the Hawaii Ocean Science and Technology Park at Keahole, Kona, \$7.8 million;

"The expansion of Kahului Airport, \$36.5 million; and

"The expansion of Lihue Airport, \$8.1 million.

"Based on adequate future bond issuances, your committee ensures that these appropriations for capital improvements are not beyond the state's financial capabilities, resulting in a comfortable debt margin of over \$63 million provided for in the bill will ensure a viable future for the people of Hawaii, and I therefore ask your unanimous support of this budget bill."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 53 was adopted and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, "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, 25. Noes, none.

At 10:47 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.

MATTERS DEFERRED FROM FRIDAY, APRIL 19, 1985

Senate Bill No. 64, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 64, S.D. 2, H.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1354, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1354, S.D. 1, H.D. 2, was deferred to the end of the calendar.

CONFERENCE COMMITTEE REPORTS

FINAL READING

Conf. Com. Rep. No. 30 (S.B. No. 615, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Chang, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 30 was adopted and S.B. No. 615, S.D. 1, H.D. 2, C.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEES FOR PRIVATE ATTORNEYS GENERAL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 41 (H.B. No. 995, H.D. 2, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 41 be adopted and H.B. No. 995, H.D. 2, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Cobb spoke on the measure as follows:

"Mr. President, I'm not going to speak in favor of this bill. In fact, I will be voting 'no,' as the committee report indicates my reservation.

"This bill has come out of the conference committee going back to the original House language at the strong request of two of the House conferees that the Senate formally take a vote on this issue. I pointed out to them that if we passed this bill we may as well in effect abolish the Board of Massage because the Senate version provided the discretionary authority for that board to waive the apprenticeship requirement for a particular type of massage. But the House version of it singles out one type of massage and one ethnic group which I think is an unfortunate situation because others could make the same claim. In fact, the very day that we had a hearing on this particular measure in the Senate we also had over an hour of testimony on a style of massage called 'reflexology,' and they were asking for the same type of exemption from the apprenticeship requirements. We said no. We said properly, I think, no in the Senate version, and the way this has come back is in its original House version for that up or down vote that the House conferees requested.

"Given that and the fact that I told those conferees I could not and would not defend this bill on the floor of the Senate, I would ask each member of the Senate to consider the implications of this, that if we begin by passing this, we may as well start looking at other types of massage to exempt, as well. Thank you."

Senator Cayetano then remarked as follows:

"Mr. President, I speak in favor of the bill.

"Mr. President, I don't disagree with the remarks made by the chairman of the conference committee. As a conferee on that committee, I share his views. Unfortunately, I was not present when the agreement was made between the House and Senate conferees and signed the committee report only after the decision had been made. Had I been present, I would have opposed this bill, but it seems to me that one of the duties of the conferees, whether they be House conferees or Senate conferees, is that if an agreement is struck between the House and the Senate that we on this floor try to push and support the measure.

"Although I have grave reservations about this bill, let me say that in the scheme of things, in the scenario of bills that we have here, perhaps this is not an important bill in terms of money and those kinds of considerations. But there is another perspective that I would like to share with the members. I have here a floor speech which will be given, if it has not already been given, by Representative Peter Apo in support of the bill. Representative Apo was a conferee on this bill and he has asked me to share his remarks with the members of this Senate and with your indulgence I will do so. I now quote from Representative Apo's speech:

"Mr. Speaker, I am never surprised by opposition to the suggestion that native Hawaiians should, as native American aboriginal peoples, be singled out for exception to the law with respect to traditional and customary cultural practices. To be sure Mr. Speaker, the issue here is not the practice of lomi lomi. The issue here is whether native Hawaiians can validly pursue exception to the law and if so, on what basis should these exceptions be granted.

"Mr. Speaker, the special status accorded to native Americans has time and time again been confirmed by the Congress and reconfirmed through the legal process which gives special emphasis to protection of religious and cultural practices by indigenous peoples.

"There are numerous precedents in federal law and subsequent challenges to these laws that have been upheld by the Supreme Court. These precedents include Title VII: The Native American Program Act ... Title III: The Native American Employment and Training Act ... The Hawaiian Homes Commission Act of 1921 ... The Native American Vocational Education Program ... and one that has direct bearing on the issue before us, The American Indian

Religious Freedom Act which upholds the right of indigenous peoples to practice their culture as well as religion.

"Mr. Speaker, I suspect that the bottom line here is that as long as these exceptions are kept out of the marketplace there would be less opposition. But since we're talking about money and the application of a native practice for the purpose of financial gain the native Hawaiian is once again in deep kim chee. More astonishing to me, is the blatant fact that when others find ways to exploit the Hawaiian culture for profit then it's OK. I cite you the curious law that makes the construction of a thatched shelter, better known to us as a halau or grass shack ... a law that forbids this type of construction except ... except on property that is zoned resort. Now, isn't that a valid exception!!

"Mr. Speaker, this bill is more symbolic than substantive in that I doubt that we will see a rush of native Hawaiian masseurs filling up the yellow pages if this bill is passed. It is more of a stand up and be counted bill on the broader issue of whether or not we agree with the Federal Government and the Supreme Court who in the case of Morton versus Mancari upheld the lower court's decision that hiring preferences could be extended to a certain group of aboriginal people without violating the equal protection under the law clause.

"In closing, Mr. Speaker, I wish to once again express the need for this Legislature to address Article XII, Section 7, of the Hawaii State Constitution that directs the state to reaffirm and protect traditional and customary native rights for subsistence, cultural, and religious purposes. By doing so, Mr. Speaker, we would provide ourselves with the opportunity to construct a framework in which bills like the one before us could be better addressed.'

"Mr. President, those are the words of Representative Apo. I will ask that that the record reflect that I adopt them as my own, and I ask the members of this body to support the bill."

Senator Cobb then remarked:

"Mr. President, I think a salient point was brought out by the remarks of the previous speaker and one which caused the Senate to adopt the original position that it did, and that is the question of for compensation or profit, because in the testimony before the Senate Committee on this very bill the Board of Massage pointed out, and I think correctly so, that as long as the practice is done as a cultural matter or not for profit, it is not subject to regulation; but when the element of profit or compensation enters into it, then it is and should be subject to regulation like all other types of massage.

Thank you."

Senator Abercrombie also spoke on the measure as follows:

"Mr. President, I speak in opposition to this bill.

"Mr. President, I think it is unfortunate that the very serious questions and issues raised about aboriginal rights, about native American laws and legislation affecting the cultural and religious heritage of native Americans should be raised in this context.

"Mr. President, we're not voting on the philosophy supporting such legislation in which I am in whole support. We're voting on a particular bill, and to cite philosophical considerations which do not relate to the bill, I think, do a disservice to those of us who would like to try and make a rational vote.

"Mr. President, if the members would refer to the definition of massage utilized here for Hawaiian massage, it includes 'any method of treatment or therapy ... kneading with the hands, feet, or elbow, and whether or not aided by any mechanical or electrical apparatus.' I don't think that it makes much sense to talk about aboriginal heritage and electrical apparatuses. It's a contradiction in terms.

"Also, Mr. President, there is a serious implication, philosophically, however, beyond that which relates to ancient, cultural predilections. The point here is that native Hawaiian, if you look on page 3, refers to 'any individual, any of whose ancestors were native of the area which consists of the Hawaiian Islands prior to 1778' and then goes on, on page 4, to say that 'The board shall waive the apprenticeship requirement and other requirements set for the apprentices ... for Native Hawaiian applicants for ...' under this examination, and I'm sure the chairman would correct me if I am interpreting this in a wrong sense, but that the waiver then would be for anybody who by definition had an ancestor here in 1778.

"Mr. President, I understand the motivation of the good Representative, as enunciated by Senator Cayetano on his behalf, but Mr. President, that gets almost the to point of what might be called in other academic context, racial memory. It's the kind of thing that many of us have tried to discourage or oppose philosophically over time because this can be used to the detriment of someone whose ethnic heritage or racial heritage or even religious heritage is such that someone disapproves of it or wants to utilize it in a derogatory way and in some instances even worse to justify prejudice, discrimination, even killing or maiming or ostracizing someone.

"It is a very, very dangerous practice to cite genetic references with respect to cultural heritage. They are not one and the same, Mr. President. Your genetic background and my genetic background and those things which we honor by way of social practices with respect to history are two entirely separate matters. And to give by passage of a law credence, respectability, validity, if you will, to simultaneously citing genetic history and cultural history is to walk on the edge of real social disaster. Obviously, that's not the intent of this bill but it nonetheless puts us in the position of approving such a philosophy and I think that would be a very, very unfortunate thing. History is replete. In fact, arguments are taking place even as I stand here right now and we contemplate voting on this bill, arguments are taking place over the results, forty years after World War II, of the triumph of a philosophy which related race and ethnic heritage and religious heritage to certain presumed cultural and social habits and characteristics which were utilized of course to justify genocide.

"The Hawaiian people have suffered from just exactly that same kind of designation, as well as other native peoples throughout the continent of the United States and in the Pacific and the continent of North America, precisely because they were viewed that their cultural predilections were viewed as somehow inherently theirs by virtue of their race or their ethnicity and therefore became a justification for the terrible consequences visited upon them in war and pestilence and they found themselves victims of this kind of justification.

"Therefore, Mr. President, I do not believe it is in the interest either of the State of Hawaii, as it exists today, or in the interest of any native American person, be they Hawaiian or otherwise, to cite this particular kind of justification for the waiver that is sought. The board itself could recognize the cultural side without incorporating any reference to race or genetics or ethnic heritage based on race or genetics."

Senator Cayetano then responded:

"Mr. President, just in brief response.

"I appreciate the history recited by the previous speaker although it seems to me it's going a bit overboard to apply history of genocide and racism and all of those other considerations recited by the previous speaker to this bill. I mean, we're talking about an activity called 'lomi lomi' which I think we all recognize as indigenous to the Hawaiian culture.

"The speech given by Representative Apo

cites authorities, both in the federal and state level as well as in the federal courts including the U.S. Supreme Court, which does permit, without violating the equal protection clause of the Constitution, certain types of preferences made to native aboriginal groups or their practices or their rights and again I refer to Article VII, Section 7, of the Hawaii Constitution where we state that the state is directed to reaffirm and protect traditional and customary native rights for subsistence, cultural and religious purposes.

"The lines that divides, I think, the kind of argument made by the previous speaker and what we're talking about here is not always very clear. And I think for each person sitting here having to vote on this bill, you have heard one perspective and certainly Representative Apo has given you a different perspective. I think both have some merit to them and I am going to vote for the bill and for the perspective set forth by Representative Apo because he has cited law which has permitted this kind of special treatment."

The motion was put by the Chair and carried, and Roll Call vote having been requested, Conf. Com. Rep. No. 41 was adopted and H.B. No. 995, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Abercrombie, Cobb, Fernandes Salling, Henderson, Kawasaki and Kuroda).

Conf. Com. Rep. No. 44 (S.B. No. 201, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 201, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 45 (S.B. No. 224, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Young and carried, Conf. Com. Rep. No. 45 was adopted and S.B. No. 224, 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.

Conf. Com. Rep. No. 46 (S.B. No. 932, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Chang and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 932, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGREEMENTS OF SALE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 47 (H.B. No. 40, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 47 be adopted and H.B. No. 40, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kuroda.

Senator Kawasaki spoke on the measure as follows:

"Mr. President, this bill, as it emerged from the conference committee, is much better than the bill that got out of the Senate Consumer Protection Committee. It brings back some reasonable ceiling to the interest rates chargeable. I regret, however, that they eliminated the 'drop dead' clause which would have caused interest rates to revert back to the time several years ago when interest rates were perhaps a little more reasonable.

"I just found out this morning that the top interest that people with money buying CD's could get for 30-day CD's is 8 percent; for a one-year CD or deposits for one year by people having money, the top rate that you could get is from Bank of Hawaii at 9.2 percent. However, what are these institutions charging people that of necessity have to borrow money? They're charging anywhere from 18 percent on upwards.

"And while I'm delighted that the interest chargeable on credit card accounts is kept at 18 percent and not 21 percent as the institutions wanted, or as the Senate bill provided (a complete lifting of all ceilings) this is an improvement.

"I still feel that perhaps keeping the 'drop dead' clause, so that interest rates would revert back to a more reasonable level, was a better proposition for the consumers of this state in view of what they have to pay today and what depositors are getting for their money. This big spread between an 8 and 9 percent interest that the institutions pay the depositors and what they charge borrowers, approximately 18 percent, this big spread I think allows the institutions ample profits. And for this reason, I think we should have kept the 'drop dead' clause.

"I wish to vote 'no' on this bill."

The motion was put by the Chair and

carried, and Conf. Com. Rep. No. 47 was adopted and H.B. No. 40, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Fernandes Salling and Kawasaki).

Conf. Com. Rep. No. 48 (H.B. No. 347, H.D. 1, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. 48 be adopted and H.B. No. 347, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chang.

Senator Cobb spoke on the measure as follows:

"Mr. President, I would just like to enter into the Journal a correction of the committee report, if I may. It does not affect the substance of the bill.

"I've been informed by Representative Shito, chairman of the House Consumer Protection and Committee who served as co-chairman and manager for the House on the conference for this bill, of a slight technical error in the conference committee report but not in the bill.

"In assembling the report for the Senate, page 2 was inadvertently transposed. While this in no way affects the language or contents of the conference draft of the bill the record should reflect for clarity that page 2 of Senate Conference Committee Report No. 48 should be marginally noted in the following manner: Delete the first line of the body of the report on page 2, simply because it was repeated at the bottom of page 1.

"A similar technical disposition is being made in the House by Representative Shito. Thank you."

The Chair so ordered the correction be made.

Senator Kawasaki then inquired:

"Mr. President, a brief question on that committee report on the first page. It says there about one-third of the way down, 'Further, the Department reassured your Committee that this would be the last time that an extension of the HBCA and Model Professional Corporation Act would be...'asked. What assurance do we have that future regulators would not extend this bill?"

Senator Cobb responded:

"Mr. President, the assurances that we received were threefold: (1) from Mr. Yamashita who is a civil servant and will be

remaining with the department's business registration division beyond December of 1986; (2) the proponents of the corporation legislation, including the department and other interested parties; and (3) the House chairman and myself who felt very strongly that the date should not go beyond July 1, 1987.

"The reason for the concomitant dates or concurrent dates was that the department felt very strongly that all of the dates for the Model Corporation Acts should go into effect at the same time. And that's the only reason why the July 1, 1986 date for the Model Corporation Act was slipped one year, to implement that."

Senator Kawasaki then thanked the Chair.

Senator Cobb then added:

"Mr. President, just by way of addendum, the fourth item to insure that those dates would not slip would be the individual Senators within this body. Thank you."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 48 was adopted and H.B. No. 347, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 49 (S.B. No. 309, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 49 was adopted and S.B. No. 309, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE FOR MOTOR VEHICLES AND OTHER VEHICLES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 50 (S.B. No. 539, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Chang and carried, Conf. Com. Rep. No. 50 was adopted and S.B. No. 539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ALARM BUSINESSES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 51 (S.B. No. 588, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator McMurdo and carried, Conf. Com.

Rep. No. 51 was adopted and S.B. No. 588, 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.

Conf. Com. Rep. No. 52 (S.B. No. 665, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 52 was adopted and S.B. No. 665, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACUPUNCTURE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 54 (S.B. No. 726, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 54 was adopted and S.B. No. 726, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 55 (S.B. No. 460, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 55 was adopted and S.B. No. 460, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 56 (S.B. No. 459, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 56 was adopted and S.B. No. 459, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 57 (S.B. No. 1186, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded

by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 57 was adopted and S.B. No. 1186, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 58 (S.B. No. 702, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator B. Kobayashi and carried, Conf. Com. Rep. No. 58 was adopted and S.B. No. 702, S.D. 2, H.D. 2, C.D. 1, 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, 25. Noes, none.

Conf. Com. Rep. No. 59 (H.B. No. 49, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 59 was adopted and H.B. No. 49, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CARE FOR THE ELDERLY," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 60 (H.B. No. 101, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 60 was adopted and H.B. No. 101, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF COMMUNITY SERVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 62 (H.B. No. 1393, H.D. 2, S.D. 1, C.D. 2):

On motion by Senator Cayetano, seconded by Senator Hagino and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 1393, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 63 (H.B. No. 99, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf.

Com. Rep. No. 63 and H.B. No. 99, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 64 (H.B. No. 463, H.D. 2, S.D. 2, C.D. 2):

By unanimous consent, action on Conf. Com. Rep. No. 64 and H.B. No. 463, H.D. 2, S.D. 2, C.D. 2, was deferred to the end of the calendar.

Conf. Com. Rep. No. 65 (H.B. No. 134, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65 and H.B. No. 134, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 66 (H.B. No. 146, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66 and H.B. No. 146, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 67 (H.B. No. 147, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67 and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 68 (H.B. No. 1198, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68 and H.B. No. 1198, S.D. 2, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 69 (S.B. No. 463, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69 and S.B. No. 463, S.D. 1, H.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 70 (S.B. No. 20, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70 and S.B. No. 20, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 71 (S.B. No. 1286, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 1286, S.D. 2, H.D. 2, 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.

Conf. Com. Rep. No. 72 (S.B. No. 1287, S.D. 2, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 1287, S.D. 2, H.D. 2, 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.

Conf. Com. Rep. No. 73 (S.B. No. 239, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 73 was adopted and S.B. No. 239, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

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

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

Conf. Com. Rep. No. 74 (S.B. No. 589, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Holt and carried, Conf. Com. Rep. No. 74 was adopted and S.B. No. 589, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 75 (S.B. No. 471, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and S.B. No. 471, S.D. 2, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 76 (H.B. No. 281, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 76 was adopted and H.B. No. 281, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHWAY FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Young). Excused, 1 (Soares).

Conf. Com. Rep. No. 77 (S.B. No. 384, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 77 and S.B. No. 384, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1089, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1089, S.D. 2, H.D. 1, was deferred to the end of the calendar.

At 12:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

THIRD READING

MATTERS DEFERRED FROM WEDNESDAY, APRIL 17, 1985

House Bill No. 20, H.D. 2:

By unanimous consent, action on H.B. No. 20, H.D. 2, was deferred to the end of the calendar.

House Bill No. 813, H.D. 3:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, H.B. No. 813, H.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS AND FINANCING SOLID WASTE PROCESSING AND DISPOSAL AND ELECTRIC GENERATING FACILITIES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1272:

By unanimous consent, action on H.B. No. 1272 was deferred to the end of the calendar.

ADVISE AND CONSENT

Stand. Com. Rep. No. 1145 (Gov. Msg. No. 300):

Senator Chang moved that Stand. Com. Rep. No. 1145 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Chang then moved that the Senate advise and consent to the nomination of Georgiana M. Yuen to the Hawaii Paroling Authority, term to expire December 31, 1987.

Senator Kawasaki rose to remark as follows:

"Mr. President, I rise to speak in favor of confirming this appointment.

"This job is a hard enough job for men, to begin with. I think this woman sure is asking for trouble, but that's her decision. I'll support her."

Senator Abercrombie then remarked:

"Mr. President, I would just like to comment that there is one thing we can count on in the Senate and that is that Duke Kawasaki will always be the same."

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1146 (Gov. Msg. Nos. 296, 297, 298 and 299):

Senator B. Kobayashi moved that Stand. Com. Rep. No. 1146 be received and placed on file, seconded by Senator Machida and carried.

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

Thomas Lee to the Board of Health, term to expire December 31, 1987;

Bernard Punikaia to the Board of Health, term to expire December 31, 1988;

Akira Omonaka to the Statewide Health Coordinating Council, term to expire December 31, 1986;

James W. Linman, M.D., Ellen K. Serra and Kathleen K.M. de Silva to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1988;

Robert G.B. Bjornson, M.D., Masaru Oshiro, Ray M. Higa, Bishop Edmond Lee Browning and Guy A. Paul to the State Council on Mental Health and Substance Abuse, terms to expire December 31, 1988;

Donna W. Saiki, John A. Bissell, Tina Dameron, Jane R. Smith and Connie C. Chun to the State Council on Mental Health and Substance Abuse, terms to expire December 31, 1987; and

John F. McDermott, Jr., M.D., Reverend Frank A. Chong, Reverend Vincent De Paul O'Neill, Kenneth 'Shannon' Steele and Frank Sua to the State Council on Mental Health and Substance Abuse,

terms to expire December 31, 1986,

seconded by Senator Machida.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1148 (Gov. Msg. No. 302):

Senator Cayetano moved that Stand. Com. Rep. No. 1148 be received and placed on file, seconded by Senator B. Kobayashi and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Danilo V. Lucila, M.D., to the Medical Advisory Board, term to expire December 31, 1988.

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

Ayes, 25. Noes, none.

Stand. Com. Rep. No. 1159 (Gov. Msg. No. 134):

Senator Holt moved that Stand. Com. Rep. No. 1159 be received and placed on file, seconded by Senator Chang and carried.

Senator Holt then moved that the Senate advise and consent to the nominations of Julia Frolich, M.D., and James F. Gary to the Board of Regents, University of Hawaii, seconded by Senator Chang.

Senator Abercrombie spoke on the nominations as follows:

"Mr. President, I rise to speak against these nominations to the Board of Regents. They are both being considered simultaneously, are they not?"

The Chair answered in the affirmative.

Senator Abercrombie continued:

"Mr. President, I speak against both nominees.

"Mr. President, the newspapers have adequately covered, I think; the television has to some degree and for those who had the opportunity to attend the hearings on tuition, I think you'd get a good example of the way the regents have operated since these two individuals were nominated and received a positive vote from this body the last time. I do not believe that they have exercised the kind of stewardship at the University that is required.

"I am against the raising of tuition. No

argument was brought forward of any kind that sustained raising the tuition at the University of Hawaii. On the contrary, the arguments against raising tuition, even in the manner in which it has been done by the regents at this stage, were so compelling and so commanding that it is beyond my conception as to how it could have taken place except by arbitrary decision on the part of the regents.

"What their agenda is, I do not know. They have not indicated what it is. The manner in which the regents conduct their business continues to be one of the real scandals in my estimation with respect to openness in government. Those of us who have dealt with sunshine bills; those of us who have had ourselves questions raised as to how our committees do business here in the Legislature could take a lesson in terms of secretiveness and behind the scenes maneuvering from what goes on at the Board of Regents.

"The leadership that was promised by these people and particularly Mr. Gary, when he was nominated, has not been manifested in any form that is discernible to me. The manner in which the search for the president of the University was conducted, I think, left a great deal to be desired, to say the least. The fact that the editor of the Honolulu Advertiser was appointed the head of a civilian, if you will, search committee when obviously the Honolulu Advertiser had to report both on the search process and on its results, is such a blatant conflict of interest is to beggar anyone's imagination. Mr. Gary was in particular associated with that whole process.

"The failure of the regents to adequately pursue the question of the president's salary; how it should be paid. At a time when we were looking for new leadership at the University when we were hoping to see a positive atmosphere created at the University is now been dragged down as a result of that failure of the regents to adequately understand what it is they were doing and why. It's obviously for no lack of opportunity to get legal and other advice as to what to do.

"The president of the university's salary today, as we speak, is in jeopardy. Whether or not it will be able to be accomplished is a question that remains to be resolved. Therefore, Dr. Mackey is coming in to the University not having the first and foremost, what he can do to improve the University in terms of leadership, in terms of advocacy for the University, but rather coming in to an atmosphere replete with mediocrity and incompetence.

"The principal discussion that has taken place at the University since Dr. Mackey's being named is whether or not the president can be paid, who's going to pay him, where

all the fringe benefits are, and how much we're going to be able to sock students for how long in terms of raising tuition.

"There's been scarcely a word said or I might say, whether the Hawaii Islanders can play in the baseball stadium. Aside from that, discussion or awareness in the public mind of what it takes to have an adequate, let alone excellent academic institution, is virtually nonexistent.

"It is about time that we require of the Governor that he send us nominations for the regents in particular, that reflect the rhetoric that has flowed not only in these halls, but in public on the part of elected officials for lo these many years, that it reflect what we truly wish to accomplish in terms of the people that are there.

"We simply cannot continue to have the caliber of people on the regents that exists right now. We cannot continue to have people who make presentations of grandiose proportions as to what they seek to accomplish as regents and then have such miniscule records with respect to those accomplishments that we heard so much about when they came up for nomination.

"I do not see any compelling reason whatsoever to confirm these two individuals as regents, aside from the fact that you might hurt their feelings. If that's the basis upon which we're going to make nominations to the regents, why then, we shouldn't fail to hold hearings or fail to hold them to account at all.

"The record of the regents of the University of Hawaii in the past couple of years is a singular failure. There is no leadership; there is no competence; there is no confidence on the part of the public. They have not sought to gain it by opening up their meetings nor by their communication with the average student.

"It was interesting to me to note that the last time the student body had seen the overwhelming majority of regents was the last time the regents raised their tuition. The students have no understanding whatsoever of the role of the regents other than as some secretive body that periodically hands down the pronouncements that they'll have to pay more for their education, regardless of the deterioration of that education in terms of either offerings of courses or in the infrastructure academically and otherwise that would back up a good education.

"For once, the Senate should make clear that we want to have top caliber people who will carry through on their promises. And the way to make that message clear is to reject these two nominees. Thank you."

Senator Chang then rose to remark as follows:

"Mr. President, I rise to speak in favor of these nominations in a very brief response.

"I too share the good Senator's concerns and I think the chairman of the Higher Education Committee shares the concern that the students come first and the students should be aware of the regents' presence, role and function at the University of Hawaii. And so, at the hearing we posed several questions to determine the commitment of the nominees to broadening the avenues of student access to the Board of Regents and, I for one, found the response very adequate and very gratifying. And because this was my primary concern in the hearing I decided to support the nominations and I do so at this time. Thank you."

Senator Kawasaki then added as follows:

"Mr. President, I think the comments made by Senator Abercrombie relative to nominee Gary were well taken and I would wish that this vote for confirmation would have been separated between Mr. Gary and Dr. Frolich.

"I am willing to vote for the confirmation of Dr. Frolich, but being as how this committee report takes two names together, I will be compelled to vote 'no.' I think it's unfortunate, but perhaps in the future we should consider these nominations to be voted upon individually. I have to vote 'no' because of my agreement with Senator Abercrombie and the comments he made relative to nominee Mr. Gary."

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

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

MATTERS DEFERRED FROM THURSDAY, APRIL 18, 1985

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 78, H.D. 2:

Senator Cobb moved that H.C.R. No. 78, H.D. 2, be adopted, seconded by Senator Soares.

Senator Abercrombie spoke on the resolution as follows:

"Mr. President, I'll speak against this resolution. Mr. President, may I, before I proceed speaking against the resolution, address a question or two to the chairman of the Economic Development Committee?"

The Chair allowed the Senator to proceed.

Senator Abercrombie inquired:

"Mr. President, would you ask the chairman whether a resolution or resolutions with respect to homeporting the battleship group were in his committee?"

The Chair posed the question to the chairman and Senator Aki answered:

"Mr. President, in answer to that question, yes. There were several resolutions addressing the homeporting in my committee."

Senator Abercrombie continued:

"Would you ask the chairman whether or not any of those resolutions were heard?"

Senator Aki answered:

"Mr. President, none of these resolutions were heard."

Senator Abercrombie continued:

"Thank you."

"Mr. President, perhaps you can answer this question. I presume that the only resolutions with respect to this issue did reside with the Committee on Economic Development. Is that correct ... resolutions originating in this house?"

The Chair responded:

"No, I think some of them were sent to the Government Operations Committee, and the reason for that is because their substance dealt with a request being made of the Federal Government, while this one involved an economic impact study of the possible effects of homeporting."

Senator Abercrombie continued:

"Would you kindly ask the chairman, then, of the Government Operations Committee if he would yield to similar questions as I asked of the chairman of the Economic Development Committee?"

Senator Kawasaki answered:

"Yes, I most certainly will."

Senator Abercrombie continued:

"Could you ask the chairman whether hearings were held in his committee on the resolutions with respect to the substance of this resolution?"

Senator Kawasaki answered:

"Yes, they were held."

Senator Abercrombie continued:

"Thank you."

"Mr. President, one other point. Would you ask the chairman of the Government Operations Committee what resolutions issued from his committee in this area?"

Senator Kawasaki responded:

"The resolution was reported out favorably."

Senator Abercrombie continued:

"Would you ask the chairman whether the substance of that resolution appears here in this House Concurrent Resolution?"

Senator Kawasaki answered:

"Substantially, this is about the same resolution that we acted upon."

Senator Abercrombie continued:

"Thank you. I thank both chairmen."

"Mr. President, I speak against this resolution and in the process I will raise a series of questions."

"Mr. President, as recently as yesterday, Mr. Yee of this task force was indicating in the pages of the Sunday newspaper that the assurances that we have concerning housing and the financing for housing ... where does it take place and under what conditions; in what manner people presently residing here will have access to the housing, which magically appeared when this homeport issue was first raised, is at best under severe questioning. There are vague references to pension plans of unions. Why these same pension plans are not available for housing for people already residing here is not clear."

"What is clear is that we have not had an opportunity to have many of the questions that have been raised with respect to the homeporting answered adequately. There's little doubt in my mind that there will be an influx of money into this community but, Mr. President, I'm of the same opinion as the Mayor of the City and County of Honolulu who is, to my best recollection, an advocate of bringing the battleship group here. That the only reason to homeport any battleship group or other military activity anywhere is on the basis of providing for the national security of the United States of America."

"To go through a process of courting any of the military branches of this government, presumably our government, is not only an unseemly activity, but removes from consideration the idea that the homeporting or any other military activity has a basis other than political."

"Mr. President, I refer you to an article in the Honolulu Star-Bulletin of April 19th, just past. 'Armed Services Panel Member Hits "Politics" in Homeport Plan,' and I am quoting now: 'The Navy's plan to disperse its ships is being carried out in a "totally political" manner, a member of the House Armed Services Committee charged yesterday. Rep. Ron Dellums, D Calif., said he was shocked to learn the "name of the game is politics" in the Navy's plan to find new homeports for several battleship groups.'

"Mr. President, I will not go on with the entire article. The point being that Rep. Dellums raises some very good questions. He said that 'Navy representatives explained they consider a proposed homeport's proximity to major waterways, its strategic and tactical capabilities, economic and other factors in determining a final site.'

"He then said, 'I asked how they prioritize the list or how do they weigh the factors in relation to each other. They said they do not prioritize the list. The list is not weighted. Rather than approaching the dispersal of Navy ships in a "rational and a serious manner," it is totally political. It is not the result of serious strategic and tactical decisions.'

"Now, if the argument, Mr. President, is that we should campaign for homeporting this battleship group here on the basis that it has very little to do with strategic considerations or even tactical considerations but has everything to do with politics, then I suppose you could pass this without much concern. But I think that there are questions, then, that if they are to be political, it should be asked of the State of Hawaii.

"It's one thing to campaign on a political basis, nationally, but it's quite another thing to leave the State of Hawaii out in the process. I'm quite sure by the way that most of the people who are so adamant about the ease with which the housing situation would be addressed probably have homes of their own right now. I do not know Mr. Yee, but I doubt that he's living in rented quarters somewhere. I doubt that most of the members of the Chamber of Commerce who cite this as being such an advantage to the State of Hawaii are in rented quarters, either.

"As a matter of fact, this entire campaign, if you will, is being conducted principally in the press and among the chosen few with very little in the way of the opportunity for the public, not only to provide input, but to ask and gain answers to questions. There has been very little public debate as such.

"And so for purposes of the record, I wish to enter into the record some of these questions that have not been answered and are most certainly not answered by the text of this resolution.

"What effect would the homeporting have on Oahu's already serious housing shortage? It's been estimated that homeporting would add between four and seven thousand people to Honolulu's population. Where will they live? Local renters already are being displaced due to the rent plus program. I think that's been made adequately clear.

"Each day for the past week or so we have seen pictures on the front pages of the paper with respect to the situation of beach people. Whether or not you agree with the situation is beside the point for this argument. The fact of the matter is that there are considerable numbers of people living on beaches for whatever the reason, but most certainly including some who are unable to find adequate quarters.

"The Chamber of Commerce and others have proposed certain ways to expedite the development of new housing. If streamlining the process can be done without risk, why hasn't it already been done for the people of Hawaii?

"What impact would homeporting have on our water resources? Oahu already has a water shortage and it is the worst in the Pearl Harbor Base .?... which supplies the water to areas where urban growth would be likely to occur to accommodate the battleship group's personnel and their dependents. Will we be getting water from other sources on other parts of Oahu, for example?

"Mr. President, we have again in the papers, quite recently in the media, the questions to be resolved now about stream flow, and the rights and obligations with respect to small farmers and people who have access to streams and those streams which empty into the ocean. Will we be taking water from the Windward side, for example, and bringing it elsewhere in this instance. Maintenance and other ship related activities obviously will tax the water supply in this area. With our population already straining limits of water consumption, can we afford these additional pressures on our resources?

"Mr. President, I'm raising these questions not because I'm saying that the answer would be negative; I'm saying that these answers should be provided before we simply rush off and say there's going to be a lot of money put into the community with little or no cost to the community.

"My principal reasoning here is that these

questions need to be answered before we all line up in the chorus line.

"What consequences would homeporting have for our long term economic development? The suggestion is that it would broaden Honolulu's economic base, but would it, in fact, increase our dependency?

"What resources will we have to utilize in terms of what economists call an 'opportunity's cost' — resources pumped into the homeport effort that would not be available for other economic development options which might benefit island residents more. Is this a wise commitment?

"Mr. President, let me refer you to a question that I have been raising since I first ran for public office; in fact, a question that I have tried to deal with over a number of years and which we are now addressing in the Kakaako area in particular; that is to say, sewage and drainage.

"One of the reasons, as you know, Mr. President, that I have been an enthusiastic supporter of the hotel room tax for a number of years, including those when you were in the Legislature and before I was elected to it, was that we have a serious sewer problem in this state, particularly in the area coming out of Kaimuki, Palolo, down Kapahulu Avenue into Makiki through Kakaako and down to Ala Moana and through Waikiki. We are talking about tens of millions of dollars necessary investment just in our sewer and drainage facilities alone, which has been neglected for a long, long time. Again, recent events as reported in the media indicate that the Palolo-Makiki-Kaimuki area alone, the main drainage there, the main sewer there, may cost upwards of \$60 million if we start on it today, simply to repair and bring up to standard. It does not really address the problem going down Kapahulu Avenue into and through Waikiki and Ala Moana.

"Mr. President, these are the kinds of costs that I'm talking about that we must address in any event. We need to have a resolution about where we're going to put our resources.

"How would the homeport affect schools? Mr. President, I have raised this question on the floor and will not carry further with it today other than to reiterate it.

"Will we need to build new schools? Will we get our impact-aid money? What would be the influx of a group of military dependent children on this education that local students receive and of course that education which the military dependent students would receive as well?.

"The schools are already under

tremendous pressure. Could they successfully absorb the additional students? I don't believe that question has been adequately addressed.

"What impact would homeporting have on other public institutions, human services agencies and the quality of life?

"A Police Department study recently revealed one of the hidden costs of hosting a large military population, and my committee has become aware of it just this year, exceptionally high rates of traffic fatalities and exceptionally high rates of instances of family violence, and instances wherein because of the pressures associated with the tough life that by necessity is invoked when you have families following military personnel, that many of them have difficulties that need to be resolved and we want to be helpful. They are residents here of the State of Hawaii while they are here and we are obligated as friends and neighbors as well as fellow citizens to be of use and to be available to them. But nonetheless, there are costs associated with it, genuine costs that have to be taken into account.

"Finally, Mr. President, in this respect, I would ask that we take into account whether or not the homeporting situation will be such that we have to engage in commitments, monetary commitments, which this Legislature either has not made or will be made in our name and we will be expected to follow upon. I notice that there is in a, for example, in our bond issue, if I'm not mistaken, a million dollars for dredging of the harbor. I'm not sufficiently conversant with it at this time to know whether that is a necessity regardless of whether the battleship group is homeported here or whether it is there to accommodate the battleship group should it arrive. If it is, then that is a cost, then, that has not been fully explained to people. Will there be other associated costs that this Legislature will be expected to fund in order to do this.

"So, Mr. President, my reason in sum, then, for opposing the resolution is that on the whole it gives the impression that all the questions have not only been asked, but that they have been answered adequately and that all the costs, in terms of a benefit ratio, have been measured soberly and with due deliberation by this Legislative body and I do not think that this is the case. I believe that, should it be determined that there is a strategic necessity for a battleship group to be maintained in the Pacific and that strategic necessity incorporates the islands of Hawaii as the place where this battleship group should be, then by all means, we should try to find a way to accommodate it within the confines of that decision. But I would maintain to you, Mr. President, that under no circumstances, even if such a

decision is made, should the responsibility of the Federal Government be lessened. Case in point — the dredging.

"I fail to understand why, if the answer to my rhetorical query was that the dredging of the harbor was something that was going to be necessitated by the battleship group but not if we did not have the group coming, then why should we put up the money? On the other hand, if the battleship group coming here necessitates that dredging, is it not the obligation of the Federal Government through the Department of Defense to provide that money? I think the answer would be yes.

"I think that if strategic considerations are such that a battleship group or any other military activity is to be placed here in the State of Hawaii, then it is up to the Department of Defense as a cost of doing business, the defense business, to provide those funds. If it can provide funds for General Dynamics to have Halloween parties and banquets, and if it can provide outrageous profits to defense contractors, if it can have a wastrel attitude, an attitude almost incomprehensible, in terms of its ability to absorb and tolerate waste in expenditures in the Department of Defense and in the Pentagon, most surely then, when you are dealing with taxpayers whose only purpose is to make legitimate inquiry as to what is expected of them, that the Department of Defense not only share the cost but bear the burden of those costs legitimately associated with the homeporting of a battleship group or any other military activity within the confines of the United States."

Senator Kuroda also spoke on the resolution as follows:

"Mr. President, I rise to speak in favor of the resolution.

"It was I who introduced the companion Senate resolution to H.C.R. 78. The contents of the Senate resolution are not as comprehensive as H.C.R. 78; however, as Senator Kawasaki stated, the Senate resolution was almost identical to the H.C.R.

"I don't think that we have all the answers to the questions that Senator Abercrombie has raised. However, if we wait to try to get the answers to these questions, we will truly miss the boat.

"Let me address myself to one issue among the many that have been brought up in opposition to the homeporting request by the state and that is housing.

"Let me call the Senators' attention to H.C.R. 78, on the second page in the 'Be it further resolved' paragraph, and it's explained in the committee report that this

'Be it further resolved' has been included in here and let me read it: 'Be it further resolved that the State of Hawaii work closely with the Hawaii Economic Development Project Homeport Task Force to provide, as a general target, at least on a one-to-one ratio corresponding to the number of housing units for local needs versus the number of housing units for U.S. Navy needs for public housing;'.

"Mr. President, the question has been asked and is always asked, why is not an effort made to provide more affordable housing for civilians? We could look at this homeporting issue from a positive view, which is, that because of this issue, greater effort is centered upon and greater recognition is now given to the issue of providing more affordable homes for civilians. So, what I would like to suggest to the proponents of the effort to provide more affordable homes for civilians, and I am one of them, is that we should pursue and press and continue to press for more civilian housing, as we work toward building homes for the Navy personnel."

Senator Young then remarked as follows:

"Mr. President, just in comment.

"My only hope is that in the event that we don't get homeporting here, hopefully, a hundred percent of housing would be utilized for the civilian sector. In other words, if we're going to build 2,300 homes for the military then perhaps if we don't get homeporting we could have 4,600 homes for our civilian population. Thank you."

The motion was put by the Chair and carried and H.C.R. No. 78, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE SECRETARY OF THE NAVY TO HOMEPORT A BATTLESHIP AND NINE ASSOCIATED SHIPS AT PEARL HARBOR," was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
 Excused, 4 (Cayetano, Cobb, Hee and Henderson).

House Concurrent Resolution No. 131:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MAY, 1985, AS BETTER HEARING AND SPEECH MONTH," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Cayetano, Cobb, Hee and Henderson).

House Concurrent Resolution No. 25:

By unanimous consent, H.C.R. No. 25,

entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO EXAMINE AN ALTERNATIVE SUCH AS THE VARIABLE HOUSING ALLOWANCE (VHA) PROGRAM AS A SUBSTITUTE FOR THE 'RENT PLUS' PROGRAM FOR THE MILITARY IN HAWAII," was referred to the Committee on Government Operations.

House Concurrent Resolution 40, H.D. 1:

By unanimous consent, H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, PACIFIC OCEAN DIVISION, HAWAII, TO INCORPORATE AQUACULTURE OUTFALLS AND RELATED STRUCTURES AND APPURTENANCES UNDER THE GENERAL (REGIONAL) PERMIT SYSTEM OF THE UNITED STATES CLEAN WATER ACT," was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

At 1:01 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:04 o'clock p.m.

House Concurrent Resolution No. 62, H.D. 1:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 62, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 1985 AS THE INTERNATIONAL YOUTH YEAR (IYY) IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS," was adopted.

House Concurrent Resolution No. 67, H.D. 1:

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT A PROGRAM AND BUDGET REVIEW OF THRIFT GUARANTY CORPORATION," was referred to the Committee on Legislative Management.

House Concurrent Resolution No. 88, H.D. 2:

By unanimous consent, H.C.R. No. 88, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A LISTING OF REPAIR AND MAINTENANCE PROJECT NECESSARY TO BRING ALL PUBLIC BUILDINGS UP TO AN ACCEPTABLE STATE OF REPAIR AND TO ESTABLISH A PREVENTIVE MAINTENANCE PROGRAM TO KEEP THE FACILITIES IN THAT ACCEPTABLE STATE FOR ITS DESIGNED LIFE," was referred jointly to the Committee on Government Operations and the Committee on Ways and Means.

House Concurrent Resolution No. 106:

By unanimous consent, H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY TO INCLUDE SIX PESTICIDE CONTAMINATED CENTRAL OAHU WELLS ON THE NATIONAL PRIORITIES LIST OF ELIGIBLE PROJECTS FOR CLEANUP MONEYS UNDER THE FEDERAL SUPERFUND AND REQUESTING CONGRESS TO EXPLICITLY PROVIDE THAT PESTICIDE CONTAMINATED WATER WELLS ARE ELIGIBLE FOR CLEANUP UNDER THE SUPERFUND," was referred to the Committee on Health.

House Concurrent Resolution No. 117, H.D. 1:

By unanimous consent, H.C.R. No. 117, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INTERIM COMMITTEE EXPLORATION OF ALTERNATIVES FOR IMPROVING THE EFFECTIVENESS OF STATE ENVIRONMENTAL PROGRAMS," was referred to the Committee on Legislative Management.

House Concurrent Resolution No. 125:

By unanimous consent, H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE COMMENDATION OF THE UNIVERSITY OF HAWAII SEA GRANT COLLEGE PROGRAM," was referred to the Committee on Higher Education.

House Concurrent Resolution No. 126, H.D. 1:

By unanimous consent, H.C.R. No. 126, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO EXTEND FEDERAL ENERGY TAX CREDITS FOR THE INSTALLATION OF ENERGY CONSERVING DEVICES," was referred to the Committee on Energy.

House Concurrent Resolution No. 124, H.D. 1:

Senator Cobb moved that H.C.R. 124, HD. 1, be adopted, seconded by Senator Soares.

Senator Kuroda rose to speak on the resolution as follows:

"Mr. President, rising to speak in favor of H.C.R. 124, requesting the establishment of a sister province-state relationship between the Province of Ilocos Sur, Republic of the Philippines and the State of Hawaii, I would like to enter a few remarks into the Journal.

"It is only obvious that the Senate

delegation leader should be Senator Cayetano but, Mr. President, I have not heard Senator Cayetano sing or even hum any song, much less a Filipino song, and there definitely is a need for a Senator to accompany Senator Cayetano on this important mission, someone who can sing 'Dahil Sayo.' (Senator Kuroda sang a few words of 'Dahil Sayo.') So, therefore, Mr. President, I volunteer. Thank you."

Senator Abercrombie then added:

"Mr. President, it is obvious that we still need to seek someone who can sing that particular song. (Laughter.)

"Mr. President, it is also an answer to the good Senator's question about having never heard Senator Cayetano sing, let alone hum. There is very good reason for that. Some of us have heard those pitiful attempts. (Laughter.)"

The motion was put by the Chair and carried, and H.C.R. No. 124, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A SISTER PROVINCE-STATE RELATIONSHIP BETWEEN THE PROVINCE OF ILOCOS SUR, REPUBLIC OF THE PHILIPPINES AND THE STATE OF HAWAII," was adopted.

House Concurrent Resolution No. 141, H.D. 1:

By unanimous consent, H.C.R. No. 141, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CODIFY AND CONVERT CERTAIN AQUATIC RESOURCES MANAGEMENT PROVISIONS OF THE HAWAII REVISED STATUTES TO HAWAII ADMINISTRATIVE RULES," was referred to the Committee on Economic Development.

House Concurrent Resolution No. 142, H.D. 1:

by unanimous consent, H.C.R. No. 142, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE ISSUE OF HOMELESSNESS IN HAWAII AND TO DEVELOP SHORT-TERM AND LONG-TERM SOLUTIONS TO THIS MOST CRITICAL PROBLEM," was referred to the Committee on Housing and Community Development.

The Chair then made the following observation:

"At this time the Chair would like to inform the members of the Senate of the present timetable.

"Our latest information from the House is

that they have not yet acted on the budget. Therefore, all bills containing monies will have to wait pending passage of the budget bill. Rather than sit here and wait until that action is taken by the House, we will take a recess and reconvene the Senate at 2:15 p.m."

At 1:08 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 2:15 o'clock p.m.

AFTERNOON SESSION

The Senate reconvened at 2:30 o'clock p.m.

The Chair then announced as follows:

"Members of the Senate, we have been informed by the House that they will be in recess until 3:30 p.m. this afternoon. They have not yet addressed the state budget. Our pending pieces of legislation are dependent upon the House passing the budget, before we can act on them.

"Since we are unable to take any action at this time, we will take another recess and come back at 4:00 p.m."

At 2:33 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 4:00 o'clock p.m.

NIGHT SESSION

The Senate reconvened at 10:25 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

FINAL READING

Senate Bill No. 64, S.D. 2, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 64, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1354, S.D. 1, H.D. 2:

On motion by Senator Cobb, seconded by Senator Soares and carried, S.B. No. 1354, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES AND HOUSING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1

(Abercrombie).

Conf. Com. Rep. No. 63 (H.B. No. 99, H.D. 1, S.D. 2, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 63 be adopted and H.B. No. 99, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading.

Senator Yamasaki then rose to speak on the measure as follows:

"Mr. President, I rise to speak in favor of Conference Report 63, House Bill 99.

"I would like to insert for the record a statement — a declaration for exceeding the judiciary general fund expenditure ceiling.

"In order to comply with Article VII, Section 9, of the State Constitution and Section 37-93 of the Hawaii Revised Statutes, I hereby declare that the Judiciary Budget has exceeded the general fund expenditure ceiling by \$3,807,050 in fiscal 1985-86 and \$843,483 in fiscal year 1986-87. The rate by which the appropriations exceed the expenditure ceiling is 10 percent and 9.4 percent for fiscal years 1986 and 1987, respectively.

"The following are reasons for exceeding the general fund expenditure ceiling:

"1. Public's demand for swifter judicial process;

"2. Public's demand for tougher laws;

"3. Increasing responsibilities being placed on the Judiciary that were once assumed by the Executive branch, such as telephone and maintenance expenses; and

"4. Public's increased awareness of their legal rights which have led to increased number of court cases.

"Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 63 was adopted and H.B. No. 99, H.D. 1, 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, 24. Noes, none. Excused, 1 (Abercrombie).

Conf. Com. Rep. No. 64 (H.B. No. 463, H.D. 2, S.D. 2, C.D. 2):

Senator Yamasaki moved that Conf. Com. Rep. No. 64 be adopted and H.B. No. 463, H.D. 2, S.D. 2, C.D. 2, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator McMurdo rose to speak on the measure as follows:

"Mr. President, I rise to speak in favor of this bill which could be described not as a giant step forward, but certainly as a shuffle in the right direction towards better workers' compensation law.

"I hope that this body will not settle into complacency with the passage of this bill and will in the interim look carefully at ways to amend the law which could result in lowering the tremendous cost of workers' compensation. I would like to see a committee formed in the interim which would consist of members of the Senate and the House, representatives from business and labor, and members of the medical community and the insurance companies. Together, these representatives could discuss frankly their issues and concerns on workers' comp, and perhaps make some solid recommendations to improve this bill for the benefit of all.

"At this point, I am going to vote for the bill as it is. Thank you.

Senator Abercrombie then added his remarks as follows:

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

"Mr. President, I feel that my remarks at the time that the bill passed previously should cover sufficiently my general philosophy with respect to the passage of this bill. My principal complaint at this stage is not about the amount of work that was done with respect to it, but rather that I feel that the workers are the losers in great measure here and are being blamed to some degree for the situation as it exists, at least in the minds of many people; whereas, the solutions proposed in some instances do not really bring any relief to the employer.

"The insurance companies still find themselves in a position where even if savings should accrue from the three-day period, which is a part of this bill, that they will not necessarily or by any means be passed on to the employers. There's no guarantee that that will happen. On the other hand, it is quite true and can be argued that there are many positive sides to this bill with respect to the state-funded insurance plan in particular, and some of the medical fraud stipulations and other stipulations which have remained in this bill from the Senate version which passed over to the House.

"Nonetheless, Mr. President, I feel that fundamentally the bill establishes the idea that the workers, as opposed to either the administration of the present law or the machinations of the insurance companies,

are at fault, and that the employers will receive some false assurance that significant savings will come their way.

"It may be, that should this bill pass, that some savings would accrue, that is to say, the employers would be entitled to them if they could get them. But I see that both the workers and the employers in this instance are still at the tender mercies of the insurance companies, at least until the state-funded competitive insurance system is under way. So, should it pass, I look to that to be the positive impact of this bill, but I think that the principle associated with workers' compensation in denying workers who are legitimately injured on the job that a compensation which is rightfully theirs is not a way to handle the question of workers' compensation. I believe that there is an emotional reaction to that that has overshadowed the facts of the matter, and I see no reason why those who illegitimately utilize workers' compensation or abuse the system should be the standard by which those who are injured legitimately on the job would be judged. Thank you."

Senator Henderson then spoke on the measure as follows:

"Mr. President, I rise to speak in favor of the bill, with reservations.

"This bill addresses maybe one, two, three, four, or five parts of the problem with workers' compensation. When we look at the bill we find that there is a tremendous responsibility placed on the director of the Department of Labor and Industrial Relations. I don't see him here tonight but I wish he were here because I think it's important that he be here to understand the burden that's being placed on him by this bill. He has the responsibility to bring back rationality and reason to workers' compensation in the State of Hawaii.

"The workers' compensation law in this state is not any different from all the other states in the nation, except we have the worst record of utilization of any state. I think the burden falls on the director to correct that situation.

"This bill, Mr. President, appropriates some \$1,450,000 to the director of the Department of Labor and Industrial Relations to address the problems with workers' compensation. This state is known for throwing money at problems, and we've done it again. We've thrown a \$1,450,000 at the problem of workers' compensation. That's money, Mr. President, the taxpayers pay. It doesn't come out of a special fund or insurance premiums under workers' compensation. It comes from the tax dollars that the people of this state pay to the State of Hawaii.

"The second matter, Mr. President, is the insurance commissioner. The insurance commissioner is going to receive \$200,000. So now there is over \$1,650,000 of money we have allocated towards correcting workers' compensation. Under this bill, the insurance commissioner is given \$200,000 for the biennium to hire actuaries, accountants, and attorneys to question the filings of the insurance companies, and that might be very good because maybe we need to do that.

"In addition, this bill gives standing to the employers in any hearings for rate making or rate filing procedures. I feel that's probably a good idea.

"The bill also provides for three calendar days with no retroactivity when somebody is injured on the job. I think that's probably one of the few recommendations that Haldi made, and Haldi made 33 recommendations, that are incorporated in this bill.

"Of course, the other thing, Mr. President, and this is a negative thing, is the state fund. There is no indication at all, absolutely no indication, that the state fund is going to solve the workers' compensation problems of the State of Hawaii. The experience the insurance companies have had parallels those who are self-insured, and there's no indication at all that by starting a state fund we're going to solve the problems of workers' compensation in Hawaii.

"The last thing, Mr. President, is presumption. We have not addressed it and this is probably the bottom line on worker's compensation in Hawaii — the presumption clause.

"Somehow, Mr. President, in 1963 we passed a bill where we recodified the workers' compensations laws in this state, and we changed the first part of the presumption clause for no reason. Even Professor Reisenfeldt, the man who wrote the recodification and wrote the report that suggested we should change our workers' compensation laws had no explanation. I talked to him, Mr. President, about four or five days ago, and he has no recollection of why they would ever change that particular part of our presumption clause. But, we changed it.

"Anyway, Mr. President, my real complaint tonight is, and I'm speaking in favor of the bill, is the process we went through. The process we went through, Mr. President, was one of backroom deals; of holding committee reports and bills in final draft form, S.D. 1's, until there was no way that we could amend them, on the floor of the Senate. Even when the bill came into Ways and Means there was no way we could amend or ask for amendments in Ways and

Means. Even on the floor of the Senate, there was only a perfunctory vote up or down on what we felt were constructive amendments to the workers' compensation law, and that's not good.

"We talk about open political process, Mr. President, what you talked about when you first took the office of president, and I find that that's not happening here. We had a very closed situation with workers' compensation. I think we've had a very closed situation with the pay bill for the executive and judiciary employees. It's not good. I think what you espoused in the past is gone by the board. We do not have the kind of open and full discussion that we should have; that we used to have. We're not having it now.

"The only other thing I can say about the process, Mr. President, I think it's good that the Governor got personally involved. I think it's good that the director of Labor and Industrial Relations got personally involved. I think that it's important that they understand, and I think they do, the problems with workers' compensation. And I think it's important that they direct their efforts to correct the problems we have in the Department of Labor and Industrial Relations and how the law is administered.

"And I only hope, Mr. President, that the courts hear what we're talking about here in the Legislature and understand what needs to be done with the definitions that are not in the law but, Mr. President, are in the committee report. Now, whoever heard of putting something they wanted to be in the law in the committee report. That's nonsense.

"When you talk about defining substantial evidence, which is a major part of the presumption clause, which is the bottom line of workers' compensation, and putting that definition for whatever reason, Mr. President, in the committee report and not in the bill, I do not understand that. Until we get those kinds of definitions into the law, we will not have true reform with workers' compensation.

"I ask all of you to listen to what I said, to vote for this bill because it's a step forward, but next year, let's address the problem.

"Thank you."

Senator Yamasaki then spoke on the measure as follows:

"Mr. President, I rise to speak for the bill without reservation.

"Mr. President, as a result of the conference draft that was circulated, we have received, and you have received, I believe, communications from private

industry representing their feelings towards the conference draft and I would like to read into the record some of the statements that we have received attributed to this bill.

"From Theo H. Davies Company signed by David A. Heenan, President and Chief Executive Officer, dated April 19, 1985, a copy of which I have received, addressed to you Senator Richard Wong, President:

'We at Theo Davies appreciate very much the considerable effort you and your members have given to amend the current Statutes relating to Worker's Compensation. We request that you and your colleagues vote in favor of the Standing Committee Report of your Conference Committee regarding this important measure.'

"Next we have a letter from CILO, Ken Takenaka, Executive Director, dated April 19, 1985, to the Honorable Mamoru Yamasaki:

'We have reviewed the drafts of H.B. 463, H.D. 2, S.D. 2, C.D. 1, and although the bill does not include all of the amendments that our industry would have like to see in the bill, by and large, the bill provides some very meaningful changes that will help lower the cost of workers' compensation within the construction industry.

'We realize that reform of the workers' compensation law has not been an easy task with many competitive points of view, and proposed solutions to a very complex chapter of our law.

'We feel that the bill provides many changes in the workers' compensation law that will help our industry and therefore, urge you to vote for passage of H.B. 463, H.D. 2, S.D. 2, C.D. 1.'

"Also from the Inter-Industry Study Council, Sam Caldwell, President, dated April 19, 1985:

'Our group met this morning to discuss the Conference Draft of House Bill 463, and to develop a position on the bill. We were pleased to have an opportunity to hear Governor Ariyoshi tell us of the trials in the efforts to put together fair, meaningful legislation in Workers' Compensation.

'Although we are disappointed that several of the areas of reform we have been espousing have not been adopted by the Legislature, we believe that on the whole House Bill 463, Conference Draft 1, will provide a good start toward the goal of achieving meaningful reform of the Workers' Compensation Act. As representatives of a large portion of the business community, we support the draft

and urge you to enact it into law.'

"Thank you very much."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 64 was adopted and H.B. No. 463, H.D. 2, S.D. 2, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, George, Kawasaki and Soares).

At 10:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:50 o'clock p.m.

Conf. Com. Rep. No. 65 (H.B. No. 134, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 65 was adopted and H.B. No. 134, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 66 (H.B. No. 146, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 66 was adopted and H.B. No. 146, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 67 (H.B. No. 147, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 67 was adopted and H.B. No. 147, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC EMPLOYEES HEALTH FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conf. Com. Rep. No. 68 (S.B. No. 1198, S.D. 2, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 68 be adopted and S.B. No. 1198, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Abercrombie rose to speak on the measure as follows:

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

"Mr. President, passage of this bill is the end of a long road for a great many people whose faith in government has been seriously eroded as a result of the failure of the two companies in particular, that are addressed in this bill.

"Mr. President, there is no need this evening to go into a long or detailed history of what has taken place other than to say that I think that some members of the public at large may not fully understand what is being accomplished with this bill. I think that it is to the credit, in particular, of the Ways and Means Committee, its chairman and members, and the efforts of Senator Cayetano in particular in the conference with respect to resolving this bill, that we have before us a vehicle whereby those who have been injured, those who have been victimized in the collapse of these two companies in particular, Manoa Finance and Great Hawaiian Realty, will see within their lifetimes, literally for some of them, justice in the form of their \$10,000 deposits which were ostensibly guaranteed by the Christ Guaranty Corporation and by extension the State of Hawaii. At the same time, the public interest is protected.

"Those funds which will be put forward out of the general revenues are adequately secured. I need not go into those details for purposes of this evening's discussion either. Suffice to say not only are they adequately secured but you have a happy combination then in which the public funds necessary to effect a solution for those who were victimized will not be put forward in a manner that will leave the public bereft of an opportunity to recover those funds. As a result, I think this is a bill which clearly serves the public interest as well as the personal desires and necessities of those who deposited their money in these two companies with full faith that the State of Hawaii would assist them should anything go wrong.

"The difference here, Mr. President, and I think it's important to have on the record, is that the overwhelming majority of the deposits in these companies did so at the behest of officers and employees of those companies who, in my judgment, made false and/or misleading claims to the people who were making the deposits as to what was expected of them and what they could expect in return from the State of Hawaii in

terms of protection. Protection of those funds which had been invested.

"Mr. President, what remains now after the passage of this bill is for a vigorous investigation to be made into the transactions which took place in these companies which resulted in the collapse, and if an indictment is warranted, that it be vigorously pursued. If necessary and if the State of Hawaii is reluctant to pursue such an investigation, I most seriously urge the Prosecutor of the City and County of Honolulu, Mr. Marsland, to pursue it. If it turns out in the interim that this is not possible for lack of jurisdiction, I believe that it is not only a possibility but an obligation on the part of this Legislature to see to it that the Prosecutor is empowered to carry forward such an investigation and to make such indictments as may be warranted. Only in this manner do I believe that the public will be fully satisfied.

"To simply make restitution, if you will, to those who were victimized and to expect the taxpayers of the state, which include of course the depositors, to share in that restitution and not at the same time pursue possible criminal indictments, should they be warranted, would be in my judgment a very, very bad precedent and would most certainly not keep the faith with those taxpayers and depositors who are depend on us, by means of this bill, to see to it that justice is done in this state.

"In sum, then, Mr. President, I'm very, very grateful to those who helped put this bill forward. I can recall very, very well being with people in the first days of the collapse of these companies when there was hopelessness and despair, when there was such an utter sense of loss, not only financially but loss of faith, a crippling loss of faith in those institutions and in those people in whom so much trust had been placed, and to see month after month the efforts of the despositors committee and the many, many people who came to all the meetings, who gave of their time and their efforts and their emotions, who organized themselves and forged a new bond with one another in order to see that backing would be received for this bill.

"To go through all of that all of these many, many months and to see it come to fruition in this bill this evening is very, very gratifying. It is not only an opportunity for us to do the right thing, but it will be an element in the progress of this Legislature and in the accomplishments of this Legislature of which we may be truly proud.

"Thank you, Mr. President."

Senator Kawasaki then remarked as follows:

"Mr. President, in rising to speak against passage of this bill, I'd like to direct a few questions to the chairman of the Senate Conference Committee, strictly in regard to the total cost implications, the total net loss to the taxpayers of this state because of the failure on the part of the Thrift Guaranty Corporation program to take care of the losses incurred by the taxpayers at this point."

The Chair posed the question to chairman of the Conference Committee and Senator Yamasaki answered:

"Mr. President, I'd like to yield to my counsel."

The Chair then directed the question to Senator Cayetano who responded:

"Mr. President, could we have the sergeant-at-arms bring the blackboard out.

"Mr. President, it's difficult to, I think, determine the full costs. We did have it broken down but it is my understanding that if the assets of Manoa Finance are not sufficient to cover the monies put up by the Thrift Guaranty members, then those assets that amount to about \$28 million will not be applied to the \$27 million that was advanced to Thrift in previous years. The state will put up, as we all know, \$9.5 million that will be covered by a first lien property or assets to include \$7 million approximately, or \$7.5 million, in accounts receivables which the trustee in bankruptcy has analyzed and believes to be collectible.

"There is approximately \$13 million in accounts receivable outstanding but \$7 million or \$7.5 million of these accounts receivables are deemed to be collectible. And the state has the first lien against that asset. The state also has the first lien against \$2 million expected to be derived from the sale of properties on the Mainland, properties of the project called 'The Japan Center,' I believe. The sale price is believed to exceed \$3 million and it was agreed that \$2 million of that will go to cover the \$9.5 million put up by the state in which the state has first lien.

"Also, there is approximately \$3.5 million coming from a settlement. This settlement stems from a case involving the Pacific Standard Company and a savings and loan in Alaska. The conservative estimate of the settlement is that it would be \$3.5 million; the high side is that it may be \$10 million. So the state's \$9.5 million fund money is covered.

"As to the \$27 million previously advanced by the state, the way this bill works, there will be a cross-lien, the excess of which will be applied to retire the \$27 million. In other words, the Thrift members

will borrow \$21.2 million that will be covered by approximately \$28 million of Manoa Finance real estate and that is a value that is based on tax assessed values. The state's lien, of course as I said earlier, is \$9.5 million.

"Should the assets covering the Thrift lien exceed the amount borrowed by the Thrift members then that money will go to pay the state's \$9.5 million lien should the assets which are for that lien not be sufficient. In the event, however, after both first liens are paid and there is an excess, that money will go to pay the \$27 million.

"All in all, it seems to me that this bill is the best solution, if one can call it a solution, to what is a very, very difficult situation. Under any circumstance, one could almost kiss away the \$27 million previously advanced by the state. However, under the circumstances of the provisions set forth in this bill, the state stands to recover at least a substantial portion of that."

Senator Kawasaki continued:

"I thank Senator Cayetano for the detailed explanation. Now, can I inquire as to the rationale that prompted the framers of this bill and the conferees in not requiring the loan companies to continue paying their assessments to the Thrift Guaranty Corporation, as was a condition when the Thrift Guaranty Corporation entity was first developed?"

Senator Cayetano answered:

"Mr. President, that was a very difficult proposition for both the House and Senate conferees to swallow, but what we hoped for in the situation at large and what was the reality are two different things.

"The reality of the situation was that the Thrift Guaranty assessments would not even cover the interest owed on the \$27 million. Moreover, the reality of the situation also included the fact that GECC, one of the Thrift members which would have been responsible for approximately 26 or 27 percent of the assessments because it had that much of the deposits, threatened to walk away from the situation. By walking away from the situation, I mean threatened to cut off taking deposits and that would have meant the loss of 26 or 27 percent of their assessments because the way the law is framed, the assessments are based on a percentage formula based on the amount of deposits each member held.

"If GECC left, as they threatened to do, and we have to keep in mind that unlike First Hawaiian Bank which owns Hawaii Thrift and Loan and unlike Bank of Hawaii which owns Bancorp and unlike Finance

Factors, all three of which are very substantial and respected financial institutions in this state having had a long standing history, GECC is a relative newcomer, and throughout the nation Hawaii is the only state in which GECC accepts public deposits. Therefore, GECC took the position that if they were forced to pay the assessments they would close up.

"This in my view and I think this view was shared by all of the Senate conferees, and eventually I think the reality of this matter prevailed on the House, would have led to Hawaii Thrift and Loan bailing out of receiving public deposits as well as Bancorp and as well as Finance Factors. After all, when 26 or 27 percent of the share leaves, you are left holding the bag.

"Furthermore, it was explained to the conferees that with the new FDIC requirements there is no longer any attractiveness in doing business as an industrial loan company, and therefore, it would have been comparatively easy for Hawaii Thrift and Loan, for example, or First Hawaiian Bank to convert its branches of Hawaii Thrift and Loan into branches of First Hawaiian Bank and that created all kinds of problems for us. So the decision to back off from the assessments was based, I think, on a cold, objective analysis of the legal reality of the situation the state found itself in."

Senator Cobb then remarked as follows:

"Mr. President, if I may elaborate just briefly on the answer given by the Transportation Committee chairman in response to the questions of the vice president.

"In addition, Hawaii Thrift and Loan consists of approximately 40 percent of Thrift Guarantee. On January 1 of 1986 the last remaining restriction of the bank zoning law will be lifted so that any financial institution is free to set up however many branches of banks they so desire. This has a direct bearing on the question of whether or not Hawaii Thrift through its parent company, First Hawaiian, would have elected to continue taking Thrift deposits or could have simply converted any time after January 1, 1986 to a series of branches of the First Hawaiian Bank, and thus not only would the 26 or 27 percent of GECC be gone, but also then the additional 40 percent participation by Hawaii Thrift and Loan would have been gone because they would have then converted to, or could have converted to branches of First Hawaiian Bank.

"And of course, as everyone may be aware, once they stop taking Thrift deposits or stop functioning as an industrial loan company in that process, then there can no

longer be any assessments. So that was very much an additional consideration and reason that was presented to the conferees and had to be explained in some detail to the members of the other House.

"Thank you."

Senator Kawasaki then continued:

"Mr. President, not having had the benefit of a legal education, I now need to pose a question to Senator Cayetano as to what is the possibility of an ordinary citizen bringing suit against the State of Hawaii for the Legislature not requiring the loan companies to continue paying the assessments as provided by law when we created the Thrift Guaranty Corporation?"

Senator Cayetano responded:

"Mr. President, if I may ask for a clarification of that question, is the question, what is the Legislature's liability or is it the state?"

Senator Kawasaki answered:

"The state's liability and the possibility of a suit by a private citizen?"

Senator Cayetano responded:

"I have not researched that question, of course, but it would seem to me that if the Legislature saw fit to change the law, there would be no liability on the part of the state. After all, the executive executes the law and we pass them.

"The question of a private citizen suing the state, that is a very difficult proposition. Some private citizens got together and sued Great Hawaiian and were tossed out of court ... excuse me, they sued the bank examiner ... and these were depositors of Great Hawaiian, and they were tossed out of court by Judge Huddy on the basis that the bank examiner had immunity because he had discretionary authority in this area.

"If in my view, and one of the problems we had in dealing with this question is that we were unprepared in the sense that no one, certainly no one here at the Legislature, had the resources or the information to analyze the civil liability potential of the Thrift members because of the actions of the board of directors. It would seem to me that if there is any liability, if I were the private citizen bringing suit, that there would be a better chance of prevailing against the Thrift members because of the actions of the Thrift board of directors. The suit would have to be based on a breach of fiduciary duty, rather than having anything to do with the assessments in particular."

Senator Kawasaki then continued:

"I thank Senator Cayetano for that explanation.

"Mr. President, in continuing to speak against passage of this bill, let me explain to you that I can't vote for this bill just as long as the state does not require the members of the Thrift Guaranty Corporation to live up to their contractual obligations and continue paying their annual assessments. I think it is awfully important for us here to remember that it was only at the insistence on the part of the loan companies, now the members of the Thrift Guaranty Corporation, that the Legislature created the Thrift Guaranty Corporation to protect these same loan companies.

"The loan companies agreed at the time of the creation of the Thrift Guaranty Corporation that they would responsibly pay their annual assessments to the Guaranty Corporation as a condition of its creation. This, let us remember, at a time when the collapse of THC and other problems had created a great risk of an industry-wide run on deposits. The industry, in effect, was pulled from disaster and saved by us by the creation of the Thrift Guaranty Corporation, and indeed some companies thrived thereafter.

"I firmly believe that we should require the loan companies to honor their obligations under the agreement of the Thrift Guaranty statute. The healthy companies took and enjoyed benefits of the guaranteed program. Why should we burden the taxpayers of this state further by allowing these companies to avoid paying their bills?

"The Thrift Guaranty Corporation has always been controlled by its members. The directors of the Thrift Guaranty Corporation have the power with the approval of the bank examiner to (1) investigate the financial condition and management of any of its member loan companies; (2) to impose needed reasonable restrictions and conditions upon the activities and the operations of its members, as it found necessary, to protect the interest of the depositors; (3) they have the power and the authority to make recommendations to the bank examiner as to actions reasonably necessary to protect depositors further.

"When the law was first passed, it was known to all of them that some of the companies were in trouble. Prudent action should have been undertaken by the directors representing the members of the Thrift Guaranty Corporation at that time. It seems to me the Thrift should not be allowed to renege and complain about being

required to continue paying their assessments needed to pay part of the losses suffered by innocent depositors. As someone stated, is it fair that they should have taken the benefits for seven years and then leave the depositors or other taxpayers of this state holding the bag, partly as a result of their negligence.

"I am unable, in good conscience to incur further burden on the taxpayers of this state by voting for this bill as it is written and as it emerged from the conference committee."

Senator Cayetano then spoke on the measure as follows:

"Mr. President, rising to speak in favor of the bill and in response to the previous speaker, let me say that when I first began looking into this matter, I shared the good Senator's concerns and to some degree I still share those concerns, but as more information became available to me there was one conclusion that I reached and I think anyone who looked at the information at hand could not help but reach the same conclusion.

"The Thrift members are not all at fault as Senator Kawasaki seem to paint them because we here at the Legislature, and I was a member of the Legislature when the Thrift Guarantee law was passed, we here are also partly to blame. At the time we were considering the bill, some of the better managed financial institutions in town, First Hawaiian Bank was one of them, Mr. Taba who I think is from American Savings (I'm not sure but we all know who he is) is another, came forward and testified at the hearing that if the Legislature were to pass a law which made it a condition of doing business in this state as an industrial loan company which imposed such a condition on those companies that they would have to join something like the Thrift, then there should have been a pre-clearance requirement. This advice was ignored.

"In retrospect, it seems that some members of the Legislature knew a little more about the financial plight of these companies than others did, and I include myself in the others because at that time I was in my second year in the House and knew nothing ... probably, only knew where the restroom was.

"I am informed that the day after the Governor signed the bill or shortly thereafter, one of the companies failed. And so the Thrift got off on the wrong foot and it was down hill after that.

"There's a lot of blame that can be passed around; certainly there's blame, I think, at the Legislature because there were people here who were swayed, I think, by the

influence of some of the industrial loan companies, refused to look at the facts objectively, and perhaps the judgment was clouded by the plight of some of these industrial loan companies.

"There was also some blame, I think, to be laid at the members of the Thrift, particularly the board of directors, for not living up to the duties recited by Senator Kawasaki and certainly those that are clearly set forth in the law. I guess we can lay some blame at the feet of the depositors for maybe not reading the fine print too clearly. Certainly, we tried in the law to make certain that depositors would know that the Thrift was not an agency or instrumentality of the state or Federal Government. There is a provision in the law which requires the Thrift companies who advertise to include such a warning. So, there's blame to go all around. The unfortunate part about it was that we have no legal analysis because the bank examiner's office probably is not equipped to do it, and in fact, has not done it and has concentrated, instead of just trying to resolve the problem. So, the better course of action, it seemed to me, would be to cut our losses and step away from this thing.

"The House had a terrible proposal. They wanted to create a board of political appointees, and that was about the last thing that I think we wanted to do. So, it's a policy decision. Cut your losses or continue the assessments and get involved in what obviously will be a costly and long litigation. The conferees chose the former."

Senator Cobb then said:

"Mr. President, I rise to speak in favor of the measure. In doing so, I would echo some of the comments of the previous speaker with respect to the lack of a pre-clearance requirement and would point out that from 1980 on, as he is familiar with, we have been seeking federal insurance for all thrift companies, which as you know does have a very stringent audit and pre-clearance requirement to insure that their loan ratio, their liquidity ratio and their cash on hand is sufficient for the purpose of their deposits. Although that idea was first advanced by me and my committee members in 1980, it took until 1983 to get that passed.

"During that course of time both Manoa Finance and Great Hawaiian went under. Several other smaller companies went under with far less impact. At the time the original Thrift Guaranty was passed, there were about 20 industrial loan companies.

"At the time that the federal insurance requirement went into effect, that based on a 1983 law that we finally passed effective July 1, 1984, there were at that time 16

industrial loan companies. One chose not to continue accepting Thrift deposits, at least in part I am informed, because of their inability to meet the federal pre-clearance requirements, and so there were 15 such companies that qualified. Today, I am informed, there are 11 such companies still in business. So, it has been winnowing down process, but I think the most important thing is that the law now properly requires the pre-clearance requirement which should have been done as far back as 1977 when this measure was first passed, of providing for Thrift Guaranty.

"Furthermore, Mr. President, I think it's important to note from the standpoint of a taxpayer's risk exposure or liability in this particular bill has been minimized with the priority of the first lien that the state will have on the \$9.5 million and the cost attachment on a junior basis for the lien from the other \$21.2 million which will be borrowed by the private sector.

"I agree very strongly with the comments of the Transportation chairman that had we gone along with the plan from the other house, the risk exposure of the taxpayer would have been \$27 million plus \$32 million or a total of \$59 million of taxpayers' money put at risk with no assurance whatsoever that the state appointed board could have conducted a type of liquidation that will be conducted by the private sector.

"So, in effect, the provisions of this bill provide that the private sector would do the job and that the taxpayers will be at minimal risk with this bill to the tune of \$9.5 million and that risk itself will be fully collateralized on a basis of a first lien. I think it is the most responsible position to take and provides a ready-made solution for the parties at hand, including the depositors.

"Thank you."

Senator Yamasaki then said:

"Mr. President, I rise to speak in favor of the bill and in doing so I'd like to acknowledge at this time my appreciation to the two previous speakers who were the primary conferees that put the package together and I want to thank you very much in behalf of the State Senate."

Senator Soares then remarked as follows:

"Mr. President, would the chairman of the conference committee yield to a question, please? I think I should ask Senator Cayetano."

The Chair posed the question and Senator Cayetano having answered in the affirmative, Senator Soares asked:

"Could you explain for the members'

benefit, from the conferees' standpoint, I think it would be important that you explain for the members the cross-lien relationship that Senator Cobb spoke about ... how that's going to work."

Senator Cayetano answered:

"Mr. President, as you know, it was difficult to do even with a blackboard.

"Mr. President, I wonder if we can call a recess so I can go over there and draw a picture for Senator Soares. That would be easier to explain."

The Chair responded:

"He was there."

Senator Cayetano continued:

"Okay. Would you ask him the question for whom now? I thought I explained it earlier. Anybody else want to know besides him?"

The Chair responded:

"In the interest of time, for those that want to seek this information, I think we've had sufficient discussion on the measure."

Senator Abercrombie then said:

"Mr. President, I think the question was in order."

At 11:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:26 o'clock p.m.

Senator Cayetano then continued:

"Mr. President, I believe Senator Soares has seen the light."

Senator Soares answered:

"Mr. President, I've seen the light."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 68 was adopted and S.B. No. 1198, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDUSTRIAL LOAN COMPANY GUARANTY ACT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Conf. Com. Rep. No. 69 (S.B. No. 463, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Yamasaki, seconded by Senator Chang and carried, Conf. Com. Rep. No. 69 was adopted and S.B. No. 463,

S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 70 (S.B. No. 20, S.D. 1, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 70 be adopted and S.B. No. 20, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hagino.

Senator Kawasaki rose to inquire:

"Mr. President, I have a question to be directed to the chairman of the Ways and Means Committee."

The Chair posed the question and Senator Yamasaki answered in the affirmative.

Senator Kawasaki asked:

"Is there a requirement in the final version of the bill that requires matching on the part of the sugar industry itself as was the requirement in past bills of this nature?"

Senator Yamasaki answered:

"I believe it does."

Senator Kawasaki further asked:

"What is the matching formula?"

Senator Yamasaki answered:

"On line 8 of page 2...."

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

The Senate reconvened at 11:30 o'clock p.m.

Senator Kawasaki then continued:

"Mr. President, the chairman of Ways and Means Committee has answered my question to my satisfaction."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 70 was adopted and S.B. No. 20, S.D. 1, H.D. 1, 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, 25. Noes, none.

Conf. Com. Rep. No. 75 (S.B. No. 471, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and S.B. No. 471, S.D. 2, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 77 (S.B. No. 384, H.D. 1, C.D. 1):

Senator Yamasaki moved that Conf. Com. Rep. No. 77 be adopted and S.B. No. 384, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

Senator Abercrombie spoke on the measure as follows:

"Mr. President, I wish to speak in favor of this bill merely with the reservation that it also include, if I'm not mistaken, the Goodfellow Bros., Inc. case, which I have spoken of on this floor before, and with that reservation, speak favorably."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 77 was adopted and S.B. No. 384, H.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, 25. Noes, none.

Senate Bill No. 1089, S.D. 2, H.D. 1:

Senator Yamasaki moved that S.B. No. 1089, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chang.

Senator Abercrombie spoke on the measure as follows:

"Mr. President, I believe this bill should be opposed for reasons that I discussed at some length on the floor previously which I will be happy to recite all over again, if anybody wants me to go into it. Is that your desire? Is that what the nod of your head over to this side means?"

The Chair responded:

"Does that mean further discussion or are we taking the matter up? If not, we can take this to the end of the calendar."

By unanimous consent, action on S.B. No. 1089, S.D. 2, H.D. 1, was deferred to the end of the calendar.

THIRD READING

House Bill No. 20, H.D. 2:

On motion by Senator Yamasaki, seconded

by Senator Mizuguchi and carried, H.B. No. 20, H.D. 2, entitled: "A BILL FOR AN ACT REALTING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1272:

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, H.B. No. 1272, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 186 to 194) were read by the Clerk and were disposed of as follows:

S.R. No. 186, entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 186 was adopted.

S.R. No. 187, entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 187 was adopted.

S.R. No. 188, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTY-FIRST DAY," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 188 was adopted.

S.R. No. 189, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 189 was adopted.

S.R. No. 190, entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 190 was adopted.

S.R. No. 191, entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE THIRTEENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 191 was adopted.

S.R. No. 192, entitled: "SENATE RESOLUTION RECOGNIZING WITH GRATITUDE EACH OF THE MINISTERS OF RELIGION WHO OPENED A DAY OF THE SENATE, THIRTEENTH LEGISLATURE, 1985, STATE OF HAWAII, WITH AN INSPIRATIONAL INVOCATION," was offered by Senators Kuroda and Henderson.

On motion by Senator Cobb, seconded by Senator Soares and carried, S.R. No. 192 was adopted.

S.R. No. 193, entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE THIRTEENTH LEGISLATURE, REGULAR SESSION OF 1985," was offered by Senators Kuroda and Henderson.

Senator Cobb moved that S.R. No. 193 be adopted, seconded by Senator Soares.

Senator Abercrombie remarked:

"Mr. President, I merely wish to say at this time that I for one have been happy to provide these people with an opportunity to earn a very, very good living."

The motion was put by the Chair and carried and S.R. No. 193 was adopted.

S.R. No. 194, entitled: "SENATE RESOLUTION INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE," was offered by Senators Kuroda and Henderson.

By unanimous consent, action on S.R. No. 194 was deferred to the end of the calendar.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

FINAL READING

Conf. Com. Rep. No. 75 (S.B. No. 471, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and S.B. No. 471, S.D. 2, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1089, S.D. 2, H.D. 1:

Senator Yamasaki moved that S.B. No. 1089, S.D. 2, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chang.

Senator Kawasaki remarked as follows:

"Mr. President, may I request of Senator Abercrombie, perhaps an abbreviated version of his explanation as to why he opposes this bill. My memory kind of lapsed and I don't quite recall the cogent arguments he presented against passage of this bill."

Senator Abercrombie responded:

"Mr. President, may I make an inquiry of the previous speaker. Did his memory lapse because his brains fell out? (Laughter)"

Senator Kawasaki answered:

"Perhaps because there must be an impostor sitting in my seat...(more laughter)."

Senator Abercrombie then continued:

"Mr. President, with respect to this particular bill, you may recall that my principal objection here was that, and it may relate in fact to one of our previous bills where Manoa Finance was concerned, Thrift Guaranty, that we seem to accept incompetence as a matter of course in the state. In this particular instance, this happened to be a highway situation on another island, the County of Maui, and it would appear that while the state was at fault ... and I am of course reading the record here in making a judgment interpretation based upon that record is presented to the Senate and to the Legislature.

"It would appear that the state had considerable blame to assume in the engineering and in the design of this highway and that the specifications that were put forward to the company were inadequate to the task, to say the least. But to my knowledge or at least to the point that I have been able to discover to this point, no one was ever reprimanded; no one

is to blame; no one must accept any responsibility. There's no obligation on the part of state employees to conduct themselves in a manner that is consistent with doing the job correctly, and that if we do not do the job as state employees, why, no one will come and tell us that either we should do it or that there will be any consequence to those actions.

"Mr. President, we have passed a good deal of legislation in past years and this year which require people to accept the consequences of their actions. We can refer to the Department of Education and Chapter 19 and modifications made to the law which we have passed recently that requires certain actions to be taken on the part of school officials when offenses are committed. In other words, there is a consequence to your action, a consequence you should be prepared to pay.

"I can refer to drunk driving bills that have been passed in this Legislature in the recent time as well as this session which require one to bear the consequences of one's actions. We require, seemingly, of the public; we require it of our children; we require it of drivers; we require it in many instances.

"There were questions that were raised tonight as to what would be the consequences of actions taken with the passage of the Manoa Finance bill, the Thrift Guaranty Act modification. What were the responsibilities and obligations of the directors of Thrift Guaranty?

"Virtually bill after bill this evening, you can examine and you will find that in virtually every instance actions have consequences and adults and responsible, mature people are expected to bear the burden of those consequences as a result of the actions taken. And yet in this instance and in other instances that have appeared before the Legislature when I was privileged to be a member of the Ways and Means Committee over time, privileged to be part of sessions ... I believe some were executive sessions, if I'm correct, in which the state's responsibility was explained by members of the Attorney General's staff, we found over and over again that while the taxpayers were expected to bear a fiscal burden, certainly, and we were expected to bear the burden of explaining these bills and these appropriations to the public at large, to our constituents and to the taxpayers, the perpetrators of the activities were not subject to any kind of sanctions that I could discover in any way, shape or form, or were subject to such sanctions as to be so minor that they were inconsequential in effect.

"So, Mr. President, the problem here is not whether the people doing the suing here were entitled to the compensation; that

probably on the whole it might be stated that they are. Nonetheless, the state is unwilling to take this action to court. Unwilling to test, if you will, the responsibility because apparently it feels that the conduct of its own employee or employees was such that it could not withstand the scrutiny of the court, of an impartial jury. Mr. President, that does not speak well for the State of Hawaii in terms of the supervision of its employees. It most certainly does not speak well for our ability to require as a legislature to get the message through to the executive that we expect people to do their jobs, to take responsibility for their jobs and to be prepared to suffer the consequences, at the least, Mr. President, in terms of disciplinary action.

"None to my knowledge was forthcoming in this instance, unless the good Senator who is the chairman of the Ways and Means Committee or anyone else who had this bill, perhaps the Judiciary chairman ... I'm not entirely sure as to the origin of the bill ... could enlighten us as to whether any disciplinary action was taken. I do not believe that that was the case.

"As a result, Mr. President, we find ourselves having to make these enormous payments and literally nothing being done as a consequence of it. The lesson, it seems to me is pretty clear to state employees and it should be a fairly clear message coming from the Legislature. We don't expect it. We just pay the bills every year and if it's not the State of Hawaii and Goodfellow Bros. Inc. this year it will be somebody else next year or some action taken in the past. It seems that there's at least one of these, if not more, every year, and, Mr. President, we don't seem to do anything about it.

"So, I suppose the ... would you like me to pause while Senator Kawasaki comes back? He's missing the benefit, I think, of this analysis.

"Here he is. May I proceed?"

The Chair responded: "Certainly, take your time." (Laughter.)

Senator Abercrombie continued:

"Mr. President, I certainly don't want to abuse the time of this body. I do want to, however, respond briefly to the inquiry of the good Senator. As you know, Mr. President, Senator Kawasaki is famous for his watching of the purse strings of this state, and I'm pleased to be asked by the good Senator to illuminate, if I can for him, another opportunity for him to exercise that good judgment that everyone has come to expect of him. Perhaps, Mr. President, I'm a little off base because I seem to be

turning this into a eulogy for Senator Kawasaki and if you agree that that's the case why, I will cease it."

The Chair answered:

"Would you like to explain it to him, pass the bill and take a recess, perhaps just sit in recess?"

Senator Abercrombie remarked:

"No, I'm not sure he's satisfied at the moment that my explanation is sufficient to"

The Chair interjected:

"He's simply enthralled."

Senator Abercrombie continued:

Yes, I can see that. (Laughter.)

"In that case, Mr. President, I will say in conclusion that I feel that it would be a good idea to send a message, for once at least, that we expect the people who are employed in the State of Hawaii to do their duty and we expect the state to meet its responsibilities and therefore I would urge in this instance a 'no' vote."

Senator Kawasaki then remarked as follows:

"Mr. President, rising to speak in favor of this bill, I just want to comment here that I do not for a moment have any doubts about Senator Abercrombie's ability to hold everybody spellbound when I enjoyed the brief respite."

Senator Yamasaki then spoke on the measure as follows:

"Mr. President, speaking for the bill and in response to the second to the last speaker, I don't think that there was any disciplinary action taken of any state employee or employees. I don't think that any of the state employees were at fault in this project.

"As explained to us by the Deputy Attorney General, the consultant who was used in the project made a miscalculation on the amount of soil that was excavated and transferred to another site of the same project. As a result of the miscalculation, there was considerable delay because they had to bring soil from another source, from a distant area, which caused the delay.

"I believe that in the discussion of the bill, we said that there was a serious need for us to review the bonding requirements of consultants. We thought that we would be doing that during this session but it is one of the items that fell between the big crack.

"Thank you."

Senator Henderson also spoke on the measure as follows:

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

"My understanding of the problem, from the chairman of Ways and Means, was that the state did the whole road, the whole project, and then by its own restrictions imposed cut off areas in the project which meant that, where the contractor had bid on the project based on taking cuts to use for fills in the project, he was not able to do that. He then had to go out and get other sources of fill when he had planned to take it from other parts of the project.

"This is a good example, Mr. President, of how restrictive the state is on business activity. They should have allowed the contractor, when he bid on the whole project, to pursue the whole project and not put constraints on how he could perform his job. And I think that he's entitled to his compensation of \$2,750,000, and I think he's probably entitled to more. I think he asked for \$12 million.

"It's strictly the negligence of the State of Hawaii and the manner in which they ran the project, and I think we shouldn't do that anymore.

"Thank you very much."

Senator Chang then remarked as follows:

"Mr. President, without contradicting any of the previous speakers, I would just like to note that the project director is no longer employed by the State of Hawaii."

Senator Abercrombie then added:

"Mr. President, I want to thank the chairman of the Ways and Means Committee for his explanation and, perhaps, not in rebuttal but in amplification of the remarks made by the Minority Leader, as the chairman of Ways and Means has often indicated to me and to others, you may ask but you may not always receive, so it's quite possible that \$12 million was asked but to the best of my knowledge or my information of the bill some \$2.7 million is what's about to be received, if the bill is passed on.

"But, Mr. President, the reason I rise is not so much in rebuttal to the Ways and Means chairman, but to indicate that I quite agree with his analysis, but this is part of the problem. The state has a penchant for hiring these consultants, and these consultants always lead us down the road to perdition and ruin, and I think we have to take responsibility. The state must take responsibility for the hiring of these consultants and perhaps we should be a bit

more circumspect when these consultants are hired to make sure that we don't find ourselves in this situation.

"I well remember, Mr. President, one of the conditions which caused me to think about running for the Legislature and this may show how serious it was, the consequences for the state, I did run, and that happened to be when I was a student at the University of Hawaii. There was a parking garage built in the quarry and I found that there had to be a change order at the time (this was some years ago) for \$500,000 because it was sinking. I thought that was incredible that anybody could build a parking garage in a quarry and not realize the kind of soil that existed in the quarry. Anybody who's spent any time there as I have as a student since 1959 would know that, at least. And so I went over, myself, as a lay person, the specifications that had been put forward for this project. Now, I'm not an engineer but I'm not a complete idiot at the same time and as long as no one would make a point of inquiry on that at the moment, I'll go on and indicate that I saw that the specifications for the core borings ... now this was a project at the time for \$8.6 million ... \$8.6 million ... we're talking about the late 60's now. You can imagine what the cost of that would be at the present time. It might even cost more than the baseball stadium.

"The fact was the core borings for that were in two contracts, \$10,000 and \$11,000, if you can believe it. And on the basis of those borings, the project was undertaken. And, of course, a work change order ensued because it started to sink.

"I also recall the F building or G building, one of the alphabet buildings that the University of Hawaii with the School of Business Administration falling apart ... falling down. Well, they built that where the keawe trees were near my office, the office that I had, an old wooden building that had lasted a helluva long time. Interesting, I was in an office in a wooden building that had been there for 30 years, and they put up a multi-million dollar concrete building, as a result of the consultants to the State of Hawaii, that didn't last five years for it fell down.

"So, these consultants have come in time and time again, just in my own experience and I'm sure others on this floor can amplify the situation in other instances, and no one is ever responsible. No one ever takes responsibility. This would not be tolerated in a private sector, but it seems to be more often than not a situation that we not only tolerate in the public sector, but it seems to be that old cliché, 'well it's close enough for government work.' And I don't think that's the kind of thing that we want to put forward to the taxpayers of this state.

"So at this particular time, even though I recognize the good work done by the Ways and Means Committee on this issue, I feel that for symbolic purposes, if for no other, that a 'no' vote, at least one should be recorded, and that if anything is to come of it, at the very least, I would hope that the word would go out that we should be a bit more careful with respect to the hiring of consultants and at best that this kind of thing would not happen again.

"Thank you."

Senator Henderson then added:

"Mr. President, if you are an employer and you hire consultants, or if you are the administration and you hire consultants and the consultants make a mistake, who's responsible? Not the consultant; the person that hired them is responsible. So I would say that the administration is responsible for all these mishaps, the Goodfellow problem, the University of Hawaii problem and the many other problems we've had in this state.

"If a consultant is hired for whatever reason, not by bid but by selection, and he gives bad advice, I would say that the person that's responsible is the person that hired him.

"If you are in business and you are the employer and you're making decisions, and you hire a consultant, and he makes a bad mistake, you're responsible, not the consultant and I would say, Mr. President"

Senator Abercrombie interjected:

"Mr. President, would the Senator yield?"

Senator Henderson answered:

"No, I won't yield. I won't yield. I'll say this. If you hire somebody and you put your trust in him and he makes a mistake, you are responsible, not the consultant ... not the consultant. So I would say that the good Senator from the 19th District is mistaken."

Senator Abercrombie then said:

"Mr. President, the good Senator from the 19th District might be mistaken but not the one from the 16th."

Senator Henderson answered:

"Mr. President, I was wrong, the 16th."

The motion was put by the Chair and carried, and S.B. No. 1089, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND GOODFELLOW BROS., INC." having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

At 11:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1985, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 316, transmitting a report prepared by the Department of Health, in response to H.R. No. 118 (1984), Requesting a Cost Estimate of Providing Essential Interpreter Services for the Hearing-Impaired Population.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1365, entitled 'A Bill for an Act Relating to Examination of Applicants for Hawaii Driver's License,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 1365 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1365 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 24th day of April,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 319 informing the Senate that on April 22, 1985, he signed the following bill into law:

Senate Bill No. 35 as Act 28, entitled: "RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII."

Gov. Msg. No. 320 informing the Senate that on April 23, 1985, he signed the following bills into law:

Senate Bill No. 6 as Act 29, entitled: "RELATING TO COLLECTIVE BARGAINING";

Senate Bill No. 338 as Act 30, entitled: "RELATING TO TAXATION";

Senate Bill No. 668 as Act 31, entitled: "RELATING TO CORPORATIONS";

Gov. Msg. No. 317, transmitting a report prepared by the University of Hawaii, in response to H.R. 304, (1984), Requesting the University of Hawaii's Department of Urban and Regional Planning, in Consultation with the Department of Land and Natural Resources, the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs, to Study the Feasibility of Setting Aside State Lands to Permit Certain Residents to Practice a Subsistence Life Style.

Gov. Msg. No. 318 returning Senate Bill No. 1365, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

April 24, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 1365

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1365, entitled 'A Bill for an Act Relating to Examination of Applicants for Hawaii Driver's License.'

The purpose of Senate Bill No. 1365 is to vest the driver's licensing examiner with the discretionary authority to waive the road test for those applicants who are at least eighteen years old and possess a valid driver's license issued by another state, the District of Columbia, Puerto Rico, American Samoa, Guam, or Canada.

This bill is substantially the same as House Bill No. 490, which was also passed by the 1985 Legislature and became law on April 18, 1985, as Act 26, with my approval. The measures differ only in that Act 26 also changed masculine references to gender neutral terms, while this bill does not. Since Act 26 has already accomplished the purpose of this bill, there is no necessity to enact this bill.

For the foregoing reason, I am returning Senate Bill No. 1365 without my approval.

Senate Bill No. 669 as Act 32, entitled:
"RELATING TO CORPORATIONS"; and

Senate Bill No. 1196 as Act 33, entitled:
"RELATING TO PUBLIC LANDS."

Gov. Msg. No. 321 informing the Senate
that on April 24, 1985, he signed the
following bills into law:

Senate Bill No. 99 as Act 34, entitled:
"RELATING TO INDIGENT BURIALS";

Senate Bill No. 160 as Act 35, entitled:
"RELATING TO COMMITTEE
MEMBERSHIP";

Senate Bill No. 663 as Act 36, entitled:
"RELATING TO DESIGN PROFESSIONAL
CONCILIATION PANEL";

Senate Bill No. 1350 as Act 37, entitled:
"RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT
AUTHORITY";

Senate Bill No. 1351 as Act 38, entitled:
"RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT
AUTHORITY"; and

Senate Bill No. 1386 as Act 39, entitled:
"RELATING TO THE DEPARTMENT OF
LAND AND NATURAL RESOURCES."

Gov. Msg. No. 322 informing the Senate
that on April 30, 1985, he signed the
following bills into law:

Senate Bill No. 82 as Act 40, entitled:
"RELATING TO THE USE OF THE
SPECIAL LAND AND DEVELOPMENT
FUND";

Senate Bill No. 127 as Act 41, entitled:
"RELATING TO AERONAUTICS";

Senate Bill No. 162 as Act 42, entitled:
"RELATING TO THE NATURAL ENERGY
LABORATORY OF HAWAII";

Senate Bill No. 165 as Act 43, entitled:
"RELATING TO SPECIAL PURPOSE
REVENUE BONDS";

Senate Bill No. 166 as Act 44, entitled:
"RELATING TO THE HAWAII STATE
PLANNING ACT";

Senate Bill No. 187 as Act 45, entitled:
"RELATING TO THE DEPARTMENT OF
COMMERCE AND CONSUMER
AFFAIRS";

Senate Bill No. 189 as Act 46, entitled:
"RELATING TO TRAVEL AGENCIES";

Senate Bill No. 197 as Act 47, entitled:
"RELATING TO THE MOTOR VEHICLE
REPAIR INDUSTRY";

Senate Bill No. 234 as Act 48, entitled:
"RELATING TO COUNTIES";

Senate Bill No. 235 as Act 49, entitled:
"RELATING TO PROPERTY";

Senate Bill No. 279 as Act 50, entitled:
"RELATING TO PUBLIC LANDS";

Senate Bill No. 287 as Act 51, entitled:
"RELATING TO THE HAWAII
COMMUNITY DEVELOPMENT
AUTHORITY";

Senate Bill No. 377 as Act 52, entitled:
"RELATING TO TRAFFIC VIOLATIONS";

Senate Bill No. 454 as Act 53, entitled:
"RELATING TO HORIZONTAL
PROPERTY REGIMES";

Senate Bill No. 662 as Act 54, entitled:
"RELATING TO MEDICINE AND
SURGERY";

Senate Bill No. 732 as Act 55, entitled:
"RELATING TO EXCEPTIONAL
CHILDREN"; and

Senate Bill No. 1130 as Act 56, entitled:
"RELATING TO NO-FAULT
INSURANCE."

Gov. Msg. No. 323 informing the Senate
that on May 1, 1985, he signed the following
bills into law:

Senate Bill No. 55 as Act 57, entitled:
"RELATING TO AGENTS OF PRIVATE
SCHOOLS AND CORRESPONDENCE
SCHOOLS";

Senate Bill No. 170 as Act 58, entitled:
"RELATING TO THE EXTENSION OF
THE COMPLIANCE RESOLUTION FUND";

Senate Bill No. 230 as Act 59, entitled:
"RELATING TO INSURANCE";

Senate Bill No. 404 as Act 60, entitled:
"RELATING TO HAWAIIAN HOMES
COMMISSION ACT, 1920";

Senate Bill No. 563 as Act 61, entitled:
"RELATING TO THE UNIFORM
TRUSTEES' POWERS ACT"; and

Senate Bill No. 689 as Act 62, entitled:
"RELATING TO THE COUNCIL ON
REVENUES."

Gov. Msg. No. 324 informing the Senate
that on May 4, 1985, he signed the following
bills into law:

Senate Bill No. 29 as Act 63, entitled:
"RELATING TO THE ADVISORY
COUNCIL FOR CHILDREN AND
YOUTH";

Senate Bill No. 190 as Act 64, entitled:
"RELATING TO THE OFFICE OF
CONSUMER PROTECTION";

Senate Bill No. 196 as Act 65, entitled:
"RELATING TO THE MOTOR VEHICLE
REPAIR INDUSTRY";

Senate Bill No. 198 as Act 66, entitled:
"RELATING TO NATUROPATHY";

Senate Bill No. 203 as Act 67, entitled:
"RELATING TO CONTRACTORS";

Senate Bill No. 434 as Act 68, entitled:
"RELATING TO STATUTORY REVISION:
AMENDING VARIOUS PROVISIONS OF
THE HAWAII REVISED STATUTES FOR
THE PURPOSE OF CORRECTING
ERRORS, CLARIFYING LANGUAGE,
CORRECTING REFERENCES, AND
DELETING OBSOLETE OR
UNNECESSARY PROVISIONS";

Senate Bill No. 468 as Act 69, entitled:
"RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 1114 as Act 70, entitled:
"RELATING TO DENTISTS";

Senate Bill No. 1179 as Act 71, entitled:
"RELATING TO ANNUAL REPORTS";

Senate Bill No. 1487 as Act 72, entitled:
"RELATING TO THE PUBLIC
EMPLOYEES HEALTH FUND";

House Bill No. 110 as Act 73, entitled:
"RELATING TO EXPENDITURE OF
PUBLIC MONEY AND PUBLIC
CONTRACTS"; and

House Bill No. 191 as Act 74, entitled:
"RELATING TO AQUATIC RESOURCES
AND WILDLIFE."

Gov. Msg. No. 325 informing the Senate
that on May 9, 1985, he signed the following
bills into law:

Senate Bill No. 73 as Act 75, entitled:
"RELATING TO ADMISSION TO A
PSYCHIATRIC FACILITY";

Senate Bill No. 86 as Act 76, entitled:
"RELATING TO STATE
ENVIRONMENTAL POLICY";

Senate Bill No. 100 as Act 77, entitled:
"RELATING TO GENERAL EXCISE TAX
EXEMPTIONS";

Senate Bill No. 237 as Act 78, entitled:
"RELATING TO TAXATION";

Senate Bill No. 463 as Act 79, entitled:
"RELATING TO THE RELIEF OF
CERTAIN PERSONS' CLAIMS AGAINST
THE STATE AND PROVIDING

APPROPRIATIONS THEREFOR";

Senate Bill No. 730 as Act 80, entitled:
"RELATING TO SERVICE
CORPORATIONS";

Senate Bill No. 1075 as Act 81, entitled:
"RELATING TO TAXATION";

Senate Bill No. 1089 as Act 82, entitled:
"MAKING AN APPROPRIATIONS FOR
PAYMENT OF SETTLEMENT BETWEEN
THE STATE OF HAWAII AND
GOODFELLOW BROS., INC."; and

House Bill No. 860 as Act 83, entitled:
"RELATING TO HOUSING LOAN AND
MORTGAGE PROGRAMS."

Gov. Msg. No. 326 informing the Senate
that on May 10, 1985, he signed the
following bills into law:

Senate Bill No. 60 as Act 84, entitled:
"RELATING TO HEALTH";

Senate Bill No. 112 as Act 85, entitled:
"RELATING TO HOUSING";

Senate Bill No. 125 as Act 86, entitled:
"RELATING TO DRIVING UNDER THE
INFLUENCE OF INTOXICATING
LIQUOR";

Senate Bill No. 202 as Act 87, entitled:
"RELATING TO THE BOARD OF
MEDICAL EXAMINERS";

Senate Bill No. 558 as Act 88, entitled:
"RELATING TO THE GENERAL EXCISE
TAX";

Senate Bill No. 644 as Act 89, entitled:
"RELATING TO TRAFFIC VIOLATIONS";

Senate Bill No. 843 as Act 90, entitled:
"RELATING TO REFUSAL TO SUBMIT
TO A BREATH OR BLOOD TEST";

Senate Bill No. 1158 as Act 91, entitled:
"RELATING TO TRANSFERS TO
MINORS";

Senate Bill No. 1195 as Act 92, entitled:
"RELATING TO THE AUTHORIZATION
AND REFUNDING OF SPECIAL
PURPOSE REVENUE BONDS TO ASSIST
UTILITIES SERVING THE GENERAL
PUBLIC";

Senate Bill No. 1356 as Act 93, entitled:
"RELATING TO PUPIL
TRANSPORTATION";

House Bill No. 192 as Act 94, entitled:
"RELATING TO AQUATIC RESOURCES";

House Bill No. 232 as Act 95, entitled:
"RELATING TO BOARD OF MASSAGE";
and

House Bill No. 1272 as Act 96, entitled:
"RELATING TO THE ISSUANCE OF
SPECIAL PURPOSE REVENUE BONDS
TO ASSIST INDUSTRIAL ENTERPRISES."

Gov. Msg. No. 327 returning Senate Bill
No. 95, without his approval, together with
his statement of objections relating to the
measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

May 10, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 95

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of
the Constitution of the State of Hawaii, I
am returning herewith, without my
approval, Senate Bill No. 95, entitled 'A Bill
for an Act Relating to Aquatic Resources.'

The purpose of Senate Bill No. 95 is to
create a new chapter that consolidates
aquatic resources' provisions contained in
chapters 187 and 188, Hawaii Revised
Statutes.

This bill is substantially the same as
House Bill No. 192, which was also passed by
the 1985 Legislature. The measures differ
only in that House Bill No. 192 designates
the number of the new chapter, while this
bill does not. Since I intend to approve
House Bill No. 192, there is no need to also
approve this bill.

For the foregoing reason, I am returning
Senate Bill No. 95 without my approval.

Respectfully,

/s/George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III
of the Constitution of the State of Hawaii,
the governor is required to give notice, by a
proclamation, of his plan to return with his
objections any bill presented to him less
than ten days before adjournment sine die or
presented to him after adjournment sine die
of the legislature; and

WHEREAS, Senate Bill No. 95, entitled 'A
Bill for an Act Relating to Aquatic
Resources,' passed by the legislature, was
presented to the governor within the
foregoing period; and

WHEREAS, Senate Bill No. 95, is

unacceptable to the governor of the State of
Hawaii;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, do hereby issue this proclamation
pursuant to the provisions of Section 16 of
Article III of the Constitution of the State
of Hawaii, giving notice of my plan to
return Senate Bill No. 95 with my objections
thereon to the legislature as provided by
said Section 16 of Article III of the
Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 328 returning Senate Bill
No. 102, without his approval, together with
his statement of objections relating to the
measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 10, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 102

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of
the Constitution of the State of Hawaii, I
am returning herewith, without my
approval, Senate Bill No. 102, entitled
'Relating to the Department of Social
Services and Housing.'

Senate Bill No. 102 would amend section
346-71(c), Hawaii Revised Statutes, to
delete the provision for financial assistance
under the State's general assistance
program to children living in licensed foster
boarding homes or child caring institutions.

However, Senate Bill No. 102 is identical
to House Bill No. 262, which was enacted
into law as Act 24 with my approval on
April 18, 1985. Consequently, there is no
necessity to enact Senate Bill No. 102.

For the foregoing reasons, I am returning
Senate Bill No. 102 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 102, entitled 'A Bill for an Act Relating to the Department of Social Services and Housing,' passed by the legislature, was presented to the governor within the aforementioned period; and

WHEREAS, Senate Bill No. 102 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 102 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 10th day of May,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 329 returning House Bill No. 157, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

May 10, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 157

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 157, entitled 'A Bill for an Act Relating to Health.'

House Bill No. 157 amends chapter 321, Hawaii Revised Statutes, by adding a new section that empowers the director of health to enforce the provisions of chapter 321, 'any rule adopted thereunder, or any variance or exemption or waiver issued pursuant thereto' in an administrative

proceeding for the imposition of a civil monetary penalty or a judicial proceeding for injunctive relief.

This bill is substantially the same as Senate Bill No. 60, which was also passed by the Legislature. There are only technical, nonsubstantive differences between the two bills. Since I intend to approve Senate Bill No. 60, there is no need to approve House Bill No. 157.

For the foregoing reasons, I am returning House Bill No. 157 without my approval as provided by Section 16 of Article III of the State Constitution.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii the Governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 157, entitled 'A Bill for an Act Relating to Health,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 157 is unacceptable to the Governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 157 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 10th day of May,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 330 returning House Bill No. 159, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS

HONOLULU, HAWAII

May 10, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 159

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 159, entitled 'A Bill for an Act Relating to Mental Health and Substance Abuse.'

The purposes of House Bill No. 159 are to reduce the number of members on service area boards from fifteen to nine, and to authorize the Department of Health to establish, by administrative rule, the number and boundaries of the geographical service areas for delivery of services for mental or emotional disorders and substance abuse.

This bill is substantially the same as Senate Bill No. 62, which was also passed by the 1985 Legislature and became law on April 11, 1985, as Act 6, with my approval. The measures differ only in the language used to accomplish the same purpose. Since Act 6 has already accomplished the purposes of this bill, there is no necessity to enact this bill.

For the foregoing reason, I am returning House Bill No. 159 without my signature.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 159, entitled 'A Bill for an Act Relating to Mental Health and Substance Abuse,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 159 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of

Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 159 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at State Capitol,
Honolulu, State of Hawaii,
this 10th day of May,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 331 transmitting copies of the "Second Biennial Progress Report on Mental Health Services for Children and Youth," prepared by the Department of Health, pursuant to Act 59-80, Section 321-176.

Gov. Msg. No. 332 informing the Senate that on May 14, 1985, Acting Governor John Waihee signed the following bills into law:

Senate Bill No. 775 as Act 97, entitled: "RELATING TO LITTER CONTROL";

House Bill No. 96 as Act 98, entitled: "ESTABLISHING AN ADVISORY COMMITTEE TO STUDY OVERLAPPING STATE AND COUNTY FUNCTIONS";

House Bill No. 115 as Act 99, entitled: "RELATING TO THE DEPARTMENT OF AGRICULTURE";

House Bill No. 223 as Act 100, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

House Bill No. 227 as Act 101, entitled: "RELATING TO CEMETERIES AND MORTUARIES"; and

House Bill No. 230 as Act 102, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY."

Gov. Msg. No. 333 transmitting copies of the "Annual Report of the Hawaii Paroling Authority, FY 1983-84," prepared by the Department of Social Services and Housing, pursuant to Chapter 93-12, HRS.

Gov. Msg. No. 334 informing the Senate that on May 20, 1985, Acting Governor John Waihee signed the following bills into law:

Senate Bill No. 27 as Act 103, entitled: "RELATING TO THE STATE FIRE COUNCIL";

Senate Bill No. 128 as Act 104, entitled: "RELATING TO THE SHORES AND SHORELINE";

Senate Bill No. 132 as Act 105, entitled:
"RELATING TO LIGHTS FOR MOTOR
VEHICLES, MOTORCYCLES, MOTOR
SCOOTERS, MOTORIZED BICYCLES";

Senate Bill No. 188 as Act 106, entitled:
"RELATING TO THE DEPARTMENT OF
COMMERCE AND CONSUMER
AFFAIRS";

Senate Bill No. 255 as Act 107, entitled:
"RELATING TO COMPLIANCE WITH
COURT ORDERS IN TRAFFIC CASES";

Senate Bill No. 651 as Act 108, entitled:
"RELATING TO HISTORIC
PRESERVATION";

Senate Bill No. 1299 as Act 109, entitled:
"RELATING TO COUNTY LIQUOR
COMMISSIONS";

House Bill No. 113 as Act 110, entitled:
"RELATING TO REGULATION OF
DEALERS IN FARM PRODUCE";

House Bill No. 114 as Act 111, entitled:
"RELATING TO AGRICULTURAL
COMMODITIES"; and

House Bill No. 211 as Act 112, entitled:
"RELATING TO HIGH TECHNOLOGY
DEVELOPMENT CORPORATION."

Gov. Msg. No. 335 informing the Senate
that on May 28, 1985, he signed the
following bills into law:

Senate Bill No. 93 as Act 113, entitled:
"RELATING TO FISH CATCH REPORTS";

Senate Bill No. 182 as Act 114, entitled:
"RELATING TO TIME SHARING";

Senate Bill No. 201 as Act 115, entitled:
"RELATING TO PSYCHOLOGISTS";

Senate Bill No. 280 as Act 116, entitled:
"RELATING TO PUBLIC LANDS";

Senate Bill No. 327 as Act 117, entitled:
"RELATING TO MOTOR VEHICLE
ACCIDENT REPARATIONS";

Senate Bill No. 457 as Act 118, entitled:
"RELATING TO HORIZONTAL
PROPERTY REGIMES";

Senate Bill No. 460 as Act 119, entitled:
"RELATING TO THE HAWAII CRIMINAL
JUSTICE DATA CENTER";

Senate Bill No. 714 as Act 120, entitled:
"RELATING TO THE AUTHORIZATION
OF SPECIAL PURPOSE REVENUE
BONDS";

Senate Bill No. 936 as Act 121, entitled:
"MAKING AN APPROPRIATION FOR
THE REDEVELOPMENT OF THE ALOHA

TOWER COMPLEX";

Senate Bill No. 1264 as Act 122, entitled:
"RELATING TO MOTOR VEHICLE
SAFETY";

Senate Bill No. 1270 as Act 123, entitled:
"RELATING TO REAL ESTATE";

House Bill No. 181 as Act 124, entitled:
"RELATING TO HISTORIC
PRESERVATION";

Senate Bill No. 217 as Act 125, entitled:
"RELATING TO PODIATRY";

Senate Bill No. 556 as Act 126, entitled:
"RELATING TO PILOTAGE";

Senate Bill No. 702 as Act 127, entitled:
"RELATING TO ENVIRONMENTAL
QUALITY";

Senate Bill No. 1170 as Act 128, entitled:
"RELATING TO THE EMPLOYEES'
RETIREMENT SYSTEM";

Senate Bill No. 1224 as Act 129, entitled:
"RELATING TO FISHING";

Senate Bill No. 1297 as Act 130, entitled:
"RELATING TO THE GENERAL EXCISE
TAX";

Senate Bill No. 1353 as Act 131, entitled:
"RELATING TO PESTICIDES";

Senate Bill No. 1354 as Act 132, entitled:
"RELATING TO SOCIAL SERVICES AND
HOUSING";

House Bill No. 111 as Act 133, entitled:
"RELATING TO PLANT AND
NON-DOMESTIC ANIMAL
QUARANTINE";

House Bill No. 147 as Act 134, entitled:
"RELATING TO THE HAWAII PUBLIC
EMPLOYEES HEALTH FUND"; and

House Bill No. 229 as Act 135, entitled:
"RELATING TO COMMERCIAL
EMPLOYMENT AGENCIES."

Gov. Msg. No. 336 informing the Senate
that on May 29, 1985, he signed the
following bills into law:

Senate Bill No. 253 as Act 136, entitled:
"RELATING TO FAMILY COURT";

Senate Bill No. 469 as Act 137, entitled:
"RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 153 as Act 138, entitled:
"RELATING TO GEOTHERMAL
ENERGY";

Senate Bill No. 634 as Act 139, entitled:

"RELATING TO LITTER LAW VIOLATION PENALTIES";

Senate Bill No. 1136 as Act 140, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN";

Senate Bill No. 1178 as Act 141, entitled: "RELATING TO REAL ESTATE BROKERS AND SALESMEN";

Senate Bill No. 1392 as Act 142, entitled: "RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS";

Senate Bill No. 1408 as Act 143, entitled: "RELATING TO ABUSE OF FAMILY AND HOUSEHOLD MEMBERS";

House Bill No. 162 as Act 144, entitled: "RELATING TO HEALTH";

House Bill No. 236 as Act 145, entitled: "RELATING TO TIME SHARING";

House Bill No. 614 as Act 146, entitled: "RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES";

Senate Bill No. 252 as Act 147, entitled: "RELATING TO LAND COURT FEES";

Senate Bill No. 1397 as Act 148, entitled: "RELATING TO LAND EVALUATION AND SITE ASSESSMENT"; and

Senate Bill No. 1409 as Act 149, entitled: "RELATING TO CONSERVATION EASEMENTS."

Gov. Msg. No. 337 informing the Senate that on May 31, 1985, he signed the following bills into law:

Senate Bill No. 76 as Act 150, entitled: "RELATING TO CONTROLLED SUBSTANCES";

Senate Bill No. 141 as Act 151, entitled: "RELATING TO THE UNIVERSITY OF HAWAII'S VOCATIONAL AND TECHNICAL TRAINING PROJECTS REVOLVING FUND";

Senate Bill No. 260 as Act 152, entitled: "RELATING TO FINANCIAL DISCLOSURES";

Senate Bill No. 462 as Act 153, entitled: "RELATING TO TERMS OF BOARDS AND COMMISSIONS";

Senate Bill No. 610 as Act 154, entitled: "RELATING TO NOTARIES PUBLIC";

Senate Bill No. 1132 as Act 155, entitled: "RELATING TO LIQUOR LICENSES";

Senate Bill No. 1157 as Act 156, entitled:

"RELATING TO THE HAWAII YOUTH CORRECTIONAL FACILITY";

Senate Bill No. 1175 as Act 157, entitled: "RELATING TO RETAIL INSTALLMENT SALES";

Senate Bill No. 1221 as Act 158, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 155 as Act 159, entitled: "RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 228 as Act 160, entitled: "RELATING TO CONTRACTORS";

House Bill No. 462 as Act 161, entitled: "RELATING TO WARRANTIES"; and

House Bill No. 522 as Act 162, entitled: "RELATING TO MANDATORY RETIREMENT."

Gov. Msg. No. 338 returning Senate Bill No. 69, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 1, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 69

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 69, entitled 'A Bill For An Act Relating to Health.'

The purpose of Senate Bill No. 69 is to authorize the Department of Health to regulate the systematic testing and screening of newborn infants for metabolic diseases. Senate Bill No. 69 will move the statutory provisions on the testing of newborns from Chapter 333, entitled 'Mental Retardation,' to Chapter 321, the general chapter for the Department of Health, by repealing section 333-1 and adding a new section to part IV, entitled 'Crippled Children,' of Chapter 321, Hawaii Revised Statutes. The move was proposed by the Department of Health because not all metabolic diseases result in mental retardation.

This bill is substantially similar to House Bill No. 166, which was also passed by the 1985 Legislature. Both bills make the attending physician or the person assisting a birth that is not attended by a physician

responsible for ensuring that a newborn infant is tested. However, House Bill No. 166 differs from this bill by making the person in charge of each institution caring for newborn infants also responsible. Since I intend to approve House Bill No. 166, which accomplishes the purpose of this bill, there is no need to duplicate enactments by also approving this bill.

For the foregoing reasons, I am returning Senate Bill No. 69 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 69, entitled "A Bill for an Act Relating to Health," passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 69 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 69 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 339 returning House Bill No. 154, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

June 1, 1985

STATEMENT OF OBJECTIONS TO

HOUSE BILL No. 154

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 154, entitled 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended.'

The purpose of House Bill No. 154 is to amend Section 208 of the Hawaiian Homes Commission Act, 1920, as amended to remove the requirement mandating the homestead lessee to occupy and use the homestead lot within one year after the lease is made.

However, Senate Bill No. 404, which was also passed by the 1985 Legislature and which became law on May 1, 1985, as Act 60, with my approval, amended the same Section 208 of the Hawaiian Homes Commission Act, 1920, as amended, to delete the wording that mandated occupancy within one year. Since Act 60 has already accomplished the substantive purpose of this bill, there is no necessity to also enact this bill.

For the foregoing reason, I am returning House Bill No. 154 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 154, entitled 'A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, as Amended,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 154 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 154 with my

objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 340 returning House Bill No. 1271, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

June 1, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 1271

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1271, entitled 'A Bill for an Act Relating to Real Estate.'

The purpose of House Bill No. 1271 is to increase the amount of original real estate license fees, which must be contributed to the real estate education fund (hereinafter 'fund'), from \$5 to \$20; to increase the amount of the license fees for the biennial renewal of real estate licenses, which must be contributed to the fund, from \$10 to \$20; and to provide for a temporary moratorium on renewal contributions, if, beginning on July 1, 1987, the fund balance exceeds \$1,200,000 at the end of any fiscal biennium.

However, House Bill No. 1271 is substantially identical to Senate Bill No. 1274, which also passed the 1985 legislature. Since I intend to approve Senate Bill No. 1274 which will accomplish the purpose of House Bill No. 1271, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 1271 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii,

the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1271, entitled 'A Bill for an Act Relating to Real Estate,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 1271 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1271 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 1st day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 341 informing the Senate that he signed the following bills into law on the dates indicated:

May 31, 1985:

Senate Bill No. 83 as Act 163, entitled: "RELATING TO AGRICULTURAL PARKS";

Senate Bill No. 224 as Act 164, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 459 as Act 165, entitled: "RELATING TO THE HAWAII CRIMINAL JUSTICE DATA CENTER"; and

Senate Bill No. 742 as Act 166, entitled: "RELATING TO BAIL."

June 1, 1985:

Senate Bill No. 249 as Act 167, entitled: "RELATING TO THE CONFIDENTIALITY OF ADULT PROBATION RECORDS";

House Bill No. 38 as Act 168, entitled: "RELATING TO INSURANCE";

House Bill No. 99 as Act 169, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 129 as Act 170, entitled:

"RELATING TO THE BOARD OF EDUCATION";

House Bill No. 134 as Act 171, entitled: "MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS";

House Bill No. 146 as Act 172, entitled: "RELATING TO STATE OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING AND MAKING APPROPRIATIONS AND OTHER ADJUSTMENTS";

House Bill No. 166 as Act 173, entitled: "RELATING TO HEALTH";

House Bill No. 193 as Act 174, entitled: "RELATING TO WILDLIFE";

House Bill No. 264 as Act 175, entitled: "RELATING TO RECIPROCAL ENFORCEMENT OF SUPPORT";

House Bill No. 266 as Act 176, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 267 as Act 177, entitled: "RELATING TO CHILD SUPPORT";

House Bill No. 363 as Act 178, entitled: "RELATING TO DRIVERS' EDUCATION FUND UNDERWRITERS' FEE";

House Bill No. 492 as Act 179, entitled: "RELATING TO BEES";

House Bill No. 519 as Act 180, entitled: "RELATING TO MOTOR AND OTHER VEHICLES";

House Bill No. 557 as Act 181, entitled: "RELATING TO MOTOR VEHICLE REPARATIONS";

House Bill No. 830 as Act 182, entitled: "RELATING TO PROHIBITED MOTOR AND OTHER VEHICLE EQUIPMENT";

House Bill No. 1000 as Act 183, entitled: "RELATING TO HOUSING";

House Bill No. 1060 as Act 184, entitled: "RELATING TO INSURANCE";

House Bill No. 1163 as Act 185, entitled: "RELATING TO CHILD VICTIMS AND WITNESSES; RIGHTS AND SERVICES"; and

House Bill No. 1393 as Act 186, entitled: "RELATING TO CIVIL AIR PATROL."

Gov. Msg. No. 342 informing the Senate that on June 3, 1985, he signed the following bills into law:

Senate Bill No. 1198 as Act 187, entitled: "RELATING TO THE INDUSTRIAL LOAN

COMPANY GUARANTY ACT";

Senate Bill No. 1287 as Act 188, entitled: "RELATING TO THE UNIVERSITY OF HAWAII";

House Bill No. 39 as Act 189, entitled: "RELATING TO BUSINESS REGISTRATION";

House Bill No. 104 as Act 190, entitled: "RELATING TO NAMES";

House Bill No. 311 as Act 191, entitled: "RELATING TO MOTOR CARRIERS";

House Bill No. 333 as Act 192, entitled: "RELATING TO DISPOSITION OF DEFENDANTS";

House Bill No. 404 as Act 193, entitled: "RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS";

House Bill No. 453 as Act 194, entitled: "RELATING TO THE METROPOLITAN PLANNING ORGANIZATION";

House Bill No. 509 as Act 195, entitled: "RELATING TO MOTOR VEHICLES";

House Bill No. 697 as Act 196, entitled: "RELATING TO REPORTING OF PENAL CODE OFFENSES OCCURRING IN PUBLIC SCHOOLS";

House Bill No. 755 as Act 197, entitled: "RELATING TO OSTEOPATHIC EXAMINERS";

House Bill No. 757 as Act 198, entitled: "RELATING TO ELEVATOR MECHANICS";

House Bill No. 761 as Act 199, entitled: "RELATING TO NURSING HOME ADMINISTRATORS";

House Bill No. 997 as Act 200, entitled: "MAKING AN APPROPRIATION FOR THE STATE'S RENTAL ASSISTANCE PROGRAM";

House Bill No. 1054 as Act 201, entitled: "RELATING TO PUBLIC UTILITIES";

House Bill No. 1056 as Act 202, entitled: "RELATING TO EXAMINATION OF INSURERS";

House Bill No. 1257 as Act 203, entitled: "RELATING TO ELECTIONS";

House Bill No. 1354 as Act 204, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 1357 as Act 205, entitled: "RELATING TO INSURANCE"; and

House Bill No. 1386 as Act 206, entitled:
"RELATING TO ELECTIONS."

Gov. Msg. No. 343 returning House Bill No. 20, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 4, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 20

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 20, entitled 'A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor.'

The purpose of House Bill No. 20 is to appropriate \$386,240.11 to compensate victims of crime and providers of services to victims of crime, under the Criminal Injuries Compensation Act, chapter 351, Hawaii Revised Statutes.

The appropriation of funds to be made by this bill is identical to the appropriation to be made by Senate Bill No. 36, which was also passed by the Legislature during the 1985 regular session. Since I intend to approve Senate Bill No. 36, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 20 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 20, entitled 'A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor,' passed by the legislature, was presented to the

governor within the foregoing period; and

WHEREAS, House Bill No. 20 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 20 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 344 returning House Bill No. 214, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 4, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 214

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 214, entitled 'A Bill for an Act Relating to Committee Membership.'

The purpose of House Bill No. 214 is to amend existing statutes relating to the Governor's Agriculture Coordinating Committee, the Hawaii Fisheries Coordinating Council, and the Interagency Committee of the Commission on Manpower and Full Employment to allow designated alternate representatives to participate in the respective committee meetings in lieu of the primary members.

However, House Bill No. 214 is substantially similar to Senate Bill No. 160, which also passed the 1985 legislature and which became law, as Act 35, with my approval on April 24, 1985. Since Act 35 accomplished the purpose of House Bill No. 214, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 214 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 214, entitled 'A Bill for an Act Relating to Committee Membership,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 214 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 214 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 345 returning House Bill No. 219, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 4, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 219

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my

approval, House Bill No. 219, entitled 'A Bill for an Act Relating to Special Purpose Revenue Bonds.'

The purpose of House Bill No. 219 is to permit special purpose revenue bonds to be used to finance the development of private parking structures in the Kakaako Community Development District.

However, House Bill No. 219 is identical to Senate Bill No. 165, which was also passed by the 1985 legislature and which became law, as Act 143, with my approval on April 30, 1985. Therefore, there is no necessity to also approve this bill.

For the foregoing reason, I am returning House Bill No. 219 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 219, entitled 'A Bill for an Act Relating to Special Purpose Revenue Bonds,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 219 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 219 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 346 returning House Bill No. 1382, without his approval, together with his statement of objections relating to

the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 4, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 1382

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1382, entitled 'A Bill for an Act Relating to Contractors.'

The purpose of House Bill No. 1382 is to require owner-builders or lessees who build on or improve their property to register for an exemption from the contractors license law. The bill also requires each county or local subdivision of the State to maintain an owner-builder registration list containing certain information.

However, House Bill No. 1382 is substantially similar to Senate Bill No. 1271, which also passed the 1985 legislature. Since I intend to approve Senate Bill No. 1271, which will accomplish the purpose of House Bill No. 1382, there is no necessity to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 1382 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1382, entitled 'A Bill for an Act Relating to Contractors,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 1382 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of

Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1382 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 347 transmitting copies of the "Hawaii Renewable Resources Research Plan for the 80's," prepared by the Department of Land and Natural Resource.

Gov. Msg. No. 348 transmitting copies of the "Crime in Hawaii 1984," prepared by the Hawaii Criminal Justice Data Center.

Gov. Msg. No. 349 transmitting copies of "A Quarter Century of Change," prepared by the Department of Labor and Industrial Relations, pursuant to Section 371-7, HRS.

Gov. Msg. No. 350 informing the Senate that he signed the following bills into law on the dates indicated:

June 3, 1985:

House Bill No. 49 as Act 207, entitled: "RELATING TO CARE FOR THE ELDERLY";

House Bill No. 776 as Act 208, entitled: "RELATING TO CHILD CARE"; and

House Bill No. 1285 as Act 209, entitled: "RELATING TO CRIMINAL RECORDS CLEARANCE."

June 4, 1985:

Senate Bill No. 36 as Act 210, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

Senate Bill No. 319 as Act 211, entitled: "RELATING TO CHAPTER 237, HAWAII REVISED STATUTES";

Senate Bill No. 588 as Act 212, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

Senate Bill No. 589 as Act 213, entitled: "RELATING TO PUBLIC EMPLOYEES";

Senate Bill No. 665 as Act 214, entitled: "RELATING TO ACUPUNCTURE";

Senate Bill No. 1271 as Act 215, entitled:

"RELATING TO CONTRACTORS";

Senate Bill No. 1404 as Act 216, entitled:
"RELATING TO FRAUDULENT
TRANSFERS";

House Bill No. 108 as Act 217, entitled:
"RELATING TO RETENTION OF
CASHED WARRANTS";

House Bill No. 153 as Act 218, entitled:
"RELATING TO MEMBERS OF BOARDS
AND COMMISSIONS";

House Bill No. 165 as Act 219, entitled:
"RELATING TO MENTAL HEALTH";

House Bill No. 171 as Act 220, entitled:
"RELATING TO MENTAL HEALTH";

House Bill No. 194 as Act 221, entitled:
"RELATING TO ACCRETION";

House Bill No. 195 as Act 222, entitled:
"RELATING TO THE ENFORCEMENT
PROGRAM OF THE DEPARTMENT OF
LAND AND NATURAL RESOURCES";

House Bill No. 235 as Act 223, entitled:
"RELATING TO PHARMACISTS AND
PHARMACY";

House Bill No. 234 as Act 224, entitled:
"RELATING TO OPTOMETRY";

House Bill No. 436 as Act 225, entitled:
"RELATING TO PERSONAL CARE
SERVICES";

House Bill No. 949 as Act 226, entitled:
"RELATING TO GEOTHERMAL
RESOURCES";

House Bill No. 1162 as Act 227, entitled:
"RELATING TO RIGHTS OF VICTIMS
AND SURVIVING IMMEDIATE FAMILY
MEMBERS TO NOTIFICATION TO
PAROLE OR RELEASE OF A
PRISONER"; and

House Bill No. 1166 as Act 228, entitled:
"RELATING TO VICTIM NOTIFICATION
REQUIREMENTS OF CONDITIONAL
RELEASE CENTERS; FURLOUGHS FOR
PRISONERS."

Gov. Msg. No. 351 informing the Senate
that on June 5, 1985, he signed the following
bills into law:

Senate Bill No. 20 as Act 229, entitled:
"MAKING AN APPROPRIATION FOR
SUGAR RESEARCH AND
DEVELOPMENT";

Senate Bill No. 149 as Act 230, entitled:
"RELATING TO LAND USE";

Senate Bill No. 309 as Act 231, entitled:
"RELATING TO INSURANCE FOR

MOTOR VEHICLES AND OTHER
VEHICLES";

Senate Bill No. 937 as Act 232, entitled:
"RELATING TO TAXATION";

Senate Bill No. 961 as Act 233, entitled:
"RELATING TO BANKS";

House Bill No. 40 as Act 234, entitled:
"RELATING TO INTEREST";

House Bill No. 89 as Act 235, entitled:
"RELATING TO TRAFFIC SAFETY";

House Bill No. 184 as Act 236, entitled:
"RELATING TO THE AQUACULTURE
ADVISORY COUNCIL";

House Bill No. 206 as Act 237, entitled:
"RELATING TO THE FACILITATION OF
PERMIT PROCESSING";

House Bill No. 233 as Act 238, entitled:
"RELATING TO THE PRACTICE OF
NURSING";

House Bill No. 281 as Act 239, entitled:
"RELATING TO THE STATE HIGHWAY
FUND";

House Bill No. 743 as Act 240, entitled:
"RELATING TO THE HAWAII
INSURANCE LAW";

Senate Bill No. 78 as Act 241, entitled:
"RELATING TO EMPLOYMENT
PRACTICES";

Senate Bill No. 90 as Act 242, entitled:
"RELATING TO COMMERCIAL MARINE
LICENSE";

Senate Bill No. 342 as Act 243, entitled:
"RELATING TO PESTICIDES";

Senate Bill No. 384 as Act 244, entitled:
"RELATING TO STATE BONDS";

Senate Bill No. 557 as Act 245, entitled:
"RELATING TO THE AUTHORIZATION
OF SPECIAL PURPOSE REVENUE
BONDS FOR HEALTH CARE
FACILITIES";

Senate Bill No. 854 as Act 246, entitled:
"RELATING TO SAFETY INSPECTIONS
OF MOTOR CARRIER VEHICLES";

Senate Bill No. 932 as Act 247, entitled:
"RELATING TO AGREEMENTS OF SALE";

Senate Bill No. 1186 as Act 248, entitled:
"RELATING TO HOSPITALS";

Senate Bill No. 1274 as Act 249, entitled:
"RELATING TO REAL ESTATE";

House Bill No. 160 as Act 250, entitled:
"RELATING TO HANSEN'S DISEASE";

House Bill No. 174 as Act 251, entitled:
"RELATING TO EMPLOYMENT
RELATIONS BOARDS";

House Bill No. 176 as Act 252, entitled:
"RELATING TO THE COMMISSION ON
MANPOWER AND FULL EMPLOYMENT";

House Bill No. 188 as Act 253, entitled:
"RELATING TO FISHING";

House Bill No. 231 as Act 254, entitled:
"RELATING TO THE MOTOR VEHICLE
INDUSTRY";

House Bill No. 239 as Act 255, entitled:
"RELATING TO BOARDS";

House Bill No. 263 as Act 256, entitled:
"RELATING TO RETENTION OF STATE
TAX REFUNDS";

House Bill No. 268 as Act 257, entitled:
"RELATING TO CHILD SUPPORT";

House Bill No. 329 as Act 258, entitled:
"RELATING TO DRIVING UNDER THE
INFLUENCE OF INTOXICATING
LIQUOR";

House Bill No. 346 as Act 259, entitled:
"RELATING TO CORPORATIONS";

House Bill No. 352 as Act 260, entitled:
"RELATING TO SOLICITATION OF
FUNDS";

House Bill No. 382 as Act 261, entitled:
"RELATING TO JURORS' MILEAGE FEE";

House Bill No. 401 as Act 262, entitled:
"RELATING TO ANIMALS";

House Bill No. 674 as Act 263, entitled:
"RELATING TO REEMPLOYMENT AND
RECALL LISTS";

House Bill No. 759 as Act 264, entitled:
"RELATING TO PHARMACY";

House Bill No. 839 as Act 265, entitled:
"RELATING TO CONSUMER
PROTECTION"; and

House Bill No. 1243 as Act 266, entitled:
"RELATING TO AQUACULTURE
COOPERATIVE ASSOCIATIONS."

Gov. Msg. No. 352 returning Senate Bill
No. 154, without his approval, together with
his statement of objections relating to the
measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 6, 1985

STATEMENT OF OBJECTIONS TO

SENATE BILL NO. 154

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of
the Constitution of the State of Hawaii, I
am returning herewith, without my
approval, Senate Bill No. 154, entitled 'A
Bill for an Act Relating to the Hawaii
Community Development Authority.'

The purpose of Senate Bill No. 154 is to
authorize the Hawaii Community
Development Authority to issue \$15 million
of revenue bonds to finance the
development of public facilities in Kakaako.

However, Senate Bill No. 154 is
substantially identical to House Bill No. 208,
which was also passed by the 1985
legislature. Since I intend to approve House
Bill No. 208, which will accomplish the
purpose of Senate Bill No. 154, there is no
necessity to also approve this bill.

For the foregoing reason, I am returning
Senate Bill No. 154 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III
of the Constitution of the State of Hawaii,
the governor is required to give notice, by a
proclamation, of his plan to return with his
objections any bill presented to him less
than ten days before adjournment sine die or
presented to him after adjournment sine die
of the legislature; and

WHEREAS, Senate Bill No. 154, entitled
'A Bill for an Act Relating to the Hawaii
Community Development Authority,' passed
by the legislature, was presented to the
governor within the foregoing period; and

WHEREAS, Senate Bill No. 154 is
unacceptable to the governor of the State of
Hawaii;

NOW, THEREFORE, I, GEORGE R.
ARIYOSHI, Governor of the State of
Hawaii, do hereby issue this proclamation
pursuant to the provisions of Section 16 of
Article III of the Constitution of the State
of Hawaii, giving notice of my plan to
return Senate Bill No. 154 with my
objections thereon to the legislature as
provided by said Section 16 of Article III of
the Constitution.

DONE at the State Capitol,

Honolulu, State of Hawaii,
this 6th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 353 returning House Bill No. 209, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 6, 1985

STATEMENT OF OBJECTIONS TO
HOUSE BILL NO. 209

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 209, entitled 'A Bill for an Act Relating to Tax Increment Financing.'

The purpose of House Bill No. 209 is to provide enabling legislation for the various counties to establish tax increment districts and to authorize the counties to issue tax increment bonds to finance the costs of infrastructure and public improvements in such districts.

However, House Bill No. 209 is substantially similar to Senate Bill No. 155, which also passed the 1985 legislature. Since I intend to approve Senate Bill No. 155, which will accomplish the purpose of House Bill No. 209, there is no necessity to also approve this bill.

For the foregoing reasons, I am returning House Bill No. 209 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 209, entitled 'A Bill for an Act Relating to Tax Increment

Financing,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 209 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 209 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 354 informing the Senate that on June 6, 1985, he signed the following bills into law:

Senate Bill No. 155 as Act 267, entitled: "RELATING TO TAX INCREMENT FINANCING";

House Bill No. 208 as Act 268, entitled: "RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY";

House Bill No. 240 as Act 269, entitled: "RELATING TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS"; and

House Bill No. 347 as Act 270, entitled: "RELATING TO CORPORATIONS."

Gov. Msg. No. 355 informing the Senate that on June 7, 1985, he signed the following bills into law:

Senate Bill No. 59 as Act 271, entitled: "RELATING TO IMMUNIZATION FOR SCHOOL ATTENDANCE";

Senate Bill No. 64 as Act 272, entitled: "RELATING TO DOMICILIARY CARE";

Senate Bill No. 236 as Act 273, entitled: "RELATING TO EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS";

Senate Bill No. 379 as Act 274, entitled: "RELATING TO THE MOTOR CARRIER SAFETY LAW";

Senate Bill No. 461 as Act 275, entitled: "RELATING TO SHOPLIFTING";

Senate Bill No. 726 as Act 276, entitled:
"RELATING TO PHYSICAL THERAPY";

Senate Bill No. 735 as Act 277, entitled:
"RELATING TO CHECKS";

Senate Bill No. 1413 as Act 278, entitled:
"RELATING TO PUBLIC AGENCY
MEETINGS AND RECORDS";

House Bill No. 28 as Act 279, entitled:
"RELATING TO EVIDENCE";

House Bill No. 33 as Act 280, entitled:
"RELATING TO SENTENCING";

House Bill No. 824 as Act 281, entitled:
"RELATING TO PAYMENT FOR GOODS
AND SERVICES UNDER SECTION
103-10, HAWAII REVISED STATUTES, AS
AMENDED";

House Bill No. 1231 as Act 282, entitled:
"RELATING TO ENVIRONMENTAL
QUALITY"; and

Senate Bill No. 561 as Act 283, entitled:
"RELATING TO INCOME TAXATION."

Gov. Msg. No. 356 informing the Senate
that on June 8, 1985, he signed the following
bills into law:

Senate Bill No. 470 as Act 284, entitled:
"RELATING TO THE HAWAIIAN HOMES
COMMISSION ACT, 1920, AS AMENDED";

Senate Bill No. 1127 as Act 285, entitled:
"RELATING TO DENTAL HYGIENISTS";

Senate Bill No. 1138 as Act 286, entitled:
"RELATING TO THE UNIFORM
SECURITIES ACT (MODIFIED)";

Senate Bill No. 1286 as Act 287, entitled:
"RELATING TO THE UNIVERSITY OF
HAWAII";

House Bill No. 460 as Act 288, entitled:
"RELATING TO ATTORNEY'S FEES,
COSTS, AND EXPENSES";

House Bill No. 479 as Act 289, entitled:
"RELATING TO THE STATE FISH";

House Bill No. 488 as Act 290, entitled:
"RELATING TO HEALTH";

House Bill No. 813 as Act 291, entitled:
"RELATING TO COUNTY BONDS AND
FINANCING SOLID WASTE PROCESSING
AND DISPOSAL AND ELECTRIC
GENERATING FACILITIES"; and

House Bill No. 1275 as Act 292, entitled:
"RELATING TO THE PUBLIC UTILITIES
COMMISSION."

Gov. Msg. No. 357 returning Senate Bill
No. 539, without his approval, together with

his statement of objections relating to the
measure which reads as follows:

**"EXECUTIVE CHAMBERS
HONOLULU**

June 12, 1985

**STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 539**

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of
the Constitution of the State of Hawaii, I
am returning herewith, without my
approval, Senate Bill No. 539, entitled 'A
Bill for an Act Relating to Alarm
Businesses.'

The purpose of Senate Bill No. 539 is to
create a new chapter in the Hawaii Revised
Statutes to regulate businesses which sell,
install, maintain, and repair burglar alarm
systems.

The bill prescribes minimum standards of
conduct for and responsibilities of alarm
businesses and users of alarms. In
particular, the bill requires that an alarm
sales business maintain a surety bond in the
amount of \$5,000 during its first five years
of operation. 'Alarm sales business' is
defined in the bill as 'any individual,
corporation, or other business entity that
engages in selling, leasing, or installing any
alarm system in or on any building, place, or
premises, except motor vehicles.'

There appears to be concern regarding the
necessity for the bonding requirement. The
following concerns have been expressed:

(1) The bonding requirement does not
facilitate the primary purpose of S.B. No.
539, that of reducing the high number of
false alarms caused by alarm systems which
impose undue burdens on police resources.

(2) The bonding requirement places an
undue financial burden on sellers of
customer-installed alarm systems, who are
not in the business of installing,
maintaining, or repairing alarm systems.

(3) Alarm businesses are already
regulated to a certain extent by chapter
444, Hawaii Revised Statutes. Alarm
businesses that install, maintain, and repair
central burglar alarm systems are presently
required to be licensed as specialty
contractors under chapter 444 and the Rules
of the Contractors License Board. In
addition, section 444-16.5, Hawaii Revised
Statutes, authorizes the Contractors
License Board to require specialty
contractors to obtain a bond in a sum of not
less than \$2,500.

(4) The bonding requirement does not appear to be necessary inasmuch as the Office of Consumer Protection reports that has only received a few complaints against alarm businesses within the past five years and that these complaints primarily involve allegations of failure to repair alarm systems in a timely manner.

I believe that the bonding requirement places an undue financial burden on alarm businesses which outweighs any benefits that may accrue to consumers.

For the foregoing reasons, I am returning Senate Bill No. 539 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 539, entitled 'A Bill for an Act Relating to Alarm Businesses,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 539 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 539 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 358 returning Senate Bill No. 1209, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS

HONOLULU, HAWAII

June 12, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1209

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1209, entitled 'A Bill for an Act Relating to Taxation.'

The purpose of Senate Bill No. 1209 is to add a new paragraph to Section 237-13, Hawaii Revised Statutes, which reduces the tax rate applicable to sales of air fares by registered travel agents or agencies from the current four percent to .15 percent of the commissions earned. All other commission income remains subject to the four percent tax rate.

The primary rationale for this proposed change is stated to be the elimination of the inequity which results from a purported federal prohibition against the pass-on of the general excise tax on travel agent commissions to air travelers.

However, review of 49 U.S.C. Section 1373(b)(1), the Federal statute alluded to as prohibiting the pass-on of the general excise tax, disclosed that, pursuant to 49 U.S.C. Section 1551(a)(2)(A), section 1373, to the extent that it applied to interstate and overseas air transportation of persons, was repealed as of January 1, 1983. As such, since January 1, 1983, there has been no specific Federal prohibition of travel agent pass-on of the State general excise tax.

In addition, the prohibition against the pass-on of the general excise tax included in the old Air Traffic Conference Agency Resolution and Sales Agency Agreement was eliminated when the present Airline Reporting Corporation replaced the old Air Traffic Conference on January 1, 1985. The present sales agency agreement between the travel agents and the Airline Reporting Corporation contains no such restriction and does not prohibit the travel agent from selling air fares at prices other than the suggested price.

Therefore, presently, there apparently is no provision, statutory or otherwise, which would prohibit the pass-on of the general excise tax on sales of air fares and travel agents have more flexibility in determining the price at which they may sell airline tickets. As a result, travel agents are no longer analogous to the insurance agents who are prohibited by Hawaii law from passing on the general excise tax.

Furthermore, unlike the travel agents who can pass-on the tax on all of their non-air travel sales, the insurance agents were unable to offset any of the tax by passing it on in other areas wherein pass-on was not prohibited.

Thus, there is no longer any statutory basis for granting the preferential tax to travel agents provided in Senate Bill No. 1209. In fact, such a special preference would create an inequitable taxing situation when viewed against the many other sales representatives and agents who for contractual, economic, or other reasons do not pass-on the tax. This would open the floodgates to all other sales agents who would want similar preferential treatment, and could also lead to increased litigation challenging the equity of the preferential tax treatment.

Finally, the change proposed in Senate Bill No. 1209 will reduce the general fund revenues of the State. This is especially significant in that airlines presently pay no state general excise or public service company taxes. The tax on agents' commissions is the sole source of tax revenue from interstate and overseas carriers because of Commerce Clause problems with taxing ticket sales for interstate flights. With the recent demise of the public service company tax on airlines, the tax on commissions was the sole remaining source of revenue from airlines. By reducing the tax rate on these sales from four percent to the .15 percent proposed in this bill, the industry will go virtually untaxed.

While I deeply sympathize with the plight of those engaged in the tourism industry, in view of the infirmities discussed above and the potential impact the proposed change would have on the State's general fund revenue, it is my opinion that the bill will not serve the best interests of the State of Hawaii.

For the foregoing reason, I am returning Senate Bill No. 1209 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1209, entitled

'A Bill for an Act Relating to Taxation,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 1209 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1209 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 359 returning Senate Bill No. 1358, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU, HAWAII

June 12, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1358

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1358, entitled 'A Bill for an Act Relating to the Costs of Court.'

The purpose of Senate Bill No. 1358 is to allow prevailing parties in a litigation to recover as costs of court actual disbursements, 'including but not limited to,' disbursements for 'intrastate travel expenses for witnesses and counsel, deposition transcript originals and copies, and other incidental expenses, such as copying costs, intrastate long distance telephone charges, and postage.' The bill further provides that in determining whether and what costs should be taxed, the court may consider the 'equities of the situation.'

As explained in Senate Conference Committee Report No. 28 (April 17, 1985) and House Conference Committee Report No. 32 (April 17, 1985), the court's

consideration of the 'equities of the situation' is intended to include a review of the merits of the claims, the reasonable necessity of the items sought to be taxed, the relative hardship if costs are taxed against the losing party, and other relevant factors.

Since the State is viewed as the traditional 'deep pocket,' the State is at a distinct disadvantage relative to individual parties when the factor of 'hardship' is used in supporting or opposing the taxation of costs. Under the joint tortfeasor law in Hawaii, a plaintiff could be a prevailing party against the State of Hawaii even if the State were found to be only one percent liable for the plaintiff's damages. In such instances, the State could be required to pay one hundred percent of the judgment and the plaintiff's costs to litigate the case. Furthermore, the non-exclusive listing of allowable costs in the bill may well be seen as authorizing other similar costs, such as travel for expert witnesses and even mainland travel for attorneys and witnesses. Consequently, this bill may have a substantial and disproportionate financial impact on the State whenever the State does not prevail in a case, as well as present a strong probability that the State will not recover its costs whenever it does prevail in a case, and is not in the best interest of the State.

For the foregoing reasons, I am returning Senate Bill No. 1358 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1358, entitled 'A Bill for an Act Relating to the Costs of Court,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 1358 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to

return Senate Bill No. 1358 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 360 returning House Bill No. 995, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 12, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 995

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 995, entitled 'A Bill for an Act Relating to Massage.'

The purpose of House Bill No. 995 is to exempt 'Native Hawaiians' from the apprenticeship requirements of Chapter 452 of the Hawaii Revised Statutes, which governs the practice of massage in the State of Hawaii.

Presently, under Section 452-13, Hawaii Revised Statutes, in order to be eligible to take the state examination for a license to practice massage, an applicant must have spent at least six months as a massage therapist apprentice and have met all other apprenticeship requirements contained in rules adopted by the Board of Massage. This bill amends Section 452-13, to exempt 'Native Hawaiians' from such apprenticeship requirements. In addition, the bill amends Section 452-1, Hawaii Revised Statutes, to define 'Native Hawaiian' to mean 'any individual, any of whose ancestors were native of the area which consists of the Hawaiian Islands prior to 1778.'

The legislative committee reports indicate that the purpose of the bill is to exempt 'Native Hawaiians' who have mastered the art of 'lomilomi' and 'other forms of Hawaiian massage from kupuna' from apprenticeship requirements. The bill, however, goes beyond the purpose articulated in the committee reports by also exempting 'Native Hawaiians' from

apprenticeship requirements which are applicable to the practice of those forms of massage other than 'lomilomi' and 'Hawaiian massage from kupuna.' Furthermore, the bill does not provide for a mechanism by which to determine which 'Native Hawaiians' have mastered 'lomilomi' or 'other Hawaiian massage from kupuna.'

I also note that the definition of 'Native Hawaiian' in this bill is broader than the definition in section 201(7) of the Hawaiian Homes Commission Act, 1920, as amended, which defines 'native Hawaiian' to mean 'any descendent of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands prior to 1778.' In contrast, this bill defines the 'Native Hawaiian' to require only that 'any' of an individual's ancestors had to be 'native of the area which consists of the Hawaiian Islands prior to 1778.' Consequently, even an individual with an extremely small percentag of Hawaiian ancestry may qualify as a 'Native Hawaiian' under this bill.

Although the stated purpose of this bill may have merit, I believe that the actual wording of this bill goes unacceptably beyond that stated purpose. Since the overbroad wording of this bill apparently is not supported by an rationally related legitimate governmental objective, the classification of 'Native Hawaiians' to be established by this bill, a class based on ancestry, may offend the equal protection clauses of the constitutions of the United States and of the State of Hawaii.

For the foregoing reasons, I am returning House Bill No. 995 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 995, entitled 'A Bill for an Act Relating to Massage,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 995 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R.

ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 995 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 361 returning House Bill No. 1356, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 12, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1356

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 1356, entitled 'A Bill for an Act Relating to Boards and Commissions.'

The purpose of House Bill No. 1356 is to require members selected to the board of directors of the Hawaii Life and Disability Insurance Guaranty Association to be the appointed general agent or manager of the member insurer.

Unfortunately, House Bill No. 1356 unduly restricts the ability of member insurers, specifically domestic insurers, to appoint their representatives to the board. A well-qualified individual who is familiar and well versed with the operations of a particular member insurance company may be prohibited from serving on the board of the Hawaii Life and Disability Insurance Guaranty Association because such an individual is not a general agent or manager. Thus, this bill would create a disruptive effect on the operations of the board at a time when continuity is essential.

For the foregoing reason, I am returning House Bill No. 1356 without my approval.

Respectfully,

/s/ George R. Ariyoshi
 GEORGE R. ARIYOSHI
 Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 1356, entitled 'A Bill for an Act Relating to Boards and Commissions,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 1356 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 1356 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
 Honolulu, State of Hawaii,
 this 12th day of June,
 1985.

/s/ George R. Ariyoshi
 GEORGE R. ARIYOSHI
 Governor of Hawaii."

Gov. Msg. No. 362 returning Senate Bill No. 192, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 12, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 192

Honorable Members
 Thirteenth Legislature
 State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 192, entitled 'A Bill for an Act Relating to the Board of Dental Examiners.'

The purpose of Senate Bill No. 192 is to

define four different levels of supervision required under chapter 448, Hawaii Revised Statutes, of a supervising dentist during the performance of a procedure by a dental auxiliary.

The bill defines the term 'general supervision,' which is a term used in chapter 448 but not presently defined therein. 'General supervision' is defined in the bill to mean 'that the supervising dentist has authorized the procedure and it is being carried out by the auxiliary in accordance with the dentist's diagnosis and treatment plan. Although the immediate presence of the supervising dentist is not required, the procedure must be performed with the prior knowledge and consent of the dentist.'

There appears to be concern regarding the appropriateness of the definition of 'general supervision.' Interested parties have expressed concern that the foregoing definition is too lenient because it allows a dental auxiliary to complete a dental procedure while the supervising dentist is absent from the office. If a greater degree of supervision by a dentist is not required, interested parties believe that the health and safety of the public will be in jeopardy.

I believe that the foregoing definition poses a danger to the public health and safety.

For the foregoing reasons, I am returning Senate Bill No. 192 without my approval.

Respectfully,

/s/ George R. Ariyoshi
 GEORGE R. ARIYOSHI
 Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 192, entitled 'A Bill for an Act Relating to the Board of Dental Examiners,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 192 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State

of Hawaii, giving notice of my plan to return Senate Bill No. 192 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 363 returning Senate Bill No. 615, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

June 12, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 615

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 615, entitled 'A Bill for an Act Relating to Fees for Private Attorneys General.'

The purpose of Senate Bill No. 615 is to empower the courts to award reasonable attorney's fees to the private party who prevails against another private party in an injunctive action involving a development that is being undertaken without first having obtained all necessary government permits or approvals.

Members of the business community have complained that an 'anti-business' climate exists in the State of Hawaii and that businesses are already over-regulated. This bill will tend to encourage litigation against businesses engaged in development activities and will tend to discourage attempts to commence development activities in this State. I believe that the enactment of this bill will aggravate the perception of an 'anti-business' climate existing in this State at a time when government agencies are attempting to streamline the permit-review process.

For the foregoing reason, I am returning Senate Bill No. 615 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI

Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 615, entitled 'A Bill for an Act Relating to Fees for Private Attorneys General,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 615 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 615 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 364 returning Senate Bill No. 1290, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU, HAWAII

June 12, 1985

STATEMENT OF OBJECTIONS TO
SENATE BILL NO. 1290

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1290, entitled 'A Bill for an Act Relating to the University of Hawaii.'

The purpose of Senate Bill No. 1290 is to clarify the roles of the Department of

Education and of the College of Education of the University of Hawaii with respect to research and development activities for the curriculum of public schools.

Although this bill will incorporate into law existing practices and procedures for curriculum research and development activities, the statutory amendments to be made by this bill may tend to 'freeze' existing practices and to restrict, rather than enlarge, the scope and nature of research to be conducted by the College of Education of the University of Hawaii.

For the foregoing reason, I am returning Senate Bill No. 1290 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1290, entitled 'A Bill for an Act Relating to the University of Hawaii,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 1290 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1290 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 365 returning Senate Bill No. 1443, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU, HAWAII

June 12, 1985

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1443

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1443, entitled 'A Bill for an Act Relating to Public Assistance, Psychology.'

The purpose of Senate Bill No. 1443, is to amend Chapter 346, Hawaii Revised Statutes, to (1) specify that referral, direction, or prescription of services by another health care practitioner not be required to psychologists who treat welfare patients; (2) include psychologists in the definition of medical care for Medicaid reimbursement purposes; and (3) permit psychologists to determine disability for the purposes of enabling individuals to qualify for general assistance benefits. The legislative committees found that the services of psychologists are more cost-effective than those of physicians and that the services of psychologists have been shown to reduce overall medical costs.

Although the legislative intent to provide for more cost-effective services is commendable, the Department of Social Services and Housing has provided information showing that this bill will result in increased costs to the Medicaid program. Expenditure data reveal that average payments per case have been greater for psychologists than for psychiatrists since 1981 (when the allowance per case averaged \$271.29 for psychologists and \$258.22 for psychiatrists). As of 1983, the average payment per case was \$323.08 for psychologists and \$305.94 for psychiatrists. Further, by relaxing control over the number and manner of treatment services that psychologists may provide for Medicaid recipients, this bill would create additional increases in Medicaid payments for psychological services. In 1979, Medicaid payments to psychologists totaled \$573,537 and, by 1983, payments had more than doubled to \$1,157,445. Consequently, although I may be willing to consider a limited pilot program to test the cost-effectiveness of the use of services of psychologists, I believe that, based on the expenditure data available presently, this bill will result in an unnecessary increase in cost to the Medicaid program and is objectionable at this time. This is compounded by the fact that we are looking at Medicaid cost containment.

For the foregoing reasons, I am returning Senate Bill No. 1443 without my approval.

Respectfully,

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, Senate Bill No. 1443, entitled 'A Bill for an Act Relating to Public Assistance, Psychology,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, Senate Bill No. 1443 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return Senate Bill No. 1443 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 366 returning House Bill No. 905, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS HONOLULU

June 12, 1985

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 905

Honorable Members
Thirteenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my

approval, House Bill No. 905, entitled 'A Bill for an Act Relating to Health.'

The purpose of House Bill No. 905 is to assist in the recruitment of physicians for programs in the Department of Health and the Department of Social Services and Housing. House Bill No. 905 would require the University of Hawaii School of Medicine to reserve two positions within its accredited medical school residency program in each of the fiscal years 1985-1986, 1986-1987, and 1987-1988 for medical school graduates who contractually agree to work for those departments for two years following completion of the residency program and licensure.

The requirements imposed on the University of Hawaii School of Medicine by House Bill No. 905 would conflict with the operation of the existing medical residency program in this State. This residency program is administered by a private non-profit corporation comprised of a consortium of hospitals within the State and the University of Hawaii School of Medicine. The corporation pays all costs associated with the residency program and is funded by pro-rata assessments to consortium members, with the hospitals bearing the major portion of the costs of the residency program. Each member of the consortium is represented on the board of directors which collectively selects candidates for the residency program. The University of Hawaii School of Medicine cannot unilaterally reserve certain positions within the residency program for the purposes of House Bill No. 905. Furthermore, while the bill requires that positions within the residency program be reserved commencing in fiscal year 1985-1986, the candidate selection procedure has already been completed for 1985-1986, and there are no remaining positions within the program. Moreover, the bill contains no provision for funding the positions within the residency program which are to be reserved.

Further, the bill does not address the problems that may arise from having doctors completing their residency training in one medical discipline, such as ophthalmology, being forced to fill positions requiring skills unrelated to those specialties.

There is also the concern that the bill will either establish two classes of residents or will unfairly impose requirements on a few participants in the residency program.

For the foregoing reasons, I am returning House Bill No. 905 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii."

"P R O C L A M A T I O N

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the governor is required to give notice, by a proclamation, of his plan to return with his objections any bill presented to him less than ten days before adjournment sine die or presented to him after adjournment sine die of the legislature; and

WHEREAS, House Bill No. 905, entitled 'A Bill for an Act Relating to Health,' passed by the legislature, was presented to the governor within the foregoing period; and

WHEREAS, House Bill No. 905 is unacceptable to the governor of the State of Hawaii;

NOW, THEREFORE, I, GEORGE R. ARIYOSHI, Governor of the State of Hawaii, do hereby issue this proclamation pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, giving notice of my plan to return House Bill No. 905 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 12th day of June,
1985.

/s/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii."

Gov. Msg. No. 367 informing the Senate that on June 12, 1985, he signed the following bills into law:

Senate Bill No. 245 as Act 293, entitled: "RELATING TO THE HAWAII REVISED STATUTES";

Senate Bill No. 1144 as Act 294, entitled: "RELATING TO OPTOMETRY";

Senate Bill No. 1223 as Act 295, entitled: "RELATING TO THE HAWAIIAN HOMES

COMMISSION ACT, 1920, AS AMENDED";

House Bill No. 463 as Act 296, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 558 as Act 297, entitled: "RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS";

House Bill No. 1063 as Act 298, entitled: "RELATING TO LAND USE";

Senate Bill No. 133 as Act 299, entitled: "RELATING TO THE REGISTRATION OF AIRCRAFT";

House Bill No. 1 as Act 300, entitled: "RELATING TO THE STATE BUDGET";

House Bill No. 1131 as Act 301, entitled: "RELATING TO CHAPTER 42";

House Bill No. 434 as Act 302, entitled: "RELATING TO DOMICILIARY CARE";

Senate Bill No. 239 as Act 303, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 426 as Act 304, entitled: "RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Gov. Msg. No. 368 informing the Senate that on June 25, 1985, he signed the following bills into law:

House Bill No. 101 as Act 305, entitled: "RELATING TO AN OFFICE OF COMMUNITY SERVICES," and

Senate Bill No. 213 as Act 306, entitled: "RELATING TO PRIVATE DETECTIVES AND GUARDS."

Gov. Msg. No. 368 informing the Senate that on June 25, 1985, he signed the following bills into law:

House Bill No. 101 as Act 305, entitled: "RELATING TO AN OFFICE OF COMMUNITY SERVICES," and

Senate Bill No. 213 as Act 306, entitled: "RELATING TO PRIVATE DETECTIVES AND GUARDS."

HOUSE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

House Communication No. 670:

Informing the Senate that House Bill No. 1, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 22, 1985.

House Communication Nos. 671 to 690:

Informing the Senate that the reports of the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to the following Senate Bills were adopted by the House; and said bills passed Final Reading in the House of Representatives on April 22, 1985:

Hse. Com. No.:	Senate Bill No.:
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671	20, S.D. 1, H.D. 1, C.D. 1;
672	76, S.D. 1, H.D. 1, C.D. 1;
673	201, S.D. 1, H.D. 1, C.D. 1;
674	224, S.D. 1, H.D. 1, C.D. 1;
675	239, S.D. 2, H.D. 1, C.D. 1;
676	309, S.D. 1, H.D. 1, C.D. 1;
677	384, H.D. 1, C.D. 1;
678	463, S.D. 1, H.D. 2, C.D. 1;
679	539, S.D. 1, H.D. 1, C.D. 1;
680	1353, S.D. 1, H.D. 1, C.D. 1;
681	588, S.D. 1, H.D. 1, C.D. 1;
682	589, S.D. 2, H.D. 1, C.D. 1;
683	610, S.D. 1, H.D. 1, C.D. 1;
684	665, S.D. 1, H.D. 2, C.D. 1;
685	726, S.D. 2, H.D. 2, C.D. 1;
686	854, S.D. 1, H.D. 1, C.D. 1;
687	932, S.D. 1, H.D. 1, C.D. 1;
688	1198, S.D. 2, H.D. 1, C.D. 1;
689	1286, S.D. 2, H.D. 2, C.D. 1; and
690	1287, S.D. 2, H.D. 2, C.D. 1.

House Communication Nos. 691 to 695:

Informing the Senate that the following Senate Bills passed Third Reading in the House of Representatives on April 22, 1985:

Hse. Com. No.:	Senate Bill No.:
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691	36, S.D. 1;
692	245;
693	154, S.D. 2;
694	714; and
695	936.

House Communication No. 696:

Informing the Senate that Senate Bill No. 319 passed Third Reading in the House of Representatives on April 22, 1985, by not less than two-thirds vote of all the members to which the House is entitled.

House Communication Nos. 697 to 700:

Informing the Senate that the following Senate Bills passed Third Reading in the House of Representatives on April 22, 1985:

Hse. Com. No.:	Senate Bill No.:
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697	557;
698	1392
699	1195, S.D. 1; and
700	1397, S.D. 2.

House Communication Nos. 701 to 705:

Informing the Senate that the amendments proposed by the Senate to the following House Bills were agreed to by the House; and said bills, as amended, passed Final Reading in the House of Representatives on April 22, 1985:

Hse. Com. No.:	House Bills No.:
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701	108, H.D. 2, S.D. 1;
702	208, H.D. 2, S.D. 1;
703	997, H.D. 1, S.D. 1;
704	674, H.D. 1, S.D. 1; and
705	404, H.D. 2, S.D. 1.

House Communication Nos. 706 to 712:

Informing the Senate that the reports of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to the following House Bills were adopted by the House; and said bills passed Final Reading in the House of Representatives on April 22, 1985:

Hse. Com. No.:	House Bill No.:
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706	281, H.D. 2, S.D. 2, C.D. 1;
707	146, H.D. 1, S.D. 1, C.D. 1;
708	147, H.D. 1, S.D. 1, C.D. 1;
709	134, H.D. 1, S.D. 1, C.D. 1;
710	99, H.D. 1, S.D. 1, C.D. 1;
711	40, S.D. 1, C.D. 1; and
712	776, H.D. 2, S.D. 1, C.D. 1.

House Communication No. 713:

Informing the Senate that the amendments proposed by the Senate to House Bill No. 194, H.D. 1, were agreed to by the House; and H.B. No. 194, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 22, 1985:

House Communication Nos. 714 to 734:

Informing the Senate that the reports of the Committee on Conference on the

disagreeing vote of the House to the amendments proposed by the Senate to the following House Bills were adopted by the House; and said bills passed Final Reading in the House of Representatives on April 22, 1985:

Hse Com. No.:	House Bill No.:
714	1285, H.D. 2, S.D. 1, C.D. 1;
715	1231, H.D. 2, S.D. 1, C.D. 1;
716	995, H.D. 2, S.D. 1, C.D. 1;
717	557, H.D. 1, S.D. 1, C.D. 1;
718	463, H.D. 2, S.D. 2, C.D. 2;
719	453, H.D. 1, S.D. 1, C.D. 1;
720	436, H.D. 2, S.D. 2, C.D. 1;
721	347, H.D. 1, S.D. 1, C.D. 1;
722	28, H.D. 1, S.D. 1, C.D. 1;
723	101, H.D. 1, S.D. 2, C.D. 1;
724	49, H.D. 2, S.D. 2, C.D. 1;
725	266, H.D. 1, S.D. 1, C.D. 1;
726	488, H.D. 1, S.D. 1, C.D. 1;
727	1386, S.D. 1, C.D. 1;
728	1162, H.D. 1, S.D. 1, C.D. 1;
729	188, S.D. 1, C.D. 1;
730	268, S.D. 1, C.D. 1;
731	229, H.D. 2, S.D. 1, C.D. 1;
732	830, H.D. 1, S.D. 1, C.D. 1;
733	104, H.D. 2, S.D. 1, C.D. 1; and
734	89, H.D. 1, S.D. 2, C.D. 1.

House Communication Nos. 735 and 736:

Informing the Senate that the amendments proposed by the Senate to the following House Bills were agreed to by the House; and said bills, as amended, passed Final Reading in the House of Representatives on April 22, 1985:

Hse Com. No.:	House Bill No.:
735	153, S.D. 1; and
736	824, H.D. 1, S.D. 1.

House Communication Nos. 737 to 741:

Informing the Senate that the reports of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to the following House Bills were adopted by the House; and said bills passed Final Reading in the House of Representatives on April 22, 1985:

Hse Com. No.:	House Bill No.:
737	165, S.D. 1, C.D. 1;
738	1257, S.D. 1, C.D. 1;
739	329, H.D. 1, S.D. 2, C.D. 1;
740	519, S.D. 1, C.D. 1; and
741	1393, H.D. 2, S.D. 1, C.D. 2.

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RULES OF THE SENATE
of the
THIRTEENTH LEGISLATURE OF THE STATE OF HAWAII

The following Rules shall be the Rules of the Senate of the Thirteenth Legislature of the State of Hawaii.

PART I. ORGANIZATION, OFFICERS AND EMPLOYEES

Rule 1. Organization

When the Senate convenes, the President or the Vice-President, in the absence of the President, shall call the Senate to order and appoint a Committee of three whose duty it shall be to immediately examine the credentials of the members-elect of the Senate. If from the Committee report, it shall appear that a majority of the credentials are in order, the Senate shall proceed to organize and shall appoint a Committee of three to wait upon a justice of the Supreme Court, an Intermediate Appellate Court judge or a Circuit Court judge to administer the oath of office required by the Constitution. Such proceedings need not be on the day of convening in the Senate. In the absence of the President or Vice-President the Senate may elect a temporary Presiding Officer by a majority vote of the members of the Senate.

Rule 2. Officers and Employees

(1) The officers of the Senate shall consist of a: President, Vice-President, Clerk, Assistant Clerk and Sergeant-at-Arms, each of whom shall be elected by a majority vote of the members of the Senate.

(2) The President and Vice-President shall hold their respective offices in accordance with Title 3, Hawaii Revised Statutes. Other officers and employees shall hold their respective offices and positions at the pleasure of the Senate, but a majority vote of the members of the Senate shall be required to terminate the office held by any officer of the Senate.

(3) The Senate, by a majority vote, may authorize positions from time to time as may be deemed necessary.

Rule 3. The President

It shall be the duty of the President:

(1) To open the meetings of the Senate by taking the Chair and calling upon the Chaplain to give the invocation.

(2) When a quorum is present, to call for the reading of the Journal of the preceding day.

(3) To maintain order in the Senate Chamber and to require proper decorum on the part of the members.

(4) To announce the business before the Senate in the order prescribed by the Rules.

(5) To receive and submit all matters properly brought before the Senate by the members, to call for votes upon the same and announce the results.

(6) To receive all communications and present them to the Senate.

(7) To appoint all committees unless otherwise determined by the Senate.

(8) To authenticate by signature, all acts and doings of the Senate which require authentication.

(9) To make known rules of order when so requested and, subject to an appeal to the

Senate, to decide all questions of order.

(10) To issue warrants, when so directed by the Senate, to carry into effect its orders in the arrest of offenders, the summoning of witnesses, or other orders of the Senate.

(11) To decide and announce the result of any vote taken.

(12) To do and perform such other duties as are required by law or by these rules or such as may properly pertain to such office.

(13) To clear the Senate Chamber of all persons, except its members and designated persons if there is a disturbance or disorderly conduct, or on motion duly adopted.

(14) To control and have direction of the rooms, desks, passages, stairways, corridors, balconies, in and about the building set apart for the use of the Senate and all public property of the Senate. The President shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. The President may admit stenographers or other reporters, wishing to take down the debates, and assign them such places to effect their object as shall not interfere with the convenience of the Senate.

(15) To establish final dates for action on legislation, including, though not limited to the final date for introducing bills after the nineteenth legislative day and prior to the mandatory recess pursuant to Article III, Section 12, of the Constitution, the final date for third reading of Senate Bills, the final date for third reading of House Bills, the final date for approving Conference Committee agreements and drafts of bills, the final date for final reading of the General Appropriations Bill, and the final date for final reading of the Supplemental Appropriations Bill. The President shall coordinate the date for introducing bills and may coordinate with the Speaker of the House to establish the other final dates.

(16) To promulgate an administrative and financial manual of guides, the purpose of which is to establish uniformity in administrative practices and to ensure compliance with Senate Policies.

(17) To promulgate mediation and appeal procedures to resolve differences between two or more standing committees on the same bill.

Rule 4. The Vice-President

In the absence of the President, the Vice-President shall exercise all the duties and powers of the President.

Rule 5. President Pro Tempore

(1) In case the President and Vice-President shall be absent at the hour to which the Senate had adjourned, the eldest member present shall preside until a President pro tempore be chosen.

(2) The President pro tempore shall be invested with all of the powers and shall perform all the duties of the President. Whenever the President pro tempore is required to sign a bill or other instrument, the Clerk shall attach to such bill or other instrument a certificate stating that such President pro tempore was duly elected and is authorized to so sign.

Rule 6. The Clerk

It shall be the duty of the Clerk:

(1) To have charge of all records of the Senate and be responsible for the same. At no time shall the Clerk permit original documents to be withdrawn from the Clerk's keeping unless ordered by the Senate.

(2) To make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the Senate. Such memoranda shall state the nature of the matter and the name of the introducer, and the date and day of the session on which the Senate considered the matter. The memoranda, together with other matters ordered to be placed therein, shall constitute the Journal, a copy of which shall be placed on the desk of each member on the following session day. The Journal of

each day shall be read the following day, immediately after the Chaplain retires. When such Journal is approved by vote of the Senate, it shall be entered by the Clerk in a book entitled "Journal of the Senate. Session of . ." (Giving the Year).

(3) Unless otherwise directed by the Senate, to read all bills, resolutions and other matters (if so required) to the Senate.

(4) To forward at once all letters, messages, communications and other matters to the proper parties.

(5) To immediately deliver to the Chairman of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) To see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) To draw such drafts on the state general fund for expenses of the session as shall be authorized by the Senate and approved by the Committee on Legislative Management.

(8) To pay all bills and accounts as shall be approved by the Committee on Legislative Management, or ordered by the Senate, and no others.

(9) To be responsible for the acquisition and distribution of all of the property of the Senate.

(10) To note all questions of order with the decision thereon and collect the same and append them to the Senate Journal at the close of the session.

(11) To perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate from time to time shall direct. The Clerk shall post the order of business in writing in a conspicuous place each day.

Rule 7. Assistant Clerk

The Assistant Clerk shall assist the Clerk in the performance of all duties and attend to such other duties as may be required when so directed by the President. In the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

Rule 8. Chaplain

A Chaplain shall attend each day's sitting of the Senate and open the same with an invocation.

Rule 9. Sergeant-at-Arms

It shall be the duty of the Sergeant-at-Arms to attend the Senate on every day of meeting; to maintain order among those present as spectators; to give notice to the Presiding Officer of the attendance of any person with communications or otherwise; to supervise the distribution of incidentals which require distribution among the members; to supervise, subject to the control of the President, the Senate Messengers; to attend upon committees if so requested; to serve all orders to process directed by the President or Senate; to make all required arrests of members or other persons, and to retain the same in custody; to have the charge and responsibility for the postal requirements of the Senate; and generally to execute all of the requirements of the President of the Senate.

Rule 10. Responsibility of Officers and Employees

The employees shall perform such duties as may be assigned by the President or prescribed by the Senate.

All officers and employees of the Senate shall be directly answerable to the President, and shall obey and perform all the President's orders and directions, subject to revision by the Senate. If required by the President, any officer or employee shall give a bond for the faithful performance of duties.

An oath of office shall be administered to each officer.

Rule 11. Pay of Members, Officers and Employees

(1) Each member of the Senate, upon being elected or appointed to office, shall receive as compensation such salary as prescribed pursuant to Article III, Section 9, of the State Constitution.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix.

PART II. COMMITTEES**Rule 12. Committees: Types and Composition**

(1) Standing Committees: The membership of each Standing Committee and the respective Chairman and Vice-Chairman thereof shall be appointed by the President, subject to action by the Senate. The majority and minority parties shall be represented on all Standing Committees on such basis as prescribed by the Senate; provided that such basis be at least that of proportional representation. The nomination of the minority party members to all Standing Committees shall be made by the minority party.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the specific matter referred. The Senate may establish investigative committees pursuant to chapter 21, Hawaii Revised Statutes; such committees shall have such powers and be bound by such conditions as may be provided by law or by these Rules.

(3) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the Senate, and shall be appointed by the President from time to time as occasion requires, to serve until discharged or finally reporting the matter referred.

(4) The Committee of the Whole Senate.

Rule 13. Committee Chairman and Vice-Chairman

The first person named on the Committee shall be Chairman; the second member named shall be Vice-Chairman. The Chairman shall call meetings and preside.

Rule 14. Committees: Control and Excuse from Membership

Committees shall be under the control of and subject to the orders of the Senate, and shall faithfully carry out such orders. Any member may be excused from serving on any committee at the time of appointment, if such member is a member of four other committees.

Rule 15. Standing Committees

Standing Committees shall be appointed for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during the Twelfth Legislature. The major subject matter areas and the Standing Committees therefor shall be as follows:

EDUCATION AND CULTURE

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

- (1) Committee on Education, whose scope shall be those programs relating to lower education, continuing education and public libraries and culture and arts.
- (2) Committee on Higher Education, whose scope shall be those programs relating to the University of Hawaii and the community colleges.

HEALTH

This major subject matter area covers those programs which are intended to improve the physical and mental health of the people. The Standing Committee for this major subject matter area shall be:

- (3) Committee on Health, whose scope shall be those programs relating to general health, environmental health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals.

HUMAN AND ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to ensure adequate income, housing and employment for individuals and families, to encourage the development and growth of industry, to promote improved employment conditions for government employees and to promote, enhance and conserve energy and energy-related natural resources. The Standing Committees for this major subject matter area shall be:

- (4) Committee on Human Resources, whose scope shall be those programs relating to employment opportunities, financial assistance, the promotion and general well-being of Hawaii's youth and elderly population, vocational rehabilitation, labor-management relations, social welfare services; and, to those programs relating to public employment concerning employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees and collective bargaining.
- (5) Committee on Economic Development, whose scope shall be those programs relating to land resources, the physical environment, nonagricultural use water resources, the promotion, enhancement, and conservation of nonagricultural energy-related natural resources, marine resource development, industrial and product promotion, new industry development, financial and technical assistance to business and the regulation of public utilities.
- (6) Committee on Agriculture, whose scope shall be those programs relating to agriculture, water resources for agricultural use, aquaculture, and the promotion, enhancement and conservation of energy-related agricultural resources.
- (7) Committee on Tourism, whose scope shall be those programs relating to tourism outdoor recreation, state parks and historic sites development and protection.
- (8) Committee on Housing and Urban Development, whose scope shall be those programs relating to housing and urban development, Hawaiian Homes and the Office of Hawaiian Affairs.

HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

- (9) Committee on Judiciary, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revisions, correction and rehabilitation, the rules of the Senate, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary, individual rights and civil liberties, public defense and other pertinent matters referred to it by the Senate. In the event of a contest, it shall investigate and report upon the certificates of election of members. The committee shall consider all petitions and other matters relating to elections and returns referred to it by the Senate and report thereon.
- (10) Committee on Consumer Protection and Commerce, whose scope shall be those programs relating to the protection of the consuming public, business and trade regulation, regulation of financial institutions, insurance regulation and professional and occupational regulation.

GOVERNMENT OPERATIONS AND INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote government efficiency and effective cooperation and coordination among the various levels of government. The Standing Committee for this major subject matter area shall be:

- (11) Committee on Government Operations and County Relations, whose scope shall be those programs relating to government personal property management, archives, government communications, military and civil defense, relations among the federal, state and county governments, matters of primary concern to particular counties and the promotion of efficiency and economy in government.

TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State and from place to place within the State. The Standing Committee for this major subject matter area shall be:

- (12) Committee on Transportation, whose scope shall be those programs relating to air, water and surface transportation.

FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

- (13) Committee on Ways and Means, whose scope shall be those programs relating to overall state financing policies, including taxation and other revenues and cash and debt management and statewide implementation of planning, programming, budgeting and evaluation.

LEGISLATIVE SUPPORT

This major subject matter area covers those programs which are intended to provide to the legislature effective support for the accomplishment of legislative objectives and to promote understanding of the legislative process. The Standing Committee for this major subject matter area shall be:

- (14) Committee on Legislative Management, whose scope shall be those programs relating to the establishment and operations of legislative support agencies, such as the Office of the Legislative Auditor, the Ombudsman and the Legislative Reference Bureau.

Rule 16. Standing Committees: General Responsibility

It shall be the duty of each Standing Committee to conduct systematic review of those portions of the state budget, program and financial plans, and variance reports dealing with, and to consider all laws, bills, resolutions, petitions, reports and other matters relating to, those programs over which the committee has responsibility.

It shall examine such portions of the Executive Budget, the General Appropriations Bill and the Supplemental Appropriations Bill relating to the programs over which it has responsibility, and it shall recommend the programs and the levels of program expenditure to be included in the General Appropriations Bill or Supplemental Appropriations Bill. The level of expenditure, in the aggregate, for any program area shall be consistent with the expenditure allocation established for that program area by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

On other bills referred to it by the President, the committee shall determine objectives, make program recommendations and, where appropriate, make expenditure recommendations. On bills that have been referred by the President to more than one committee, subsequent referral committees shall make no substantive change without prior written notice of such change to the first referral committee and consultation and coordination with that committee, via its chairman, prior to the transmittal of the amended bill and committee report to the Clerk of the Senate for floor action. For those bills which require appropriations, the committee shall make expenditure recommendations consistent

with the expenditure allocations established for the bills by the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate, after consultation and coordination with the chairman of the subject matter committee.

It shall also be the duty of each Standing Committee to review the implementation of those programs over which the committee has responsibility. In its review, it shall determine the extent to which program objectives are being accomplished and legislative policies executed, recommend the study of program issues and the conduct of program analysis. It shall recommend amendments to appropriation acts and such policies as may be appropriate to improve the planning, programming, budgeting, implementation and evaluation of programs to the Standing Committee on Ways and Means, which shall make the final recommendation to the Senate.

Rule 17. Committee on Committee on Ways and Means: Special Responsibility

It shall be the duty of the Committee on Ways and Means, in considering the General Appropriations Bill or the Supplemental Appropriations Bill, to determine for each fiscal year of the biennium the appropriate level of total expenditures and the level of expenditures for program areas. The committee shall inform each Standing Committee of the allocations made to each program area over which the Standing Committee is responsible for budget and program review. The Committee on Ways and Means shall receive the program expenditure recommendations of the Standing Committee and shall review the recommendations to determine that, in the aggregate, the expenditure recommendations are consistent with the allocations made to the program area. In determining the allocation to be made to a program area and in reviewing the recommendations of the Standing Committee, the Committee on Ways and Means shall invite the participation of the chairman of the Standing Committee responsible for the program area. After review of the recommendations of the Standing Committees, the Committee on Ways and Means shall be responsible for preparing the General Appropriations Bill or the Supplemental Appropriations Bill in a form appropriate for consideration by the Senate.

To the extent practicable, the Committee on Ways and Means shall arrange to make available to members of the Senate information regarding the contents of the General Appropriations Bill or the Supplemental Appropriations Bill during the 48-hour period prior to the passage of such bills on third and final reading.

In all other bills requiring appropriations, it shall be the duty of the Committee on Ways and Means to inform the Standing Committee responsible for the program area to which the appropriation relates of the amount and type of financial resources available, and it shall review the expenditure recommendation of the Standing Committee to determine that the recommendation is consistent with the resources available. In determining the amount and type of resources available for a bill requiring an appropriation and in reviewing the expenditure recommendation of the Standing Committee, the Committee on Ways and Means shall invite the participation of the chairman of the Standing Committee responsible for the program area to which the appropriation relates.

Rule 18. Committee on Legislative Management: Special Responsibility

The Committee on Legislative Management shall:

(1) Make recommendations to the President on the procedures and manner in which the administrative and personnel operations of the Senate should be conducted.

(2) Make recommendations on the expenses to be included in the appropriations bills providing for the expenses of the Legislature and procedures to ensure that the expenses of the Senate are in accordance with the appropriation acts providing therefor.

For administrative purposes, the committee may authorize the chairman to perform such duties on its behalf as it may deem appropriate.

Rule 19. Meetings of Committees

Meetings, including decision-making sessions, of Standing Committees shall be public provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals or where there is a legal question concerning a bill. Notice of such meetings and decision-making sessions shall be publicly posted at least 48 hours prior to such meetings

provided that the notice may be waived with the approval of the President upon good cause shown.

No committee shall sit during the time when the Senate is actually in session without first securing the approval of the President, except Conference Committees which may sit at any time.

As practicable, committees shall schedule their meetings at times and at places as are convenient for attendance by the general public, and in coordination with other committees of the House or Senate, shall endeavor to hold joint meetings and public hearings on matters of mutual interest.

The meetings of the Conference Committee shall be conducted as agreed upon by the members of the Conference Committee. Conference Committee meetings and decision-making sessions shall be public. Public notice of Conference Committee meetings shall be given to the extent practicable.

Rule 20. Committee Reports

(1) The Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report upon matters referred to them within the time permitted in the appointment of the Special Committee unless further time is given by vote of the Senate.

(3) A Conference Committee shall not report upon the matter referred unless a majority of the members appointed by the President have concurred in the report.

Rule 21. Committees: Factfinding and Content of Reports

(1) Whenever any matter shall be referred to a committee it shall be the duty of the committee to make diligent inquiry into all of the facts and circumstances connected with the matter. If necessary, witnesses shall be summoned or subpoenaed and examined under oath; documents and records shall be searched or subpoenaed, and everything shall be done to bring all facts pertaining to the matter before the Senate. The President may exercise such powers authorized under Chapter 21 of the Hawaii Revised Statutes, relating to the issuance of subpoenas, and the President, committee chairmen and other duly delegated members of the Senate may exercise such powers authorized under Chapter 21 aforesaid, relating to the administering of oaths, and the compelling of witnesses who have been subpoenaed to testify. All committee meetings held on matters referred to it by the Senate shall be open to the public unless otherwise ordered by the Senate or otherwise provided by these Rules.

(2) The report of the committee shall state findings of fact and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(3) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill for one or more referred to the committee shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the Senate.

(4) Whenever a committee fails to agree, the majority shall report and it shall be the report of the committee. The minority may report or simply write upon the report of the majority the words "I (or we) do not concur," signing the same. The final vote of each member of a committee upon any matter referred to it shall be recorded in the records of the committee.

(5) Whenever a draft report is circulated among the committee members for signature and fails to receive majority concurrence, such draft report shall be retained in the records of the committee and shall be open to the public.

Rule 22. Committee of the Whole

(1) The Senate from time to time may resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such committee upon the adoption of a motion to that effect, the President shall call some member to take the Chair (unless the Senate shall nominate a chairman), which being done, the Senate then shall be in committee.

(2) The Clerk of the Senate shall act as Clerk of the Committee of the Whole without extra compensation, and shall make a careful record of the proceedings, which shall be filed as one of the records of the Senate.

(3) The committee, on motion, may rise and ask leave to sit at any future time.

(4) When a bill shall be referred to the Committee of the Whole, the bill shall be first read throughout by the Clerk, and then again read and debated by sections, leaving the preamble to be the last but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported. When a bill is ordered into Committee of the Whole, such order may dispense with the reading of the whole bill before considering it section by section.

(5) In Committee of the Whole, the rules of procedure in the Senate shall be observed except that any member may speak more than once on the same subject, but no person shall speak a second or further time until others desiring to speak shall have had an opportunity, nor shall the motion for the previous question be allowed. A time limit for debate may be fixed by vote.

PART III. SESSIONS; ATTENDANCE; NOMINATIONS

Rule 23. Meetings

(1) The Senate shall meet for the transaction of public business every day, except Saturdays, Sundays, legal holidays and such other days as the Senate shall designate by motion or resolution duly adopted and entered in the Journal.

(2) The regular hour of meetings of the Senate is established at ten o'clock a.m. but the hour of meeting, recess and adjournment for any day may be such as the Senate, by motion, shall decide from time to time.

Rule 24. Attendance

No member shall be absent from the sessions of the Senate unless given leave by the President or unless the member is sick and unable to attend.

Rule 25. Extension of Session

Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to extend any session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of the _____ Legislature of the State of Hawaii, respectfully request an extension of _____ days of the _____ session of _____ of the _____ Legislature of the State of Hawaii."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President and the Speaker of the House of Representatives shall jointly issue a proclamation extending the session for the number of days sought in the petition.

Rule 26. Recessed Session

Any session of the Legislature may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. Each regular session shall be recessed pursuant to Article III, Section 10, of the Constitution for not less than five days at

some period between the twentieth and fortieth days of the regular session.

Rule 27. Special Sessions

(1) Two-thirds of the members to which the Senate is entitled, two-thirds of the House of Representatives concurring, may petition the President of the Senate and the Speaker of the House to call a special session of the Legislature. The petition shall read:

"To the President of the Senate and the
Speaker of the House of Representatives

Your petitioners, members of the Senate and of the House of Representatives of
the _____ Legislature of the State of Hawaii, respectfully request that a special session
of the _____ Legislature of the State of Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which each house is entitled, the President of the Senate and the Speaker of the House of Representatives shall jointly issue a proclamation convening the Legislature in special session at the time and place sought in the petition.

(2) Two-thirds of the members to which the Senate is entitled may petition the President of the Senate to call a special session of the Senate for the purpose of carrying out the Senate's responsibilities established by Article VI, Section 3, of the Constitution. The petition shall read:

"To the President of the Senate

Your petitioners, members of the Senate of the _____ Legislature of the State
of Hawaii, respectfully request that a special session of the Senate of the State of
Hawaii be convened at _____."

The petition shall be in writing, above the signatures of the members.

When the President of the Senate receives such a petition, and it is properly signed by two-thirds of the members to which the Senate is entitled, the President of the Senate shall issue a proclamation convening the Senate in special session at the time and place sought in the petition.

Rule 28. Adjournments

Meetings may be adjourned at any time. Unless otherwise specified in the motion, every adjournment shall be considered as being to the established hour of meeting on the following business day; but no adjournment shall be for more than three days, or sine die, without the consent of the House of Representatives.

Rule 29. Motion to Adjourn

A motion to adjourn is always in order, and shall be decided without debate. One motion to adjourn shall not follow another without intervening business.

A motion to adjourn without naming any time shall always be held as an adjournment to the regular hour of meeting of the next business day.

Rule 30. Quorum

For the transaction of business, a majority of the number of members to which the Senate is entitled shall constitute a quorum, of which quorum a majority vote shall suffice, but the final passage of a bill shall require the vote of the majority of the members of the Senate. A smaller number than a quorum may adjourn from day to day and compel the attendance of absent members. For the purpose of compelling the attendance of absent members, a majority of the members present, by resolution, may direct the Sergeant-at-Arms to place the members who are absent under arrest and to return them to

the Senate. Any warrant pursuant to such a resolution shall be issued in the name of the Senate and shall be signed by the member then presiding. For the purpose of ascertaining whether there is a quorum present, the President shall count the members present.

Rule 31. Executive Session

(1) If the Senate considers it necessary to act confidentially upon any communication from the Governor or upon any nomination or other matter, it may go into executive session.

(2) When any member desires to make known any matter to the Senate which the member deems should be confidential and private, the member shall communicate that desire to the President who shall decide whether the Senate shall go into executive session. The Senate may decide whether the matter communicated shall be kept secret.

Rule 32. Clearing of the Senate

(1) When acting upon confidential business in executive session, the Senate Chambers shall be cleared of all persons except the members of the Senate and such other persons as the presiding officer with the consent of the Senate shall deem necessary.

(2) The members, officers and employees shall keep the secrets of the Senate and any other person whose presence is permitted in executive session shall be sworn to secrecy.

(3) All confidential communications made to the Senate, and remarks, votes and proceedings thereon, shall be kept strictly secret by the members, officers and employees, as well as by such other persons as have been detained or permitted to attend upon the consideration of such matters, until the Senate, by resolution, takes off such seal of secrecy, or unless such matter be later considered in open session.

Rule 33. Nominations; Appointments

(1) When nominations, except those of justices and judges, shall be made by the Governor to the Senate, unless otherwise ordered, they shall be referred to appropriate Standing Committees, within 5 legislative days of receipt of such nominations from the Governor. The final question on every nomination shall be "Will the Senate advise and consent to this nomination?" which question shall not be put sooner than twenty-four hours from the time when the nomination is received, nor on the day in which it may be reported by a committee, unless by unanimous consent. Public hearings shall be held for all nominees prior to confirmation.

(2) The fact of a nomination, or its rejection or confirmation, need not be kept secret, but when the Senate or any committee thereof shall deem it necessary for good cause, all remarks, proceedings and votes thereon shall be kept secret.

(3) Consent to the appointment of justices and judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 34. Meeting at Place Other than Capitol

Whenever, for any reason, the Governor shall convene the Senate at any place other than the Capitol, it shall attend together with all of its officers at the time and place ordered.

PART IV. ORDER OF BUSINESS

Rule 35. Order of Business: General

After invocation, roll call and the reading of the Journal, the President shall call for business in the following order:

(1) Messages from the Governor.

(2) Reports and communications from the state officers.

(3) Communications, bills, resolutions and other matters from the House of Representatives.

(4) Concurrent and senate resolutions and introduction of bills.

(5) Reports of Conference and Joint Committees.

(6) Reports of Committee on Legislative Management.

(7) Reports of other Standing Committees.

(8) Unfinished business, upon which the Senate was engaged at the time of its last adjournment.

(9) The Order of the Day.

(10) Petitions, memorials and miscellaneous communications.

(11) Any miscellaneous business on the President's table.

Rule 36. Order of Business: Special

The Senate, by previous motion, may direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order, or that it shall take any other position lower down on the calendar.

Rule 37. Order of Business: Committee Reports and Gubernatorial Messages

Reports from Conference or Joint Committees, and from the Committee on Legislative Management, shall be in order at all times after the second order of business, and, upon motion, messages from the Governor or from the House of Representatives may be received at any time. Without unanimous consent, however, such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 38. Order of Business: Order of the Day

After the first seven orders of business (set forth in Rule 35), it shall be in order, pending consideration thereof, to move that the Senate proceed to dispose of the unfinished business or to the Order of the Day. If such motion be decided in the affirmative, such consideration shall immediately be taken up.

Rule 39. Order of Business: Unfinished Business

The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the Order of the Day. Until the former is disposed of, no motion for any other business shall be received without special leave of the Senate.

Rule 40. Order of Business: Questions on Priority

All questions relating to the priority of business to be acted upon shall be decided without debate.

PART V. BILLS; RESOLUTIONS

Rule 41. Bills: Introduction

Any bill may be introduced on the report of a committee or by any member, except appropriation bills subject to the next paragraph and except short form bills which may only be introduced by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate.

The Executive Budget, Judiciary Budget, Legislative Budget, General Appropriations Bill, Supplemental Appropriations Bill, Office of Hawaiian Affairs Budget, and bills for criminal injuries compensation, for claims against the State and for the funding of collective bargaining agreements may be introduced only by the President of the Senate or the minority party leader after appropriate consultation with committee chairmen and other members of the Senate. Each member may introduce only one bill appropriating money for capital improvement projects in the member's district. Individual members shall not introduce any other bill which is intended only to appropriate money or to authorize the issuance of any state bonds.

All bills shall be introduced under the order of resolutions.

Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the Senate at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session.

Every bill introduced or reported out of any committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored. However, a Supplemental Appropriations Bill need not conform to this rule or an amending bill where the intent and effect of an amending bill can be clearly identified and understood without repeating the entire section or subsection, in which case only the paragraphs, subparagraphs, clauses or items to be amended need be set forth as the President may allow. The President may allow additional exceptions to this rule.

No floor amendment to a bill shall be voted upon unless a copy of such amendment shall have been presented to the Clerk who shall prepare and distribute copies of the amendment to each member of the Senate present.

Rule 42. Bills: Referral to Committee

(1) Upon introduction all bills shall be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, unless they are short form bills, shall pass first reading and shall be referred to the Committee on Legislative Management.

(2) Upon receiving the report of the Committee on Legislative Management that a bill has been printed, each such bill shall be referred by the President to one or more appropriate Standing Committees for consideration.

(3) Each Standing Committee shall consider the bills referred to it as expeditiously as may be possible.

(4) Bills introduced in short form.

(a) If a majority of the committee to which a short form bill has been referred determines that such bill should receive the further consideration of the same committee or another committee in the same or in an amended form, it shall report that fact to the Senate, together with its recommendation that either: (1) the bill pass first reading by title and be referred again to the same or another committee for further consideration, or (2) the bill in an amended form pass first reading by title, be printed and be referred again to the same or another committee for further consideration.

(b) The form of the committee report, upon reporting such a bill to the Senate recommending its passage on first reading without amendment and for referral again to a committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. No. _____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title and be referred to the Committee on _____ for further consideration.

(c) The form of the committee report, upon reporting such a bill to the Senate recommending passage on first reading in an amended form and for referral again to a committee for further consideration shall be substantially as follows:

Your Committee on _____, to which was referred S.B. No. _____ entitled _____ begs leave to report that your Committee has considered such Bill and recommends that it pass First Reading by title, in the amended form attached hereto, be printed and be referred to the Committee on _____ for further consideration.

Rule 43. Bills: Required Readings

No bill shall pass the Senate unless it shall have passed three readings in the Senate on separate days. The President shall give notice in each instance whether it be the first, second or third reading.

Rule 44. Bills: First Reading

(1) The first reading of a bill shall be for information. If opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such question, except the introducer of the bill, who may close the debate.

(2) If the question to reject be negative, the bill shall go to its second reading without question.

Rule 45. Bills: Second Reading

A bill upon its second reading, may be read by its title only. It then shall be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the chairman of such committee. When the bill shall be reported from committee it shall take its place in the order of business for future consideration.

Rule 46. Bills: Third Reading

(1) No bill shall pass third or final reading in the Senate unless printed copies of the bill in the form to be passed have been made available to the members of the Senate for at least 48 hours. Form to be passed means the form in which a bill is to be (a) passed on third reading in the Senate, (b) concurred to by the Senate after amendments have been made by the House, or (c) passed by the Senate after a Conference Committee has agreed upon it.

(2) A Bill on its third or final reading may be read by its title only, and the President then shall ask the Senate: "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Upon the final passage of any bill, the Ayes and Noes shall be called. Such passage shall require the affirmative vote of a majority of all the members of the Senate and the Ayes and Noes shall be entered on the Journal.

Rule 47. Bills: Property of Senate

All bills introduced in the Senate shall be deemed the property of the Senate and under its control unless they shall become law, however subject to the right of the House of Representatives to amend or to refuse to agree with the bills.

Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the Senate in an odd-numbered session, it shall pass at least one reading in the Senate in the next regular session upon its return to the Senate from the House.

Rule 48. Bills: Recall from Committee

Twenty days after a bill has been referred to a committee, the same may be recalled from such committee by the affirmative vote of one-third of the members of the Senate.

Rule 49. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken from the table and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 50. Bills: Amendments

All amendments proposed to any bill shall be in writing, unless otherwise ordered by the Senate, and shall be sent to the Clerk's desk to be filed with the bill.

Rule 51. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the bottom of the last page of the bill.

Rule 52. Bills: Received from House of Representatives

Whenever a bill which has finally passed the House of Representatives shall be certified to the Senate for its action, such bill shall be read three times before final passage, in accordance with the provision of the rules for the passage of bills introduced in the Senate.

Rule 53. Bills: Transmittal to House of Representatives

When a bill originating in the Senate shall have passed its third reading, or when a bill originating in the House which has been received from the House shall have been amended, or when a carry-over bill from an odd-numbered year originating in the House passes its third reading in the Senate in an even-numbered year session, such bill or such amended bill shall immediately be certified by the President and Clerk and sent to the House of Representatives for its consideration.

Rule 54. Bills: Correction to Errors

When a bill has passed both the Senate and the House of Representatives and an error in it is discovered prior to its having received the approval of the Governor, the bill may be returned by Concurrent Resolution to the House last considering the bill for proper correction.

Rule 55. Bills: Order of Consideration

(1) The Clerk shall send bills that have passed first reading to be printed immediately. When they have been printed and circulated to the members of the Senate, the President shall refer them to the various committees. When the committees have considered them and reported on them, the committees shall return them to the Clerk, and the Clerk shall place them in the Second Reading File. The Senate shall consider them in the order in which they appear in the Second Reading File.

(2) The Clerk shall arrange bills that have passed second reading in the order of their passage on second reading, regardless of the date of their reference to committee or the date of the committee report on them. The Clerk shall place them on the Third Reading File in the order in which they passed second reading and the Senate shall consider them on third reading in that same order. However, if the third reading of a bill is set for some particular date, that bill shall be removed from the Third Reading File.

Rule 56. Bills: Special Order of Consideration

All bills and other matters set for consideration on particular dates, shall be arranged in the order of the several votes making such assignments. A list shall be made of such special orders, and when the time for consideration arrives, such bills and other matters shall be considered in the order of assignment. If an adjournment shall be had before all of such special orders are disposed of, the remainder shall go over and come under the head of unfinished business on the following day, unless otherwise ordered.

PART VI. RESOLUTIONS; MOTIONS

Rule 57. Resolutions and Motions: Form

All resolutions shall be written in ink or typewritten, dated and signed by the introducer, otherwise they shall not be considered. The Senate shall not introduce any congratulatory or memorial resolution but shall express the sentiment contained in such resolutions by means of a suitable certificate signed by not less than one-half of its members. Motions and amendments may be verbal but shall be reduced to writing if requested by the President, and shall be read from the desk if so desired.

Rule 58. Motions: Second Required

No motion shall be received and considered by the Senate until the motion shall be seconded.

Rule 59. Motions: Disposition

After a motion is stated or read by the President, it shall be deemed to be in the possession of the Senate, and shall be disposed of by vote of the Senate; however, it may be withdrawn by the movant at any time before an amendment has been adopted or before the decision on the motion if not amended.

Rule 60. Motions Applicable to Pending Matters

Whenever any bill or resolution or other matter shall be under discussion, the only motions relative thereto shall be:

- (1) To lay upon the table,
- (2) To postpone to a certain time,
- (3) To postpone indefinitely,
- (4) To commit, and
- (5) To amend,

which motions shall have precedence in the order named.

The first two motions shall be decided without debate and shall be put as soon as made.

When any of the motions shall be decided in the negative, they shall not be revived the same day relative to the main question under discussion. If all are negative as aforesaid, the only remaining question shall be as to the adoption of the bill, resolution or other main question.

Rule 61. Matters Postponed Indefinitely

When a question is postponed indefinitely, the question shall not be acted upon again during the session in which it was introduced.

Rule 62. Motion for Previous Question

The object of the motion for the previous question is to cut off debate. It shall always be in order. It shall require a three-fifths vote to carry it.

Whenever the motion shall be carried, the author of the resolution or introducer of the bill under discussion shall be permitted to close the debate, after which the main question, subject to Rule 60, shall be put. The author or introducer may delegate to another such right to close.

Rule 63. Motion for Reconsideration

(1) When a motion has been once made and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a

reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or the succeeding day of session, or, with the consent of the Senate, on any subsequent day and such motion shall take precedence of all other questions, except a motion to adjourn.

(2) When a motion for reconsideration has been decided by vote, that vote shall not be reconsidered.

(3) When a bill or resolution or other matter upon which a vote has been taken shall have gone out of the possession of the Senate, and shall have been transmitted to the House of Representatives, a motion to reconsider shall be deemed to include a request to the House to return the same. If not complied with by the House, then the vote on the motion to reconsider shall be set aside. If such motion shall pass, the Clerk shall promptly communicate to the House the request for return of the matter to be reconsidered.

PART VII. PETITIONS AND COMMUNICATIONS

Rule 64. Petitions, Memorials, and Miscellaneous Communications

(1) Any person may petition the Senate. Petitions and other memorials, except as provided in Rule 57, shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the Senate or to the President and members shall be presented to the Senate by the Clerk.

(3) A brief statement of the contents of such petitions, memorials or other papers shall be made orally by the Clerk.

(4) Every such petition, memorial or other paper shall be ordered filed or referred to a committee, as of course, by the President, unless such action is objected to by a member at the time such petition, memorial or other paper is presented.

(5) No such petition, memorial or other paper shall be debated on the day it is presented, except with the consent of the Senate.

PART VIII. ORDER; DEBATE; VOTING

Rule 65. Questions of Order

(1) A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the Senate, such questions shall be decided without debate by the presiding officer, subject to an appeal to the Senate. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

(2) Any question of order may be submitted to the Senate for its decision.

Rule 66. Debate: General Limitation

No member shall speak more than twice, unless such member be the movant of the matter pending, in which case such member shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 67. Voting: Methods

There shall be five methods of ascertaining the decision of the Senate upon any matter.

(1) First, by voice or raising of hands; Second, by rising; Third, by ballot; Fourth, by call of the roll of the members and a record of the Clerk of the vote of each; and Fifth, by unanimous consent.

(2) Whenever the Senate is ready to vote on any question, the President shall rise, and

after stating the question, shall request all those in favor of the affirmative of the question to vote "Aye." The President then shall call upon all voting in the negative of the question to vote "No." The President then shall announce the result to the Senate.

(3) If any member shall doubt the result, as announced, the President again shall state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result again shall be announced.

(4) The method of voting by ballot shall be as customary. The President shall appoint one or more tellers, or direct the Messengers to collect the ballots, which shall be counted by the Clerk, and the results announced by the President. Unless otherwise prescribed by these rules, on motion, the Senate may vote upon any question by ballot.

(5) Whenever one-fifth of the members present shall request, the Clerk shall call the roll of the members of the Senate. Each member, when called, shall vote in a clear loud voice, "Aye," if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote and such record shall become a part of the Journal of the Senate. The President shall announce the results as above set forth.

(6) With the unanimous consent of the Senate, the President may direct the Clerk to record an "Aye" vote for each member of the Senate. If there is no objection, the Clerk shall so record the vote. If there is objection, the President shall ask for the names of the members voting "No" and order the Clerk to record no votes for them.

Rule 68. Voting: Rights of Members

(1) No member, on any account, shall refrain from voting unless excused by the President. A member may vote "Kanalua" the first time the member's name is called by the Clerk on any vote, but if the member votes "Kanalua" on the next call of the member's name, the member's vote shall be recorded as "Aye."

(2) The President may excuse a member who has a monetary interest in the question, or whose right to a seat in the Senate will be affected by the question, or whose official conduct is involved in the question. If a member thinks there may be a personal interest in the question, the member shall rise and disclose the interest to the President. The President then shall rule whether the member has a conflict of interest. If so, the member shall be excused from voting.

(3) Whenever the Ayes and Noes are called, no one, without unanimous consent, shall be permitted to explain a vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change a vote.

PART IX. DECORUM; DISCLOSURES; PUNISHMENT

Rule 69. Punishment of Members

The Senate may punish a member for misconduct, disorderly behavior or neglect of duty by censure, or upon a two-thirds vote of all the members of the Senate, by suspension or expulsion of such member.

The President may appoint a Special Committee to investigate, hear and report upon the conduct of any member charged by the Senate for misconduct, disorderly behavior or neglect of duty. Any member so charged by the Senate shall be informed in writing of the specific charge or charges made against the member and have opportunity to present evidence and be heard in the member's own defense. Following its investigation and hearing the Special Committee shall file its report with the President setting forth its findings and recommendations.

In the event the committee recommends censure, suspension or expulsion, the President shall present the report of the committee to the Senate for its consideration and decision. The Senate, by a majority vote, may censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

Rule 70. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call such member to order, and, when so called to order, immediately shall sit down. The President then shall decide the question of order without debate, subject to an appeal to the Senate.

The President may call for the sense of the Senate on any question of order.

Rule 71. Decorum: Address

When any member is about to speak, such member shall rise from the member's seat and address all remarks to the President. While speaking, the member shall confine all remarks to the question under debate, shall refer to other Senators by title only (e.g., "Senator from the _____ District"; "The Chairman of the Committee on _____"; "The Majority Leader,") and not by name and shall avoid personalities.

Rule 72. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, such person shall be deemed to be in possession of the floor when the question of order is decided and may proceed with the matter under discussion.

Rule 73. Decorum: Presence in Senate

No person shall sit at the desk of the President or Clerk, except by permission of the President, nor shall any person, other than a member, officer or permitted employee or person, sit in the main Senate floor area during any of the sessions of the Senate.

Rule 74. Decorum: Conduct in Session

When the President is putting any question or addressing the Senate, no one shall walk out of the room or across the floor. When a member is speaking, no one shall entertain a private discourse, nor shall anyone pass between the member speaking and the Chair.

Rule 75. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member should behave in a disorderly manner the President shall order the member to be seated and preserve the peace. If such member then shall persist in disorderly conduct, the President shall order the Sergeant-at-Arms to remove the member from the Senate and the member shall not be permitted to take a seat during the remainder of that day's session, except upon satisfactory pledge given to the Senate for future good behavior.

For the punishment of any person not a member, the provisions of Section 18, Article III, of the Constitution shall govern.

Rule 76. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon the member's demand or on that of any other Senator, the words objected to shall be taken down in writing and noted by the Clerk, and, if required, shall be read for the information of the Senate.

Rule 77. Decorum: Smoking

No member or other officer shall smoke within the Senate Chamber during any of the meetings of the Senate unless authorized by the President.

Rule 78. Decorum: Solicitation Prohibited

An officer or employee of the Senate shall not solicit subscriptions, for any purpose, from any other officer or employee thereof, nor from any Senator. Nor shall any

person be permitted to solicit or receive subscriptions or contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 79. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of the member's private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in such financial interests.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission, the member shall disclose orally such interest to the Senate before voting. The member then shall immediately make the written disclosure required by law and the Rules of the Senate.

Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the Senate floor of any interest so filed.

Rule 80. Violating Confidence

If any matter covered in Rule 32 or 33 shall be disclosed by any Senator, the Senator shall be liable to censure, or, by a two-thirds vote, to suspension or expulsion from the Senate. If an officer or other person authorized to hear such matter shall disclose the matter, such officer shall be dismissed and such other person shall be liable to punishment for contempt comparable to the punishment provided for by Section 18, Article III, of the Constitution and in the manner as therein prescribed.

PART X. QUESTIONS TO STATE OFFICERS

Rule 81. Questions to State Officers

Any member of the Senate may ask any question of any state officer relating to the officer's respective department reducing such questions to writing, over the member's signature, reading the same before the Senate, and furnishing the officer with a copy of such written question. Any officer questioned shall reply to such question upon the following day, unless the Senate shall grant a definite extension of time for replying.

PART IX. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 82. Amendments; Suspension

(1) No rule of the Senate shall be amended or rescinded nor shall any new rule be adopted, without one day's notice of such change. Any such action shall require a majority vote of the members of the Senate.

(2) Any rule may be suspended for a particular purpose with the unanimous consent of the Senate.

Rule 83. Parliamentary Procedure

The Rules of Parliamentary Procedure as laid down by Cushing, and as interpreted and practiced in the Senate of the United States, where not inconsistent with these Rules shall govern the Senate.