

SIXTIETH DAY

Friday, April 18, 1986

The Senate of the Thirteenth Legislature of the State of Hawaii, Regular Session of 1986, convened at 11:56 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Sister Jeanne Anne Collis of the Catholic Chancery Office, after which the Roll was called showing all Senators present with the exception of Senator Yamasaki who was excused.

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

Senator Henderson introduced to the members of the Senate Ms. Marsha Reynolds, Ms. Gwen Nicolas and Ms. Irma Sumera, friends from the Big Island.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 350 and 351) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 350, informing the Senate that on April 17, 1986, he signed the following bills into law:

House Bill No. 1739-86 as Act 40, entitled: "RELATING TO TRAFFIC VIOLATIONS";

House Bill No. 2285-86 as Act 41, entitled: "RELATING TO ENVIRONMENTAL QUALITY"; and

House Bill No. 2626-86 as Act 42, entitled: "RELATING TO VEHICLE WEIGHT,"

was placed on file.

Gov. Msg. No. 351 returning Senate Bill No. 2370-86, without his approval, together with his statement of objections relating to the measure which reads as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 17, 1986

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2370-86

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. 2370-86, entitled 'A Bill for an Act Relating to Environmental Quality.'

The purpose of Senate Bill No. 2370-86 is to authorize the Department of Health to act as the certifying agency for water quality standards on dredge and fill projects conducted by the U.S. Army Corps of Engineers.

However, Senate Bill No. 2370-86 is substantially identical to House Bill No. 2836-86, which was also passed by the 1986 legislature. Since I approved House Bill No. 2836-86 on April 14, 1986, as Act 30, which will accomplish the purpose of Senate Bill No. 2370-86, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 2370-86 without my approval.

Sincerely,

/S/ George R. Ariyoshi
GEORGE R. ARIYOSHI
Governor of Hawaii"

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 688 to 695) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 688 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 17, 1986:

H.B. No. 82, H.D. 1, S.D. 2;
H.B. No. 692, H.D. 1, S.D. 1;
H.B. No. 1322, S.D. 1;
H.B. No. 1488, S.D. 1;
H.B. No. 1672-86, H.D. 1, S.D. 1
H.B. No. 1695-86, S.D. 1;
H.B. No. 1727-86, H.D. 1, S.D. 1;
H.B. No. 1729-86, S.D. 1;
H.B. No. 1815-86, H.D. 2, S.D. 1;
H.B. No. 1855-86, H.D. 1, S.D. 1;
H.B. No. 1870-86, H.D. 1, S.D. 1;
H.B. No. 1951-86, H.D. 1, S.D. 1;
H.B. No. 1959-86, H.D. 1, S.D. 1;
H.B. No. 1967-86, H.D. 1, S.D. 1;
H.B. No. 1969-86, H.D. 1, S.D. 1;
H.B. No. 1970-86, H.D. 2, S.D. 1;
H.B. No. 1971-86, H.D. 1, S.D. 1;
H.B. No. 1974-86, S.D. 1;
H.B. No. 1976-86, S.D. 1;
H.B. No. 1983-86, S.D. 1;

H.B. No. 1984-86, S.D. 1;
 H.B. No. 1993-86, H.D. 1, S.D. 1;
 H.B. No. 1995-86, H.D. 1, S.D. 1;
 H.B. No. 1999-86, H.D. 1, S.D. 1;
 H.B. No. 2001-86, H.D. 1, S.D. 1;
 H.B. No. 2002-86, H.D. 1, S.D. 1;
 H.B. No. 2003-86, H.D. 1, S.D. 1;
 H.B. No. 2007-86, H.D. 1, S.D. 1;
 H.B. No. 2010-86, S.D. 1;
 H.B. No. 2011-86, H.D. 1, S.D. 1;
 H.B. No. 2014-86, H.D. 1, S.D. 1;
 H.B. No. 2024-86, H.D. 1, S.D. 1;
 H.B. No. 2060-86, H.D. 1, S.D. 1;
 H.B. No. 2062-86, H.D. 2, S.D. 1;
 H.B. No. 2074-86, H.D. 1, S.D. 1;
 H.B. No. 2102-86, H.D. 1, S.D. 2;
 H.B. No. 2103-86, H.D. 1, S.D. 1;
 H.B. No. 2105-86, H.D. 1, S.D. 1;
 H.B. No. 2108-86, H.D. 1, S.D. 1;
 H.B. No. 2109-86, H.D. 1, S.D. 1;
 H.B. No. 2119-86, H.D. 1, S.D. 1;
 H.B. No. 2123-86, S.D. 1;
 H.B. No. 2129-86, H.D. 1, S.D. 1;
 H.B. No. 2138-86, H.D. 1, S.D. 1;
 H.B. No. 2158-86, S.D. 1;
 H.B. No. 2168-86, H.D. 1, S.D. 1;
 H.B. No. 2173-86, H.D. 1, S.D. 1;
 H.B. No. 2189-86, H.D. 1, S.D. 1;
 H.B. No. 2192-86, H.D. 1, S.D. 1;
 H.B. No. 2238-86, H.D. 2, S.D. 1;
 H.B. No. 2273-86, H.D. 1, S.D. 2;
 H.B. No. 2337-86, H.D. 2, S.D. 1;
 H.B. No. 2358-86, S.D. 1;
 H.B. No. 2362-86, S.D. 1;
 H.B. No. 2363-86, S.D. 1;
 H.B. No. 2374-86, S.D. 1;
 H.B. No. 2427-86, S.D. 1;
 H.B. No. 2465-86, S.D. 1;
 H.B. No. 2479-86, H.D. 1, S.D. 1;
 H.B. No. 2483-86, S.D. 1;
 H.B. No. 2526-86, H.D. 1, S.D. 1;
 H.B. No. 2569-86, S.D. 1;
 H.B. No. 2599-86, H.D. 1, S.D. 1;
 H.B. No. 2605-86, H.D. 1, S.D. 1;
 H.B. No. 2656-86, S.D. 1;
 H.B. No. 2714-86, S.D. 1;
 H.B. No. 2730-86, S.D. 1;
 H.B. No. 2760-86, S.D. 1; and
 H.B. No. 2786-86, S.D. 2,

was placed on file.

Hse. Com. No. 689, returning Senate Concurrent Resolution No. 45, S.D. 1, which was adopted by the House of Representatives on April 17, 1986, was placed on file.

Hse. Com. No. 690, returning Senate Concurrent Resolution No. 58, which was adopted by the House of Representatives on April 17, 1986, was placed on file.

Hse. Com. No. 691, transmitting House Concurrent Resolution No. 212, H.D. 1, which was adopted by the House of Representatives on April 17, 1986, was placed on file.

By unanimous consent, action on H.C.R.

No. 212, H.D. 1, was deferred to the end of the calendar.

Hse. Com. No. 692, transmitting House Concurrent Resolution No. 192 which was adopted by the House of Representatives on April 17, 1986, was placed on file.

By unanimous consent, action on H.C.R. No. 192 was deferred to the end of the calendar.

Hse. Com. No. 693, transmitting House Concurrent Resolution No. 113 which was adopted by the House of Representatives on April 17, 1986, was placed on file.

By unanimous consent, action on H.C.R. No. 113 was deferred to the end of the calendar.

Hse. Com. No. 694, transmitting House Concurrent Resolution No. 114 which was adopted by the House of Representatives on April 17, 1986, was placed on file.

By unanimous consent, action on H.C.R. No. 114 was deferred to the end of the calendar.

Hse. Com. No. 695, transmitting House Concurrent Resolution No. 117 which was adopted by the House of Representatives on April 17, 1986, was placed on file.

By unanimous consent, action on H.C.R. No. 117 was deferred to the end of the calendar.

At 12:01 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., with the President in the Chair.

STANDING COMMITTEE REPORTS

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1116-86) recommending that the Senate advise and consent to the nominations of the following:

Toshio Nishioka, Patricia M. Henderson, Lani Lynn Bartholomew and Lois H. Love to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 298;

Catherine L. Cotton and Gwen S. Naguwa, M.D., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 299;

Millicent L.K. Rogers, Richard N. Westover and Gladys C. Baisa to the Commission on the Handicapped, in accordance with Gov. Msg. No. 300;

Harry A. Whitten and Barbara Z. Siegel,

Ph.D., to the Technical Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 301;

Jane Fukunaga, Nancy K.Y. Yuen and Walter Nunokawa, Ph.D., to the State Council on Mental Health and Substance Abuse, in accordance with Gov. Msg. No. 310;

Marion P. Dunning and Janice M. Campbell to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 311;

Carol Ann Kalaau and Greg K. Nakamura to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 312;

Leonard P. Paresa Jr. to the Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 322;

Donna R. Ching, Ph.D., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 323;

Miyono Kunioka to the County Hospital Management Advisory Committee, City and County of Honolulu Hospital System, in accordance with Gov. Msg. No. 324;

Joseph Blevins to the County Hospital Management Advisory Committee, Kauai County Hospital System, in accordance with Gov. Msg. No. 338; and;

Dennis F. Tamashiro, Doris Ahana and Karen Oshiro to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 339.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1116-86 and Gov. Msg. Nos. 298, 299, 300, 301, 310, 311, 312, 322, 323, 324, 338 and 339 was deferred until Monday, April 21, 1986.

At 12:15 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.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1117-86) recommending that House Concurrent Resolution No. 32, H.D. 1, as amended S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 32, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION CONCERNING THE CITY AND COUNTY OF HONOLULU EMERGENCY AMBULANCE SERVICES AND THE

UTILIZATION OF THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER," was adopted.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1118-86) recommending that House Concurrent Resolution No. 105, H.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 105, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO UPGRADE AMBULANCE AND EMERGENCY SERVICE TO THE HANAIE/PRINCEVILLE AREA," was adopted.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1119-86) recommending that Senate Concurrent Resolution No. 154, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 154, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING INFORMATION AND ACTION FROM THE DIRECTOR OF HEALTH ON ENVIRONMENTAL PROTECTION MATTERS," was adopted.

Senator B. Kobayashi, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1120-86) recommending that Senate Resolution No. 191, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 191, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING INFORMATION AND ACTION FROM THE DIRECTOR OF HEALTH ON ENVIRONMENTAL PROTECTION MATTERS," was adopted.

Senator Matsuura for the Committee on Energy, presented a report (Stand. Com. Rep. No. 1121-86) recommending that Senate Resolution No. 187, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 187, S.D. 1, entitled: "SENATE RESOLUTION ENCOURAGING THE JOINT DEVELOPMENT OF HAWAII'S RENEWABLE ENERGY AND WATER RESOURCES," was adopted.

Senator Kuroda, for the majority of the Committee on Tourism and Recreation,

presented a report (Stand. Com. Rep. No. 1122-86) recommending that Senate Concurrent Resolution No. 161 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.C.R. No. 161, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF MOVING THE HONOLULU ZOO," was adopted on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (George, Henderson, A. Kobayashi, B. Kobayashi, McMurdo and Soares). Excused, 1 (Yamasaki).

Senator Kuroda, for the majority of the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1123-86) recommending that Senate Resolution No. 200 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the majority of the Committee was adopted and S.R. No. 200, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF MOVING THE HONOLULU ZOO," was adopted on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (George, Henderson, A. Kobayashi, B. Kobayashi, McMurdo and Soares).

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1124-86) recommending that Senate Concurrent Resolution No. 133 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 133, entitled: "SENATE CONCURRENT RESOLUTION URGING THE NORTH AMERICAN RODEO COMMISSION TO ALLOW HAWAII'S COWBOY CHAMPIONS TO PARTICIPATE IN INTERNATIONAL COMPETITION," was adopted.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1125-86) recommending that Senate Resolution No. 185 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 185, entitled: "SENATE RESOLUTION URGING THE NORTH AMERICAN RODEO COMMISSION TO ALLOW HAWAII'S COWBOY CHAMPIONS TO PARTICIPATE IN INTERNATIONAL COMPETITION," was adopted.

Senator Kuroda, for the Committee on

Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1126-86) recommending that Senate Concurrent Resolution No. 129 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1126-86 and S.C.R. No. 129 was deferred to the end of the calendar.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1127-86) recommending that Senate Resolution No. 162 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1127-86 and S.R. No. 162 was deferred to the end of the calendar.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1128-86) recommending that the Senate advise and consent to the nominations of J.W.A. Buyers, Eddie Lapa and Ray B. Milici to the Stadium Authority, in accordance with Gov. Msg. No. 329.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1128-86 and Gov. Msg. No. 329 was deferred until Monday, April 21, 1986.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1129-86) recommending that Senate Concurrent Resolution No. 92, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HAWAII'S LAND USE POLICIES AND THEIR RELATIONSHIP TO AND AFFECT ON HAWAII'S HOUSING SITUATION," was adopted.

Senator Young, for the Committee on Housing and Community Development, presented a report (Stand. Com. Rep. No. 1130-86) recommending that Senate Resolution No. 120, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 120, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF HAWAII'S LAND USE POLICIES AND THEIR RELATIONSHIP TO AND AFFECT ON HAWAII'S HOUSING SITUATION," was adopted.

Senator Abercrombie, for the Committee on Human Services, presented a report

(Stand. Com. Rep. No. 1131-86) recommending that the Senate advise and consent to the nominations of the following:

James J.M. Misajon to the Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 325;

James A. Torres, Chhany Sak-Humphry, Amefil Agabayani, Fred Soriano, Roy T. Nishida, George K. Ikeda, Douglas Dan Watanabe, Grace C. Oness, George Yokoyama, Ruby L. Hargrave and G. Riki Hokama to the Advisory Council for Community Services, in accordance with Gov. Msg. No. 326;

Eduardo E. Malapit to the Advisory Council for Community Services, in accordance with Gov. Msg. No. 340;

Naomi Reeves "Sister" Correa to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 341.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1131-86 and Gov. Msg. Nos. 325, 326, 340 and 341 was deferred until Monday, April 21, 1986.

Senator Abercrombie, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1132-86) recommending that the Senate advise and consent to the nominations of Thomas Blondin and Nobuki Kamida to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 109.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1132-86 and Gov. Msg. No. 109 was deferred until Monday, April 21, 1986.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1133-86) recommending that Senate Concurrent Resolution No. 164, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 164, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE POLICY PLANNING COMMITTEE TO STUDY THE FEASIBILITY OF EXPANDING THE HAWAII OCEAN CENTER CONCEPT BY INCLUDING MAJOR OCEAN EXHIBITS AND DISPLAYS IN THE ACTUAL MARINE ENVIRONMENT," was adopted.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1134-86) recommending that Senate Resolution No. 202, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 202, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE POLICY PLANNING COMMITTEE TO STUDY THE FEASIBILITY OF EXPANDING THE HAWAII OCEAN CENTER CONCEPT BY INCLUDING MAJOR OCEAN EXHIBITS AND DISPLAYS IN THE ACTUAL MARINE ENVIRONMENT," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1135-86) recommending that Senate Concurrent Resolution No. 98, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 98, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A CARGO DISTRIBUTION CENTER AT GENERAL LYMAN FIELD, COUNTY OF HAWAII," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1136-86) recommending that Senate Resolution No. 127, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 127, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ESTABLISHING A CARGO DISTRIBUTION CENTER AT GENERAL LYMAN FIELD, COUNTY OF HAWAII," was referred to the Committee on Legislative Management.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1137-86) recommending that Senate Concurrent Resolution No. 109 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PLAN FOR ESTABLISHING A MOTORIST AID SYSTEM ON OUR FEDERAL-AID HIGHWAYS," was adopted.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1138-86) recommending that Senate Resolution No. 137 be adopted.

On motion by Senator Cobb, seconded by

Senator Soares and carried, the report of the Committee was adopted and S.R. No. 137, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF TRANSPORTATION TO DEVELOP A PLAN FOR ESTABLISHING A MOTORIST AID SYSTEM ON OUR FEDERAL-AID HIGHWAYS," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1139-86) recommending that Senate Concurrent Resolution No. 123, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.C.R. No. 123, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW CHAPTER 514E, H.R.S., AND HAWAII ADMINISTRATIVE RULES TITLE 16 CHAPTER 106 CONCERNING TIME SHARING," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1140-86) recommending that Senate Resolution No. 156, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 156, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW CHAPTER 514E, H.R.S., and HAWAII ADMINISTRATIVE RULES TITLE 16, CHAPTER 106 CONCERNING TIME SHARING," was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1141-86) recommending that Senate Resolution No. 21 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 21, entitled: "SENATE RESOLUTION REQUESTING THAT THE OFFICE OF CONSUMER PROTECTION ADDRESS THE PROBLEM OF CERTAIN STATEMENTS IN AUTOMOBILE ADVERTISEMENTS," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1142-86) recommending that Senate Resolution No. 119 be adopted.

On motion by Senator Cobb, seconded by

Senator Soares and carried, the report of the Committee was adopted and S.R. No. 119, entitled: "SENATE RESOLUTION SUPPORTING 1987 AS THE YEAR OF THE HAWAIIAN," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1143-86) recommending that Senate Resolution No. 204 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 204, entitled: "SENATE RESOLUTION COMMENDING THE GOVERNOR'S NATIVE HAWAIIAN ADVISORY PANEL AND URGING STRONG SUPPORT FOR ITS CONTINUATION," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1144-86) recommending that Senate Resolution No. 164 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 164, entitled: "SENATE RESOLUTION SUPPORTING THE NEW ZEALAND TRADE EXPO IN HONOLULU," was adopted.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1145-86) recommending that the Senate advise and consent to the nominations of Lynette K. Paglinawan, Edith K. McKinzie, Gerald T. Takano, Yoshiko Sinoto, D.Sc., and Kiyoshi Ikeda, Ph.D., to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 263.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1145-86 and Gov. Msg. No. 263 was deferred until Monday, April 21, 1986.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1146-86) recommending that the Senate advise and consent to the nominations of Rodney Allan Maile and Betty Ann Rocha to the Defender Council, in accordance with Gov. Msg. No. 315.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1146-86 and Gov. Msg. No. 315 was deferred until Monday, April 21, 1986.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1147-86) recommending that the Senate advise and consent to the nomination of Herbert Y. Arata to the Board of Land and Natural Resources, in accordance with Gov. Msg.

No. 335.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 1147-86 and Gov. Msg. No. 335 was deferred until Monday, April 21, 1986.

Senator Kuroda, for the Committee on Tourism and Recreation, presented a report (Stand. Com. Rep. No. 1148-86) recommending that House Concurrent Resolution No. 28, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 28, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A SISTER PROVINCE-STATE RELATIONSHIP BETWEEN ALBERTA, CANADA, AND HAWAII," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1149-86) recommending that Senate Resolution No. 166, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 166, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO A MANAGEMENT PLAN FOR MAUNA KEA," was adopted.

Senator Aki, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1150-86) recommending that House Concurrent Resolution No. 52 be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESSIONAL ACTION IN IMPROVING THE COST AND AVAILABILITY OF MARINE INSURANCE FOR COMMERCIAL FISHERS," was adopted.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1151-86) recommending that Senate Resolution No. 194, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 194, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE HAWAII STATE TEACHERS ASSOCIATION TO EXPLORE ALTERNATIVE METHODS OF REDUCING CLASS SIZE IN HAWAII'S PUBLIC SCHOOLS," was adopted.

Senator Toguchi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1152-86) recommending that Senate Resolution No. 138, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 138, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF ESTABLISHING A PERMANENT SCHOOL SECURITY AIDE PROGRAM IN THE PUBLIC SCHOOLS," was adopted.

At 12:15 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.

ORDER OF THE DAY

FINAL READING

Senate Bill No. 1780-86, S.D. 2, H.D. 2:

Senator Cobb moved that S.B. No. 1780-86, S.D. 2, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Toguchi rose to speak in support of the measure and remarked:

"Mr. President, I rise to speak in favor of Senate Bill 1780-86 and the related bill, Senate Bill 2127, which will be coming up very shortly. As I speak on this bill, Mr. President, I would like to request that the Clerk apply my comments also to 2127.

"In the interest of time, Mr. President, let me just summarize the proposed changes in these two bills and the impact it will have on the Department of Education and the University of Hawaii system.

"Mr. President, let me begin by saying that these two bills generally deal with implementing policy and have little to do with policy making. These bills will streamline administrative practices by (1) eliminating duplications such as in the areas of review of quarterly allotments, the pre-audit of payments and accounting, and (2) by shifting certain related work tasks such as payroll, disbursements, and reviewing requests for bid waivers from the central agency, which is DAGS, to the DOE or UH, respectively.

"Mr. President, these two bill are the most important education policy bills that we will deal with this legislative session. It proposes changes that are highly desired by the DOE and the university because it will remove a tremendous amount of red tape

and provide for a more efficient and effective system.

"Briefly, Mr. President, the following are the benefits or advantages that we will gain by the passage of these two bills: First, the educational system will be more efficiently and effectively managed. Transferring authority to the DOE and the university in the areas of accounting, vouchering, payroll, purchasing of goods and services, disbursing payments and allotment control will reduce the duplicate levels of reviews and overlaps that are now prevalent. This means excessive paperwork, delays and frustrations currently encountered by the schools can be drastically reduced. Presently, accountability is so diffused because so many people beyond the schools are responsible for decision-making.

"Secondly, Mr. President, these two bills will promote decentralization of authority. The DOE and the university in many ways cannot decentralize authority because it does not have the authority to do so. However, with the passage of these two bills they will be able to decentralize such authority closer to where the services are now being rendered. No longer will school level decisions be made by some central agency far removed from the field of action. Mr. President, this means not only response time to implement decisions will be faster, but decision will be more sensitive to the needs and priorities of each school. Furthermore, Mr. President, decentralized authority will also allow the schools to broaden their base of participation by more meaningfully involving parents, teachers and students in the decision-making process.

"Third, Mr. President, there will be improved services and this is, I guess, the most important — improved services to students. With the passage of these two bills, the teachers and school administrators will be able to concentrate their efforts on their primary mission, that is, instructing students rather than spending a lot of their time preparing requests and justifications and pleading for authority to implement needed decisions. The programs, I think, will also be more sensitive to local needs and conditions since the schools can respond with greater sensitivity and creativity to their own problems.

"Mr. President, it is for these reasons that I ask my colleagues to join me in voting for this bill S.B. 1780 and later S.B. 2127.

"In closing, Mr. President, I just want to say, and I hope that I can convince Senator Kawasaki, that this bill is not an autonomy bill. We're talking about implementation; we're talking about administrative implementation.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 1780-86, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ALLOTMENT SYSTEM AND THE EXECUTIVE BUDGET," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1961-86, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1961-86, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALOHA TOWER DEVELOPMENT CORPORATION," was deferred until Monday, April 21, 1986.

Senate Bill No. 2127-86, S.D. 1, H.D. 1:

On motion by Cobb, seconded by Senator Soares and carried, S.B. No. 2127-86, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

(Note: See comments by Senator Toguchi in support of the foregoing measure noted under the related bill, S.B. 1780-86, S.D. 2, H.D. 2.)

Senate Bill No. 2474-86, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 2474-86, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN'S ADVOCACY PROGRAM," was deferred until Monday, April 21, 1986.

FINAL READING

Conf. Com. Rep. No. 1-86 (H.B. No. 1954-86, S.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 1-86 be adopted and H.B. No. 1954-86, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Soares.

Senator Cobb, in support of measure, remarked:

"I'm just going to say on this, Mr. President, perhaps we'll get this one. I think this is the second or third attempt to get this through. I think it's very important, very necessary and, hopefully, the voters will recognize that when it's presented as a separate ballot item without a whole bunch of other things being put on the ballot for constitutional questions. I would urge an

affirmative vote."

Senator Abercrombie then responded:

"Does the point made by the previous speaker ... I wish to address a question to him ... mean that he now has hopes of being here to see this implemented next year. (Laughter.) He spoke so clearly and concisely on it, and did such a good job that I hope he's going to be here to help see it through. Thank you."

Senator Cobb then said:

"Mr. President, we'll sign him up as a registered lobbyist for that purpose. Perhaps some contributions will be in order, but whether it's here or long distance, I hope to see it implemented."

The motion was put by the Chair and carried, Conf. Com. Rep. No. 1-86 was adopted and H.B. No. 1954-86, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION TO CHANGE THE LEGISLATIVE SESSION RECESS REQUIREMENT," having been read throughout, passed Final Reading by not less than two-thirds vote of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 2-86 (S.B. No. 1678-86, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 2-86 was adopted and S.B. No. 1678-86, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOTIFICATION OF OWNERS OF PROPERTIES INCLUDED WITHIN AN ADJOINING AREAS BEING DESIGNATED GEOTHERMAL RESOURCE SUBZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 3-86 (S.B. No. 1595-86, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 3-86 was adopted and S.B. No. 1595-86, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCE SUBZONES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 4-86 (H.B. No. 172, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 4-86 was adopted and H.B. No. 172, 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, 24. Noes, none. Excused, 1 (Yamasaki).

Conf. Com. Rep. No. 5-86 (H.B. No. 2280-86, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 5-86 was adopted and H.B. No. 2280-86, H.D. 2, S.D. 1, 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, 24. Noes, none. Excused, 1 (Yamasaki).

Conf. Com. Rep. No. 6-86 (H.B. No. 2444-86, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 6-86 was adopted and H.B. No. 2444-86, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUN SCREENING DEVICES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (George, Henderson, A. Kobayashi, Kuroda and Soares). Excused, 1 (Yamasaki).

Conf. Com. Rep. No. 7-86 (H.B. No. 2166-86, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 7-86 was adopted and H.B. No. 2166-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND OR VISUALLY HANDICAPPED CONCESSIONAIRES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 9-86 (H.B. No. 2170-86, S.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com.

Rep. No. 9-86 was adopted and H.B. No. 2170-86, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLOOD TEST," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 10-86 (S.B. No. 383, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 10-86 was adopted and S.B. No. 383, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL SUMMER SCHOOL FUND," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 11-86 (S.B. No. 2309-86, S.D. 1, H.D. 2, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 11-86 was adopted and S.B. No. 2309-86, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PASSENGER CARRIERS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 12-86 (H.B. No. 2202-86, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 12-86 was adopted and H.B. No. 2202-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL RESOURCES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 14-86 (H.B. No. 2348-86, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 14-86 and H.B. No. 2348-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 15-86 (H.B. No. 2596-86, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com.

Rep. No. 15-86 was adopted and H.B. No. 2596-86, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 16-86 (H.B. No. 2069-86, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 16-86 was adopted and H.B. No. 2069-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY ABUSE OR NEGLECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

At 12:40 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.

Conf. Com. Rep. No. 17-86 (H.B. No. 1688-86, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 17-86 and H.B. No. 1688-86, H.D. 1, S.D. 2, C.D. 1, was deferred to the end of the calendar.

Conf. Com. Rep. No. 18-86 (H.B. No. 105, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 18-86 was adopted and H.B. No. 105, H.D. 1, 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 (Chang, Kawasaki and Yamasaki).

Conf. Com. Rep. No. 19-86 (H.B. No. 2221-86, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 19-86 and H.B. No. 2221-86, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE ACT," was deferred until Monday, April 21, 1986.

Conf. Com. Rep. No. 20-86 (H.B. No. 2725-86, H.D. 1, S.D. 2, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 20-86 be adopted and H.B. No. 2725-86, H.D. 1, S.D. 2, C.D. 1, having been

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

Senator Abercrombie spoke in support of the measure as follows:

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

"Mr. President, I can assure the members that with the passage of this bill we will have one of the most comprehensive legal foundations for the protection of children in the United States. The purpose of this bill is 'to provide immunity from civil liability for individuals performing duties and responsibilities pursuant' to our 'Child Protective Act,' in relation to child abuse.

"Mr. President, probably in no other area of public responsibility where we charge individuals employed at taxpayers' expense to act in the public interest is there more trauma, is there more pressure, is there more of an ongoing daily sense of duty and responsibility as there is in this area. It is easily one of the most difficult professional obligations to undertake in almost any area that you could contemplate.

"With the passage of this bill we will greatly enhance the ability of professional judgments to be exercised in a way that will benefit children, and will operate in a manner that will be conducive to allowing our professionals in the Department of Social Services and Housing to do the job that we want them to do on behalf of all children everywhere who suffer abuse at the hands of irresponsible adults. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 20-86 was adopted and H.B. No. 2725-86, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE AND NEGLECT," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

Conf. Com. Rep. No. 21-86 (H.B. No. 2845-86, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Soares and carried, Conf. Com. Rep. No. 21-86 was adopted and H.B. No. 2845-86, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

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

THIRD READING

House Bill No. 420:

On motion by Senator Cobb, seconded by Senator Soares and carried, H.B. No. 420, entitled: "A BILL FOR AN ACT RELATING TO THE EXPIRATION OF DRIVER'S LICENSE," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM THURSDAY, APRIL 17, 1986

Stand. Com. Rep. No. 1025-86 (Gov. Msg. No. 337):

Senator Cobb moved that Stand. Com. Rep. No. 1025-86 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 Barbara J. Furstenberg, Ph.D., Joyce S. Tsunoda, Ph.D., Vivian S.P. Ing and Magdaline Luna Kawatachi, to the Hawaii Education Council, terms to expire June 30, 1990, 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 (Yamasaki).

Stand. Com. Rep. No. 1045-86 (Gov. Msg. Nos. 318, 332, 333 and 334):

Senator Cobb moved that Stand. Com. Rep. No. 1045-86 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:

Gregg K. Natori to the Board of Dental Examiners, term to expire June 30, 1990;

Elmer D. Phillips to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire June 30, 1990;

Carol E. Suzawa to the Board of Cosmetology, term to expire June 30, 1990; and

Mary Shigeko Monden to the Consumer Advisory Council, term to expire June 30, 1990.

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 (Yamasaki).

Stand. Com. Rep. No. 1046-86 (Gov. Msg. No. 102):

Senator Cobb moved that Stand. Com. Rep. No. 1046-86 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Acupuncture of the following:

Benny K.P. Fan, William E. Pickard, D.C., and Yaacov Tzror, terms to expire June 30, 1987; and

Randy Kook Do Chun and Paul W. Condry, terms to expire June 30, 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 (Yamasaki).

Stand. Com. Rep. No. 1068-86 (Gov. Msg. No. 336):

Senator Cobb moved that Stand. Com. Rep. No. 1068-86 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 Clyde S. DuPont to the Public Utilities Commission, term to expire June 30, 1992, 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 (Yamasaki).

Stand. Com. Rep. No. 1069-86 (Gov. Msg. No. 330):

Senator Cobb moved that Stand. Com. Rep. No. 1069-86 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 Rose T. Ohashi to the State Highway Safety Council, term to expire June 30, 1990, 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 (Yamasaki).

Stand. Com. Rep. No. 1071-86 (Gov. Msg. No. 106):

Senator Cobb moved that Stand. Com. Rep. No. 1071-86 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 Herbert M. Richard Jr. to the Board of Regents, University of Hawaii, term to expire June 30, 1987, seconded by Senator Soares.

Senator Abercrombie rose to speak in support of the nomination and said:

"Mr. President, I rise to speak in favor of this nomination and indicate for the record that I'm very pleased to see that the state will have the services of Monty Richards again on the Board of Regents. I think that the background that he brings, the expertise that he brings, the sense of perspective that he brings from the vast reservoir of his experience in higher education will serve the University particularly well at this time when it is attempting to make a real comeback, in terms of his standing in the community, both here and Hawaii, and in terms of academia throughout the nation and the world. 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 (Cobb and Yamasaki).

Stand. Com. Rep. No. 1106-86 (Gov. Msg. No. 110):

Senator Cobb moved that Stand. Com. Rep. No. 1106-86 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 Corinne K.A. Watanabe as Attorney General, term to expire December 1, 1986, 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 (Cobb and Yamasaki).

Stand. Com. Rep. No. 1107-86 (Gov. Msg. No. 111):

Senator Cobb moved that Stand. Com. Rep. No. 1107-86 be received and placed on file, seconded by Senator Soares and carried.

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

Criminal Justice Data Interagency Board of the following:

Norman Okamura, Ph.D., Alfred Suga and Paul Toyozaki, terms to expire June 30, 1987;

Wayne Carvalho, Max Graham, Robert Graham and Richard M.C. Lum, terms to expire June 30, 1988; and

Joseph E. Cardoza, Robert Won Bae Chang, Warren Ferreira and Bob Kita, terms to expire June 30, 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 (Cobb and Yamasaki).

Stand. Com. Rep. No. 1108-86 (Gov. Msg. No. 327):

Senator Cobb moved that Stand. Com. Rep. No. 1108-86 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 Victor C. Mon to the Board of Registration, Island of Oahu, term to expire June 30, 1990, 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 (Yamasaki).

Stand. Com. Rep. No. 1109-86 (Gov. Msg. No. 281):

Senator Cobb moved that Stand. Com. Rep. No. 1109-86 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 Leslie Chang to the Board of Registration, Kauai and Niihau, term to expire June 30, 1990, 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 (Yamasaki).

Stand. Com. Rep. No. 1110-86 (Gov. Msg. No. 262):

Senator Cobb moved that Stand. Com. Rep. No. 1110-86 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 Mabel Ishii to the Board of Registration, Island of Hawaii, term to expire June 30, 1990, 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 (Yamasaki).

Stand. Com. Rep. No. 1111-86 (Gov. Msg. No. 243):

Senator Cobb moved that Stand. Com. Rep. No. 1111-86 be received and placed on file, seconded by Senator Soares and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Criminal Justice Data Interagency Board of the following:

Tamara Loy Horcajo, term to expire June 30, 1990; and

Jon R. Ono, term to expire June 30, 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 (Yamasaki).

Stand. Com. Rep. No. 1112-86 (Gov. Msg. No. 212):

Senator Cobb moved that Stand. Com. Rep. No. 1112-86 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 Thomas R. Cole, Esq., Terence T. Yoshioka, Esq., and Donald Fujimoto to the Defender Council, terms to expire June 30, 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 (Yamasaki).

At 12:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:00 o'clock p.m.

MATTERS DEFERRED FROM
THURSDAY, APRIL 17, 1986

STANDING COMMITTEE REPORTS

Stand. Com. Rep. No. 997-86 (S.C.R. No. 107):

By unanimous consent, action on Stand. Com. Rep. No. 997-86 and S.C.R. No. 107 was deferred to the end of the calendar.

Stand. Com. Rep. No. 998-86 (S.R. No. 136):

By unanimous consent, action on Stand. Com. Rep. No. 998-86 and S.R. No. 136 was deferred to the end of the calendar.

Stand. Com. Rep. No. 1001-86 (S.C.R. No. 54):

Senator Cobb moved that Stand. Com. Rep. No. 1001-86 be adopted and S.C.R. No. 54, be adopted, seconded by Senator Soares.

Senator Abercrombie spoke against adoption of S.C.R. No. 54 and S.R. No. 57 and remarked:

"Mr. President, I attended the hearing on this resolution, 'Requesting the Governor of the State of Hawaii to Take Immediate Action toward the Acquisition and Return of Tern Island and its Facilities to the State of Hawaii.' Mr. President, all the testimony that made any remote sense was against it. First of all, Tern Island isn't an island and its facilities are virtually non-existent. To even begin to move in this direction, might possibly be interpreted as a commitment by the State of Hawaii towards what would take to put an infrastructure in what amounts to a concrete football field stuck in the middle of the ocean.

"The testimony actually of the Audubon Society, the Sierra Club, and the Department of the Interior, all so overwhelmingly clear in its implications that the acquisition of this island ... I can't call it an island; it's not an island; I don't know what you call it; it's an outcropping of some kind ... is so against the interest of the capacity of that area to sustain itself without being destroyed by human beings that would inevitably come there, that it doesn't make any sense to pass this at all, even to give the implication that we would be interested in doing the kind of things that we're involved.

"The testimony that was given that somehow the capacity for the fishing industry to benefit was so shaky, so unclear, was so timorous, so lacking in conviction in factual basis to be virtually useless as any justification for doing this. I grant you that we tend to have a situation ... we pass resolutions ... we think well, they might not mean anything, they're just indications of what direction we should be going, but let me tell you, Mr. President, that if any governor or legislator wants to take this

resolution and use it as the start of something big they certainly could because the economic implications in terms of the expenditures that would have to come forward from this Legislature to even begin to put that little outcropping into any kind of shape for habitation or utilization would be so enormous, in the tens of millions of dollars, that the arguments that we're having today about whether or not we should get rid of the firetrap situation we have at Kennedy Theatre, or whether we should build child care facilities, or whether we should build housing for elderly people, or whether we should build housing at all and where, all these kinds of arguments ... with all of that to be taken care of, to argue about or even to put in motion the idea that some day in the name of supporting and endorsing accelerated development of local commercial fishery operation is simply to delude the public; it's simply not true.

"I would ask anyone who supports this resolution to show in any way, shape or form how that taking over this island and building its facilities would support and accelerate the development of local commercial fishery operation. There was not a shred of testimony to show that that would take place and to the degree that it had anything to do with fishing at all, it showed that this was probably the wrong thing to do. So I really thought that this resolution had ended.

"I understand that the motivation for putting the resolution in was good and I certainly don't question it because I believe very, very firmly that all these issues ought to be discussed and that's why we have public hearings. But the problem with this resolution was that when we got to the public hearing none of the testimony, as at least understood by myself and I think some others at that hearing, supported it in any way, shape or form. Thank you."

Senator McMurdo also spoke against the resolutions and remarked:

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

"I think it's really a nothing piece of legislation and when I think of what is being considered in this Capitol today that is crucial, why are we passing legislation which really is not terribly important? There was a great deal of testimony against doing this, and I just don't see any point in doing this when we have so many other things that we really need to be addressing. Thank you."

Senator Kawasaki spoke in support of the resolutions as follows:

"Mr. President, I support the adoption of this resolution.

"The resolution very simply states that

the State of Hawaii would like to have Tern Island returned to its jurisdiction. It once belonged to the state. There's nothing in this resolution that says that intensive fishing activity that the opponents fear is going to take place. As a matter of fact, there is very specific language to say that intensified fishing activity should not be undertaken till a very formal, very comprehensive study is undertaken by the state concerning the ecosystem that might result as a result of fishing activity there. There is nothing to say that this is going to lead to intensified fishing activity there. It's a resolution merely to ask that Tern Island, that once belonged to the State of Hawaii, be returned. That's how simple the resolution is."

Senator McMurdo then asked if the chairman of Government Operations would respond to a question. The Chair posed the question and Senator Kawasaki having answered in the affirmative, Senator McMurdo inquired:

"Mr. President, I would like to ask the Senator if there is not possibly a hidden agenda in this and that he would like to put a convention center on Tern Island?" (Laughter)

Senator Kawasaki answered:

"Mr. President, I don't happen to have the suspicious mind that the Senator on my right has." (Laughter)

Senator Abercrombie then responded:

"Mr. President, in rebuttal to the proponent's remarks.

"If you look at the 'Whereas's' on the first page, it says, 'Whereas, the State of Hawaii fully supports and endorses the accelerated development of its local commercial fishery operations.' That's pretty clear as to what it's connected to.

"And then it says, 'Whereas, the waters around the Northwestern Hawaiian Islands are known to hold great potential in much needed fishery resources;'. Well, that's one thing ... the ocean's pretty big.

"We're talking about this Tern Island. We're talking about tens of millions of dollars. This is what was put forward. Tens of millions of dollars would have to come forward in order just to get some facilities on there for the off-chance that fishing exploitation might take place.

"Now, in other words, as in the second page it says, 'Whereas, ... the only airplane landing strip in more than 1,000 miles, it has potential of aiding in emergencies' That's already being done by the Coast Guard. That was testified to by the Interior

Service.

"There is no rationale for us entering into negotiations or doing this kind of thing, other than to provide incredible boondoggle for some construction outfit to come in at taxpayers' expense for absolutely no good whatsoever. If we're going to spend tens of millions of dollars, and that is the implication if we go through with this. That's what it really is. The fishing will be a sideline. It will be the excuse for some kind of construction boondoggle, and I know that the proponent of this resolution has resolutely opposed all of his political life construction boondoggles of one kind and another. And I know that when he realizes that this is the real implication of it, given his long record of service and resolute opposition to exactly this kind of thing that he will reconsider and perhaps want to recommit this for further study next year.

"I know that but I'm not sure of it." (Laughter)

Senator Kawasaki answered:

"Mr. President, I really couldn't care one iota whether this resolution passes or not because I'm not interested in Tern Island to that extent. (Laughter.) However, I think there was no harm done in the Department of Land and Natural Resources and the State of Hawaii asking that this island be returned.

"I would like to read verbatim this last paragraph that I think has some measure of control to allay the fears of the opponents of this bill. It says, 'Your committee also finds that intensified fishing activities should not be undertaken, until formal studies have been conducted to assure that this activity will not harm the surrounding ecosystem of Tern Island.' And further, even before any new construction can get on that island, legislative approval and legislative appropriations will be involved here so the Legislature has ultimately that control that I think would assure that Tern Island's activity would be entirely consonant in keeping with what the intent of the Legislature is. So I am not so stricken by paranoia as some of these people who speak against passage of this resolution."

The motion was put by the Chair and carried, Stand. Com. Rep. No. 1001-86 was adopted and S.C.R. No. 54, entitled: SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO TAKE IMMEDIATE ACTION TOWARD THE ACQUISITION AND RETURN OF TERN ISLAND AND ITS FACILITIES TO THE STATE OF HAWAII," was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cobb, Hee and McMurdo). Excused, 1 (Yamasaki).

Stand. Com. Rep. No. 1002-86 (S.R. 77):

On motion by Senator Cobb, seconded by Senator Soares and carried, the report of the Committee was adopted and S.R. No. 77, entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO TAKE IMMEDIATE ACTION TOWARD THE ACQUISITION AND RETURN OF TERN ISLAND AND ITS FACILITIES TO THE STATE OF HAWAII," was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cobb, Hee and McMurdo). Excused, 1 (Yamasaki).

Stand. Com. Rep. No. 1004-86 (S.C.R. No. 141):

By unanimous consent, action on Stand. Com. Rep. No. 1004-86 and S.C.R. No. 141 was deferred to the end of the calendar.

Stand. Com. Rep. No. 1005-86 (S.R. No. 173):

By unanimous consent, action on Stand. Com. Rep. No. 1005-86 and S.R. No. 173 was deferred to the end of the calendar.

House Concurrent Resolution No. 153 (Hse. Com. No. 684):

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO STUDY ALTERNATIVE MEANS TO RESOLVE THE ANAHOLA PARK ISSUE," was adopted.

House Concurrent Resolution No. 160 (Hse. Com. No. 685):

On motion by Senator Cobb, seconded by Senator Soares and carried, H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR THE NEW ZEALAND TRADE EXPO IN HAWAII," was adopted.

House Concurrent Resolution No. 109, H.D. 1:

At this time, Senator Cobb requested that the referral of H.C.R. No. 109, H.D. 1, to the Committee on Consumer Protection and Commerce be waived, and the President, noting that there were no objections, so ordered.

Senator Cobb explained:

"Mr. President, in directing the members attention to the resolution that we had

referred yesterday to your Committee on Consumer Protection and Commerce, House Concurrent Resolution No. 109. Although it's not on the agenda, I've had a chance to review it, and ask to waive referral of the resolution and move for its adoption. We can do so in this evening's calendar and give members time to get a copy of the resolution, if they so desire.

"The subject matter involves addressing the reinsurance issue before the Congress of the United States. Since we've already adopted Senate resolutions on this subject I think it's timely and would perhaps add to the impetus with the House Concurrent Resolution as well."

By unanimous consent, action on H.C.R. No. 109, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO IMMEDIATELY ADDRESS THE REINSURANCE MARKET CRISIS," was deferred to the evening calendar.

At 1:13 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:41 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 1986 of the Thirteenth Legislature of the State of Hawaii for a period of One Day beyond the Sixtieth day of the 1986 Regular Session, excluding Saturdays, Sundays, holidays and any days in recess pursuant to a concurrent resolution.

/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"

At this time, Senator Hee rose on a point of inquiry as follows:

"Mr. President, I read in the paper

yesterday and saw on the news media that the wholesalers, the producers were summarily fined for price-fixing and rising on a point of inquiry to the Vice President of this body I wanted to inquire of him if he knew of any other monopolies in existence that he could speak to with respect to fines, if the Vice President would yield?"

The Chair posed the question to the Vice President and Senator Kawasaki answered:

"Mr. President, yes, I will yield.

"One of the ironies and the gross injustices that exist in the community is that that industry which is perhaps most guilty of the worst kind of price-fixing arrangement (which incidentally is by statutory provision because two congressional representatives who still hold office in Washington, D.C., were misled by being provided wrong information and they were the principal sponsors of what is today known as the Newspaper Preservation Act) and that act, a federal act, allows a flagrant abuse of what is ordinarily prohibited by the Antitrust Division.

"They do involve themselves in price-fixing and what they have been doing, I think, affects consumers even more than the wholesale producers and what they have been doing. I read by tonight's paper where refunds are going to be required to the retailers but not to the consumers. But I would wish that we could do something about price-fixing abuse on the part of the two large newspapers. Imagine what the refund would be to the retail merchants, the supermarkets, and ultimately to the consumer. That situation exists. There's nothing we can do about it until the Legislature properly addresses the Congress of the United States to repeal price-fixing privileges for newspapers that do not deserve that type of special treatment."

Senator Hee then responded:

"Thank you, Mr. President, for now."

Senator Cobb added:

"Along that same line, Mr. President, as chairman of the Consumer Protection and Commerce Committee and speaking on behalf of consumers, I'm confident there will be several class action lawsuits filed to beget some refunds that are long overdue to consumers, and I anticipate that being done within the next two months. Thank you."

At 1:46 o'clock p.m., on motion by Senator Cobb, seconded by Senator Soares and carried, the Senate stood in recess until 8:00 o'clock p.m.

The Senate reconvened at 11:25 o'clock p.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 352 to 355) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 352, informing the Senate that on April 17, 1986, he signed the following bills into law:

Senate Bill No. 1538-86 as Act 43, entitled: "RELATING TO CHECKS";

Senate Bill No. 1574-86 as Act 44, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE";

Senate Bill No. 1846-86 as Act 45, entitled: "RELATING TO DEVELOPMENTAL DISABILITIES";

Senate Bill No. 2063-86 as Act 46, entitled: "RELATING TO PSYCHOLOGISTS"; and

Senate Bill No. 2463-86 as Act 47, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION,

was placed on file.

Gov. Msg. No. 353, informing the Senate that on April 18, 1986, he signed the following bills into law:

Senate Bill No. 1679-86 as Act 48, entitled: "RELATING TO PUBLIC LANDS";

Senate Bill No. 1999-86 as Act 49, entitled: "RELATING TO TAXATION"; and

Senate Bill No. 2403-86 as Act 50, entitled: "RELATING TO MOTOR VEHICLES,"

was placed on file.

Gov. Msg. No. 354, informing the Senate of the withdrawal of the nomination to the Board of Regents, University of Hawaii, dated March 27, 1986, under Gov. Msg. No. 291, was placed on file.

In compliance with Gov. Msg. No. 354, the nomination listed under Gov. Msg. No. 291 was returned.

Gov. Msg. No. 355, submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nominations of:

Robert M. Fujimoto, term to expire June 30, 1990 (due to 8-year statutory service

limitation, eligible to serve until July 18, 1987); and

Albert S. Nishimura, term to expire June 30, 1987,

was referred to the Committee on Higher Education.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 696 to 707) were placed on the calendar for further consideration on Monday, April 21, 1986:

Hse. Com. No. 696 - returns S.C.R. No. 26, H.D. 1, adopted by the House of Representatives on April 17, 1986;

Hse. Com. No. 697 - transmits H.C.R. No. 89, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 698 - transmits H.C.R. No. 106, H.D. 1, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 699 - transmits H.C.R. No. 116, H.D. 1, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 700 - transmits H.C.R. No. 133, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 701 - transmits H.C.R. No. 154, H.D. 1, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 702 - transmits H.C.R. No. 165, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 703 - transmits H.C.R. No. 167, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 704 - transmits H.C.R. No. 184, H.D. 1, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 705 - transmits H.C.R. No. 201, H.D. 1, adopted by the House of Representatives on April 18, 1986;

Hse. Com. No. 706 - transmits H.C.R. No. 206, adopted by the House of Representatives on April 18, 1986; and

Hse. Com. No. 707 - transmits H.C.R. No. 211, H.D. 1, adopted by the House of Representatives on April 18, 1986.

CONFERENCE COMMITTEE REPORTS

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. 1680-86, H.D. 1,

S.D. 1 (C.D. 1), presented a report (Conf. Com. Rep. No. 55-86) recommending that H.B. No. 1680-86, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55-86 and H.B. No. 1680-86, H.D. 1, S.D. 1, C.D. 2, 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. 2348-86, H.D. 1, S.D. 1 (C.D. 1), presented a report (Conf. Com. Rep. No. 56-86) recommending that H.B. No. 2348-86, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56-86 and H.B. No. 2348-86, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY," was deferred for a period of 48 hours.

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 Gov. Msg. No. 355, and the President granted the waiver.

At 11:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:29 o'clock p.m.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2549-86, H.D. 2, S.D. 2, presented a report (Conf. Com. Rep. No. 57-86) recommending that H.B. No. 2549-86, H.D. 2, S.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57-86 and H.B. No. 2549-86, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," 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. 1857-86, H.D. 2, S.D. 1, C.D. 1, presented a report (Conf. Com. Rep. No. 58-86) recommending that H.B. No. 1857-86, H.D. 2, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii,

action on Conf. Com. Rep. No. 58-86 and H.B. No. 1857-86, H.D. 2, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," 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. 1153-86) recommending that Senate Concurrent Resolution No. 121, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1153-86 and S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE APPOINTMENT OF A COMMITTEE TO STUDY ALTERNATIVE METHODS OF ADDRESSING THE NEED FOR INFORMED CONSENT TO MAJOR MEDICAL INTERVENTIONS BY PATIENTS WHO ARE INCOMPETENT AND THE APPLICABLE STANDARDS UPON WHICH A CONSENT MAY BE GIVEN OR WITHHELD," was deferred until Monday, April 21, 1986.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1154-86) recommending that Senate Resolution No. 154, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1154-86 and S.R. No. 154, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF A COMMITTEE TO STUDY ALTERNATIVE METHODS OF ADDRESSING THE NEED FOR INFORMED CONSENT TO MAJOR MEDICAL INTERVENTIONS BY PATIENTS WHO ARE INCOMPETENT AND THE APPLICABLE STANDARDS UPON WHICH A CONSENT MAY BE GIVEN OR WITHHELD," was deferred until Monday, April 21, 1986.

Senator Holt, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1155-86) recommending that Senate Resolution No. 124 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1155-86 and S.R. No. 124, entitled: "SENATE RESOLUTION REQUESTING INFORMATION ON INVESTMENTS BY THE UNIVERSITY OF HAWAII AND THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAII (ASUH) IN SOUTH AFRICA," was deferred until Monday, April 21, 1986.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1156-86) recommending that House Concurrent Resolution No. 59, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1156-86 and H.C.R. No. 59, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE," was deferred until Monday, April 21, 1986.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1157-86) recommending that Senate Resolution No. 70, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1157-86 and S.R. No. 70, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ENACT LEGISLATION REQUIRING THE FEDERAL AVIATION ADMINISTRATION (FAA) TO REGULATE HELICOPTER FLIGHT PATTERNS AND TO CLARIFY EXISTING FEDERAL LAWS RELATING TO NOISE," was deferred until Monday, April 21, 1986.

Senator Cayetano, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1158-86) recommending that Senate Resolution No. 56 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1158-86 and S.R. No. 56, entitled: "SENATE RESOLUTION REQUESTING THAT ALL AIRCRAFT CEASE LOW-FLYING PATTERNS OVER POPULATED AREAS," was deferred until Monday, April 21, 1986.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1159-86) recommending that Senate Concurrent Resolution No. 119 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1159-86 and S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GUIDELINES IN DETERMINING THE BEST INTERESTS OF THE CHILD IN VISITATION MATTERS," was deferred until Monday, April 21, 1986.

Senator Chang, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1160-86) recommending that Senate Resolution No. 152 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1160-86 and S.R. No. 152, entitled: "SENATE RESOLUTION REQUESTING GUIDELINES IN DETERMINING THE BEST INTERESTS OF THE CHILD IN VISITATION MATTERS," was deferred until Monday, April 21, 1986.

CONFERENCE COMMITTEE REPORTS

By unanimous consent, action on the following conference committee reports and bills was deferred until Monday, April 21, 1986:

- Conf. Com. Rep. No. 22-86 and S.B. No. 1550-86, S.D. 2, H.D. 1, C.D. 1;
- Conf. Com. Rep. No. 23-86 and H.B. No. 2117-86, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 24-86 and H.B. No. 2468-86, H.D. 1, S.D. 2, C.D. 1;
- Conf. Com. Rep. No. 25-86 and H.B. No. 2282-86, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 26-86 and H.B. No. 2246-86, H.D. 2, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 27-86 and H.B. No. 326, H.D. 1, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 28-86 and H.B. No. 381, H.D. 1, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 29-86 and H.B. No. 1691-86, H.D. 2, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 30-86 and H.B. No. 2373-86, H.D. 1, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 31-86 and H.B. No. 1740-86, H.D. 2, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 32-86 and H.B. No. 26, H.D. 1, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 33-86 and H.B. No. 122, H.D. 1, S.D. 2, C.D. 1;
- Conf. Com. Rep. No. 34-86 and H.B. No. 1998-86, H.D. 1, S.D. 1, C.D. 2;
- Conf. Com. Rep. No. 35-86 and S.B. No. 303, S.D. 1, H.D. 1, C.D. 1;
- Conf. Com. Rep. No. 36-86 and S.B. No. 592, S.D. 1, H.D. 2, C.D. 1;
- Conf. Com. Rep. No. 37-86 and S.B. No. 2290-86, S.D. 1, H.D. 2, C.D. 1;
- Conf. Com. Rep. No. 38-86 and S.B. No. 1933-86, S.D. 1, H.D. 2, C.D. 1;
- Conf. Com. Rep. No. 39-86 and H.B. No. 1388, H.D. 1, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 40-86 and S.B. No. 909, S.D. 1, H.D. 1, C.D. 1;
- Conf. Com. Rep. No. 41-86 and H.B. No. 1665-86, H.D. 2, S.D. 1, C.D. 1;
- Conf. Com. Rep. No. 42-86 and H.B. No. 2608-86, H.D. 2, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 43-86 and H.B. No. 2495-86, H.D. 2, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 44-86 and H.B. No. 393, H.D. 1, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 45-86 and H.B. No. 1663-86, H.D. 2, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 46-86 and H.B. No. 1666-86, H.D. 2, S.D. 2, C.D. 1;

Conf. Com. Rep. No. 47-86 and S.B. No. 2190-86, S.D. 1, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 48-86 and S.B. No. 425, S.D. 2, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 49-86 and S.B. No. 1762-86, S.D. 1, H.D. 2, C.D. 1;

Conf. Com. Rep. No. 50-86 and H.B. No. 1857-86, H.D. 2, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 51-86 and H.B. No. 100, H.D. 1, S.D. 2, C.D. 1;

Conf. Com. Rep. No. 52-86 and H.B. No. 2561-86, S.D. 1, C.D. 1;

Conf. Com. Rep. No. 53-86 and S.B. No. 1831-86, S.D. 2, H.D. 1, C.D. 1;

Conf. Com. Rep. No. 54-86 and S.B. No. 2266-86, S.D. 2, H.D. 1, C.D. 1;

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

CONFERENCE COMMITTEE REPORT

Conf. Com. Rep. No. 17-86 (H.B. No. 1688-86, H.D. 1, S.D. 2, C.D. 1);

By unanimous consent, action on Conf. Com. Rep. No. 17-86 and H.B. No. 1688-86, H.D. 1, S.D. 2, C.D. 1, was deferred until Monday, April 21, 1986.

STANDING COMMITTEE REPORTS

By unanimous consent, action on the following standing committee reports and concurrent resolutions and resolutions was deferred until Monday, April 21, 1986:

Stand. Com. Rep. No. 997-86 and S.C.R. No. 107;

Stand. Com. Rep. No. 998-86 and S.R. No. 136;

Stand. Com. Rep. No. 1004-86 and S.C.R. No. 141;

Stand. Com. Rep. No. 1005-86 and S.R. No. 173;

Stand. Com. Rep. No. 1126-86 and S.C.R.

No. 129; and

Stand. Com. Rep. No. 1127-86 and S.R. No. 162.

HOUSE CONCURRENT RESOLUTIONS

By unanimous consent, action on the following House concurrent resolutions was deferred until Monday, April 21, 1986:

H.C.R. No. 109, H.D. 1 (Hse. Com. No. 672);

H.C.R. No. 212, H.D. 1 (Hse. Com. No. 691);

H.C.R. No. 192 (Hse. Com. No. 692);

H.C.R. No. 113 (Hse. Com. No. 693);

H.C.R. No. 114 (Hse. Com. No. 694); and

H.C.R. No. 117 (Hse. Com. No. 695).

RECONSIDERATION OF ACTION TAKEN

Senate Bill No. 1496-86, S.D. 2, H.D. 1:

Senator Matsuura moved that the Senate reconsider its action to disagree on S.B. No. 1496-86, S.D. 2, H.D. 1, seconded by Senator Aki and carried.

On motion by Senator Matsuura, seconded by Senator Aki and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1496-86, S.D. 2, and that S.B. No. 1496-86, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL DEVELOPMENT," was placed on the calendar for Final Reading on Monday, April 21, 1986.

At 11:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:33 o'clock p.m.

Conf. Com. Rep. No. 38-86 (S.B. No. 1933-86, S.D. 1, H.D. 2, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 38-86 and S.B. No. 1933-86, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY'S FEES," were recommitted to the Committee on Conference.

Conf. Com. Rep. No. 50-86 (H.B. No. 1857-86, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, Conf. Com. Rep. No. 50-86 and H.B. No. 1857-86, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATION IN PUBLIC ACCOMMODATIONS," were recommitted to the Committee on

Conference.

CONFERENCE COMMITTEE REPORTS

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate authorized the Senate Clerk to receive conference committee reports prior to midnight. In consequence thereof, subsequent to its recessing at 11:34 o'clock p.m., and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the following conference committee reports and bills were placed on the calendar for Final Reading on Monday, April 21, 1986:

Conf. Com. Rep. No. 59-86 and Senate Bill No. 1843-86, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT";

Conf. Com. Rep. No. 60-86 and House Bill No. 1741-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1985 TO JUNE 30, 1987";

Conf. Com. Rep. No. 61-86 and Senate Bill No. 2048-86, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS";

Conf. Com. Rep. No. 62-86 and House Bill No. 1856-86, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS";

Conf. Com. Rep. No. 63-86 and House Bill No. 1961-86, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY";

Conf. Com. Rep. No. 64-86 and House Bill No. 2122-86, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY";

Conf. Com. Rep. No. 65-86 and House Bill No. 2595-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE COMPANY TAX";

Conf. Com. Rep. No. 66-86 and House Bill No. 2805-86, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION";

Conf. Com. Rep. No. 67-86 and House Bill No. 1990-86, H.D. 2, S.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. 58-86 and House Bill No. 1764-86, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX";

Conf. Com. Rep. No. 69-86 and House Bill No. 1697-86, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SUGAR RESEARCH AND DEVELOPMENT";

Conf. Com. Rep. No. 70-86 and Senate Bill No. 2308-86, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR";

Conf. Com. Rep. No. 71-86 and House Bill No. 2580-86, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION";

Conf. Com. Rep. No. 72-86 and Senate Bill No. 1496-86, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL DEVELOPMENT";

Conf. Com. Rep. No. 73-86 and Senate Bill No. 1933-86, S.D. 1, H.D. 2, C.D. 2,

entitled: "A BILL FOR AN ACT RELATING TO AWARDS OF ATTORNEY'S FEES"; and

Conf. Com. Rep. No. 74-86 and Senate Bill No. 2258-86, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS."

STANDING COMMITTEE REPORT

On motion by Senator Cobb, seconded by Senator Soares and carried unanimously, the Senate authorized the Senate Clerk to receive standing committee reports on governor' messages prior to midnight. In consequence thereof, and subsequent to its recessing at 11:34 o'clock p.m., the Senate took the following action:

Stand. Com. Rep. No. 1161-86 and Gov. Msg. No. 355 were placed on the calendar for further consideration on Monday, April 21, 1986.

ADJOURNMENT

At 12:00 o'clock midnight, the Senate adjourned until 10:00 o'clock a.m., Monday, April 21, 1986.