

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

Regular Session of 1979

Convened Wednesday, January 17, 1979
Adjourned Friday, April 20, 1979

OFFICERS OF THE SENATE

President

HONORABLE RICHARD S. H. WONG Honolulu, Hawaii

Vice-President

HONORABLE DUKE T. KAWASAKI Honolulu, Hawaii

Clerk

SEICHI HIRAI Honolulu, Hawaii

Assistant Clerk

TIMOTHY DAVID WOO, JR. Honolulu, Hawaii

Sergeant-at-Arms

BIENVENIDO C. VILLAFLORES Honolulu, Hawaii

LIST OF MEMBERS
of the
SENATE OF THE TENTH LEGISLATURE
of the
STATE OF HAWAII

DISTRICT	NAME	ADDRESS
First	Carpenter, Dante K. (D)	176 Likeke Street Hilo, Hawaii
	Hara, Stanley I. (D)	203 Kilauea Avenue Hilo, Hawaii
	Ushijima, John T. (D)	State Capitol Honolulu, Hawaii
Second	Takitani, Henry T. (D)	P. O. Box UUU Wailuku, Maui, Hawaii
	Yamasaki, Mamoru (D)	P. O. Box 1516 Kahului, Maui, Hawaii
Third	Ajifu, Ralph K. (R)	P. O. Box 402 Kaneohe, Hawaii
	Anderson, D. G. (R)	638 Keeaumoku Street Honolulu, Hawaii
	George, Mary (R)	State Capitol Honolulu, Hawaii
Fourth	Cayetano, Benjamin J. (D)	State Capitol Honolulu, Hawaii
	Kuroda, Joseph T. (D)	State Capitol Honolulu, Hawaii
	Mizuguchi, Norman (D)	State Capitol Honolulu, Hawaii
	Young, Patsy K. (D)	94-450 Awamoi Street Waipahu, Hawaii
Fifth	Campbell, Charles M. (D)	3215 Ala Ilima Street #312-A Honolulu, Hawaii
	Kawasaki, Duke T. (D)	State Capitol Honolulu, Hawaii
	Wong, Richard S. H. (D)	State Capitol Honolulu, Hawaii
	Yim, T. C. (D)	State Capitol Honolulu, Hawaii

DISTRICT	NAME	ADDRESS
Sixth	Abercrombie, Neil (D)	1516 E Nehoa Street Honolulu, Hawaii
	Carroll, John S. (R)	906 Financial Plaza of the Pacific Honolulu, Hawaii
	Chong, Anson (D)	State Capitol Honolulu, Hawaii
	Yee, Wadsworth (R)	P. O. Box 420 Honolulu, Hawaii
Seventh	Cobb, Steve (D)	State Capitol Honolulu, Hawaii
	O'Connor, Dennis (D)	State Capitol Honolulu, Hawaii
	Saiki, Patricia (R)	784 Elepaio Street Honolulu, Hawaii
	Soares, W. Buddy (R)	674 Pepeekeo Street Honolulu, Hawaii
Eighth	Toyofuku, George H. (D)	P. O. Box 547 Lihue, Kauai, Hawaii

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	Senator Stanley I. Hara, Vice-Chairman	
Senator Dante K. Carpenter		Senator Patsy K. Young
Senator Duke T. Kawasaki		Senator Ralph K. Ajifu
Senator Norman Mizuguchi		Senator D. G. Anderson
Senator George H. Toyofuku		Senator John S. Carroll
Senator T. C. Yim		

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Senator Dante K. Carpenter		Senator John S. Carroll
Senator Joseph T. Kuroda		Senator Patricia Saiki
Senator Dennis O'Connor		Senator Wadsworth Yee
Senator John T. Ushijima		

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Senator Joseph T. Kuroda		Senator Mary George
Senator Norman Mizuguchi		Senator Patricia Saiki
Senator Mamoru Yamasaki		

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Senator Steve Cobb		Senator Ralph K. Ajifu
Senator Duke T. Kawasaki		Senator D. G. Anderson
Senator Joseph T. Kuroda		Senator Patricia Saiki
Senator Henry Takitani		

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Senator Stanley I. Hara		Senator John S. Carroll
Senator Patsy K. Young		

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Senator Anson Chong		Senator Wadsworth Yee
Senator Henry Takitani		

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Senator Dante K. Carpenter		Senator Patricia Saiki
Senator Benjamin J. Cayetano		

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	Senator Benjamin J. Cayetano, Vice-Chairman	
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Senator Stanley I. Hara		Senator W. Buddy Soares
Senator T. C. Yim		

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Senator Stanley I. Hara		Senator W. Buddy Soares
Senator Dennis O'Connor		

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	Senator Joseph T. Kuroda, Vice-Chairman	
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Senator Dennis O'Connor		Senator Wadsworth Yee
Senator Mamoru Yamasaki		

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Senator Anson Chong		Senator John S. Carroll
Senator Joseph T. Kuroda		Senator Mary George
Senator Norman Mizuguchi		Senator Patricia Saiki
Senator Henry Takitani		

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Senator Mary George		

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	Senator Norman Mizuguchi, Vice-Chairman	
Senator Charles M. Campbell		Senator D. G. Anderson
Senator Mamoru Yamasaki		Senator W. Buddy Soares
Senator T. C. Yim		

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	Senator Henry Takitani, Vice-Chairman	
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Senator Duke T. Kawasaki		Senator Wadsworth Yee
Senator Norman Mizuguchi		

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	Senator T. C. Yim, Vice-Chairman	
Senator Steve Cobb		Senator Mary George
Senator Henry Takitani		Senator W. Buddy Soares
Senator John T. Ushijima		

WAYS AND MEANS

	Senator Benjamin J. Cayetano, Chairman	
	Senator Duke T. Kawasaki, Vice-Chairman	
Senator Neil Abercrombie		Senator T. C. Yim
Senator Dante K. Carpenter		Senator Patsy K. Young
Senator Anson Chong		Senator Ralph K. Ajifu
Senator Stanley I. Hara		Senator D. G. Anderson
Senator George H. Toyofuku		Senator W. Buddy Soares
Senator Mamoru Yamasaki		Senator Wadsworth Yee

**MEMBERS OF THE SENATE
TENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1979**



RICHARD S. H. WONG
Fifth Senatorial District
President



DUKE T. KAWASAKI
Fifth Senatorial District
Vice-President
Chairman: Government
Operations and Efficiency



JOSEPH T. KURODA
Fourth Senatorial District
Majority Leader
Chairman: Tourism



ANSON CHONG
Sixth Senatorial District
Assistant Majority Leader
Chairman: Public Utilities



GEORGE H. TOYOFUKU
Eighth Senatorial District
Assistant Majority Leader
Chairman: Human Resources



NORMAN MIZUGUCHI
Fourth Senatorial District
Majority Floor Leader
Chairman: Transportation



DANTE K. CARPENTER
First Senatorial District
Assistant Majority Floor Leader
Chairman: Health



MAMORU YAMASAKI
Second Senatorial District
Assistant Majority Floor Leader
Chairman:
Legislative Management



PATSY K. YOUNG
Fourth Senatorial District
Assistant Majority Floor Leader
Chairman:
Housing and Hawaiian Homes



CHARLES CAMPBELL
Fifth Senatorial District
Majority Policy Leader
Chairman: Education



WADSWORTH YEE
Sixth Senatorial District
Minority Leader



MARY GEORGE
Third Senatorial District
Assistant Minority Leader



D. G. ANDERSON
Third Senatorial District
Minority Floor Leader



W. BUDDY SOARES
Seventh Senatorial District
Assistant Minority Floor Leader



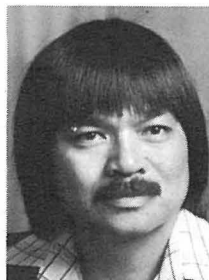
NEIL ABERCROMBIE
Sixth Senatorial District
Chairman:
Higher Education



RALPH K. AJIFU
Third Senatorial District



JOHN S. CARROLL
Sixth Senatorial District



BENJAMIN J. CAYETANO
Fourth Senatorial District
Chairman:
Ways and Means



STEVE COBB
Seventh Senatorial District
Chairman:
Consumer Protection and Commerce



STANLEY I. HARA
First Senatorial District
Chairman: Ecology,
Environment and Recreation



DENNIS O'CONNOR
Seventh Senatorial District
Chairman: Judiciary



PATRICIA SAKI
Seventh Senatorial District



HENRY TAKITANI
Second Senatorial District
Chairman: Agriculture



JOHN T. USHIJIMA
First Senatorial District
Chairman:
Intergovernmental Relations



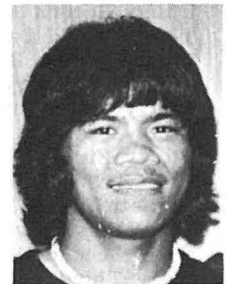
T. C. YIM
Fifth Senatorial District
Chairman:
Economic Development



SEICHI HIRAI
Clerk



TIMOTHY DAVID WOO, JR.
Assistant Clerk



BIENVENIDO C. VILLAFIOR
Sergeant-at-Arms

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THE
TENTH LEGISLATURE
STATE OF HAWAII
REGULAR SESSION OF 1979
JOURNAL OF THE SENATE

FIRST DAY

Wednesday, January 17, 1979

In accordance with the provisions of Section 11 of Article III of the Constitution of the State of Hawaii, the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, was called to order at 10:00 o'clock a.m., Wednesday, January 17, 1979, by the Honorable Patsy K. Young, Temporary Chairperson of the Senate.

The Divine Blessing was invoked by Reverend Clyde Mikuni.

Nominations now being in order for a Temporary Clerk, Senator Yamasaki nominated Seichi Hirai.

On motion by Senator Mizuguchi, seconded by Senator Hara and carried, nominations were closed and Seichi Hirai was appointed as Temporary Clerk of the Senate.

Senator Kuroda moved that a Committee of three Senators be appointed by the Temporary Chairperson as a Committee on Credentials to examine the certificates of election of the members of the Senate and submit a report of its findings to the Senate, seconded by Senator Ushijima and carried.

The Temporary Chairperson thereupon appointed Senators Kawasaki, Chairman, Chong and Saiki to serve on such Committee.

At 10:07 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:08 o'clock a.m.

SPECIAL COMMITTEE REPORT

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

"The Honorable Patsy K. Young
Temporary Chairperson of the Senate
The Tenth State Legislature
State Capitol
Honolulu, Hawaii 96813

Dear Chairperson Young:

Your Committee on Credentials begs leave to report that it has examined the Certificates of Election of the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, 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 November 4, 1980 are:

First Senatorial District

Dante K. Carpenter
Stanley I. Hara

Second Senatorial District

Mamoru Yamasaki

Third Senatorial District

Ralph K. Ajifu
Mary George

Fourth Senatorial District

Norman Mizuguchi
Patsy K. Young

Fifth Senatorial District

Richard S. H. Wong
T. C. Yim

Sixth Senatorial District

John S. Carroll
Anson Chong

Seventh Senatorial District

Dennis O'Connor
W. Buddy Soares; and

The newly elected senators whose respective terms of office will expire November 2, 1982 are:

First Senatorial District

John T. Ushijima

Second Senatorial District

Henry T. Takitani

Third Senatorial District

D. G. Anderson

Fourth Senatorial District

Benjamin J. Cayetano
Joseph T. Kuroda

Fifth Senatorial District

Charles M. Campbell
Duke T. Kawasaki

Sixth Senatorial District

Neil Abercrombie
Wadsworth Yee

Seventh Senatorial District

Steve Cobb
Patricia Saiki

Eighth Senatorial District

George H. Toyofuku

Respectfully submitted,

Duke T. Kawasaki
Anson Chong
Patricia Saiki"

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

The Committee was thereupon discharged with thanks.

Senator Cobb then moved that a Committee of four Senators be appointed to escort the Chief Justice of the Supreme Court of the State of Hawaii, William S. Richardson, to administer the oath of office to the members of the Senate, seconded by Senator Yamasaki and carried.

The Temporary Chairperson appointed Senators Chong, Cayetano, Carroll and Ajifu as members of such Committee.

The Committee escorted Chief Justice William S. Richardson to the dais and was thereupon discharged with thanks.

Chief Justice Richardson then administered the oath of office to the members of the Senate standing at their respective desks.

At this time, the Roll was called showing all Senators present.

At 10:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 o'clock a.m.

Senator O'Connor moved that the Rules of the Ninth Legislature be the Temporary Rules of the Tenth Legislature, seconded by Senator Cobb and carried.

Nominations for the officers of the Senate being next in order, Senator Toyofuku placed in nomination the name of Senator Richard Wong as President of the Senate, seconded by Senator Campbell.

Senator Carpenter moved that the nominations be closed, seconded by Senator Takitani. 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 Wong as President of the Senate.

The ballot having been so cast, Senator Wong was declared unanimously elected as President of the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979.

The Temporary Chairperson thereupon appointed Senators Toyofuku, Cobb and Soares as a Committee to escort the President to the dais.

At 10:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:40 o'clock a.m.

The Committee escorted the President to the Chair and thereupon was discharged with thanks.

Before presenting his address, the President introduced to the members of the Senate his mother, Mrs. Jane Wong and then requested that all mothers of the Senators rise to be recognized.

The President then introduced his uncle, Mr. C. U. Wong, who has been like a father to him, and then asked that all fathers of the Senators rise to be recognized, also.

The President asked that the spouses of the Senators rise to be recognized.

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

"Governor and Mrs. Ariyoshi, Chief Justice Richardson, fellow Senators, ladies and gentlemen:

"A new politics.

"In this spirit, today, the opening day of the Tenth State Legislature, we in the Senate begin our formal work on the problems and issues facing Hawaii.

"What does this new politics mean? It means that the Senate will be a more open body, a body in which all the members will have full opportunity to participate in the decision-making process. I fully expect lively discussion and debate on many issues that will arise during the coming session.

"I welcome this. I believe that by encouraging broader and more varied input by all Senators, better legislation will ultimately emerge. After all, it is on the merits of the legislation which is finally passed that the Legislature is judged. This is our 'bottom line.'

"A number of members of the Senate are known to be independent legislators, uncommitted to any special interest and dedicated to legislative reforms. These are the strong proponents of the new politics. I look forward to them bringing fresh, objective viewpoints to our deliberations. I deeply appreciate their expressions of faith and confidence in me.

"To the Governor and the State administration, to the counties, to businesses, to labor, to all groups and interests involved with the legislative process, I want to state that the new politics now operational in the Senate means that we will be more open, more receptive to all points of view. We know we don't have all the facts and answers, we know we need additional information, ideas and advice to help us in our deliberations. We will be accessible to all groups and not just a favored few. Many of us plan to actively go out into the community to seek input from the public. We want the Senate to be a people's forum where all citizens may be heard.

"We in the Senate majority have been through an arduous organizational

process. There have been some difficult moments but these are now behind us. The Senate majority is now organized and united. Everyone will have an important role to play and everyone will be expected to contribute fully and constructively to the work of the Senate. I gratefully acknowledge the expression of support given me by my fellow majority members. I pledge that as your new President, I will do my best to serve you well.

"Let me pause for a moment to pay my respects to my predecessor as Senate President. The Senator from the First District led the Senate with great ability and wisdom during the preceding four years. Upon the transfer of the presidency to me, he has been most gracious and cooperative. I thank him. I fully intend to draw on his knowledge and experience during the days ahead.

"To my friends and colleagues in the minority, I say that you too will have an important role to play in the legislative decision-making process. Your proposals and ideas will be treated with a greater degree of fairness than had heretofore been the case.

"At present, the Senate majority program has not yet been fully developed. Work on the program has been going on and it will be revealed shortly.

"We count among our members a number of enthusiastic, hard-working Senators. They have many ideas for possible legislation which have been or are being drafted. These will be incorporated into our majority program. I am confident that the Senate will be a very creative and productive body this session.

"At this time, some of the issues that I see confronting us during the Tenth State Legislature are:

- the need to address the problems of crime which threatens our personal safety and possessions.
- the need to expand and diversify our economy and thus create more job opportunities for our people.
- the need to improve our educational system in order that our children may be better prepared to function effectively in modern society.
- the need to carefully scrutinize the proposed 1979-1981 State budget, and, in a fiscally responsible manner, to make additional savings wherever possible

and other adjustments wherever necessary.

- the need to plan and direct the future of our State so that Hawaii's unique social, cultural and physical qualities are preserved.
- the need to work with our Congressional delegation to protect the existence of our sugar industry.
- the need to redefine and realign executive-legislative relations, particularly with respect to the administration of State programs and the allocation of funds, in order that legislative intent--the basic policy direction of the State--is followed to the fullest extent possible.
- the need to continue our ongoing review of the State tax system and to initiate such reforms as may be feasible to achieve greater equity among all sectors of our community.
- the need to improve and enhance our tourist destination plant which is now the keystone of our economy, and to secure the necessary revenues to accomplish this end.
- the need to assure uninterrupted interisland surface transportation services, particularly so as to protect the economic well-being of the neighbor islands.
- the need to develop and enact the necessary enabling legislation mandated by the recently revised State Constitution.

"These issues and many others comprise a formidable agenda for us. The task ahead is not an easy one. These are complex, difficult issues with no simple solutions. We will be called upon to exert our best efforts in addressing them.

"The challenge is now before us.

"I am looking forward to facing it.

"I ask you all, majority and minority members alike, to work together in the spirit of the new politics for a better Hawaii and a better future for all our people.

"Let us begin.

"Mahalo."

Senator Yee then responded as follows:

"Mr. President, I want to take this opportunity to congratulate you on your election as Senate President and I sincerely wish you well in your new capacity.

"I would like to extend my appreciation to you and the Senate majority leaders for your continuous expressions of concern that Republican measures be given fair and equal treatment and evaluated on their merits instead of partisan consideration. I am optimistic, Mr. President, that you will display the kind of leadership needed to accomplish this end.

"Your senior colleagues in the Senate here represent an important although conservative element in government and business matters, and are highly respected in their community. Our neighbor island gentlemen represent the last of a past generation of leaders who played a major role in building Hawaii during the post World War II period, guiding it through Statehood, and were responsible for the establishment of a new Hawaii. As a member of this generation myself, I know first hand of their labors and contributions.

"I personally ask that you acknowledge their diverse and valuable wisdom and their past and present contribution to this Honorable Body, and treat them with the honor and respect that they richly deserve. I am also hopeful, Mr. President, that the new and independent Senators will come to appreciate the experience and knowledge of our senior members and use them as a resource for advice and valued guidance concerning legislative matters.

"Mr. President, I would also like to encourage this Body to put our differences aside and approach our work with objectivity and an open mind. To our new fellow Senators, I beg you to look upon the entire business community from the small businesses to the large corporate firms as an essential segment of our Hawaiian economy. They must all be treated fairly.

"With regards to tourism, our largest industry, I ask that we recognize its critical role in our economy and its importance to an industry generating over one billion dollars of revenues in business and creating thousands of jobs. Needless to say, the success and accomplishments of the Senate will depend on the results of the next sixty days.

"Although the outcome of our Senate

action is very difficult to predict because of the tenuous make up of this Body, the Senate Republicans, Mr. President, pledge their support to you and will work cooperatively to become a viable and contributing partner in the Senate. We will certainly do our part to develop an atmosphere of good faith and restore the integrity and confidence of the public in the elected official.

"Thank you, Mr. President."

The President announced that nominations were in order for the office of Vice-President of the Senate.

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

Senator Carpenter moved that the nominations be closed, seconded by Senator Yamasaki. 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 Kawasaki as Vice-President of the Senate.

The ballot having been so cast, Senator Kawasaki was declared unanimously elected as Vice-President of the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979.

The President then appointed Senators Abercrombie, Yim and George to escort the Vice-President to the dais.

At 11:00 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:17 o'clock a.m.

The Committee escorted the Vice-President to the dais and thereupon was discharged with thanks.

Senator Kawasaki, in accepting the Vice-Presidency, stated as follows:

"Chief Justice Richardson, Mr. President, members of the Senate, Distinguished Guests, ladies and gentlemen:

"It is with a feeling of humility and appreciation that I accept the signal honor of serving as Vice-President of this august Body, the Senate of the State of Hawaii.

"Thank you, my Senate colleagues, for your vote of confidence. I fully expect to be working hard with all of you.

"To my very dear friend and now the Senate President, Senator Richard Wong, to you my Senate colleagues, to the people of Hawaii, I pledge every resource of mind and energy that I may possess in order that I join the Senate of the State of Hawaii in our desire to bring about in this Body a spirit of cooperation and a willingness to help bring about a better, a more meaningful life to all of the people of this State.

"I pledge my earnest effort, towards the enhancement and preservation of the interest and well-being of the public at large, the hundreds of thousands of silent voices generally unrepresented in these halls by paid lobbyists, the many who look to each of us, each of the twenty-five Senators here, for the exercise of good judgment, diligent effort and unfaltering courage, to bring about economic and social justice that we seek for the greatest number of people possible.

"I have endeavored during the twelve years I have been privileged to serve in this Body to adhere to a very simple but nevertheless soundest doctrine applicable in a democracy... the principle of 'the greatest good for the greatest number.'

"Adherence to this principle is very often an unfashionable, unpopular posture among special interest lobby groups that frequent these halls.

"Notwithstanding the displeasure of these groups, coping with Hawaii's festering problems will nonetheless require resolute action and courage in the protection of the greater, public interest. It requires enactment of thoughtful legislation and vigorous implementation of programs designed to cope with the growing crime rate, unemployment, trade monopoly abuses, the high cost of living in Hawaii, to cope with the ill-effects of unprecedented inflation, high interest rates and dollar weaknesses abroad, to deal with the lack of decent, affordable housing for too many in this State, to attack inefficiency, waste and the high cost of government services to our citizens.

"It appears unthinkable to me, for anyone to assume, that we do not have in Hawaii's Legislature, the resolve or the courage to avoid the tortuous, ominous route taken by Detroit, San Francisco, Boston and of recent weeks, the city of Cleveland.

"I find strikingly relevant, some words spoken four years ago on a like occasion and entered in the Senate Journal of 1975 when I closed an acceptance speech in the following manner, and I quote:

'In this era of economic, ethical and spiritual bewilderment, at home and abroad, and nagging, urgent problems in this State of Hawaii, I would appear less than diligent, indeed, rather cavalier and derelict, if I were not to join the Senate President in articulating to all of you, the urgent necessity for this Senate to act wisely and responsibly...the need for the exercise of intellectual honesty and political courage, unprecedented in the annals of Hawaiian legislative history.

'Only with the exercise of these qualities, can we hope to deal effectively with the problems and challenges of Hawaii which are greater today than ever before.

'Only then, can we say honestly to the people who have elected us, we have served you well and courageously in Hawaii's time of need.'

"Let us proceed, and count me in.

"I look forward to a productive session. Mahalo!"

Senator Hara moved that the President appoint a Committee to wait upon the Governor and the House of Representatives and inform them that the Senate was organized and ready to transact business, seconded by Senator Abercrombie and carried.

The President thereupon appointed Senators Kuroda, Chairman, Mizuguchi, Campbell, Yee and Anderson to serve on such Committee.

At 11:24 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., and Senator Kuroda reported orally for the Committee that the Governor and the House of Representatives have been informed that the Senate has organized and is ready to transact business. The Committee was then discharged with thanks.

The President then expressed thanks and appreciation to the Surfers, Al Harrington, Marlene Sai, Cecilio and Kaponono, and Bobby Enriques for their performances this morning.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 18, 1979.

SECOND DAY

Thursday, January 18, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Stanley Kain, Hawaii Council of Churches, after which the Roll was called showing all Senators present.

The President announced that he had not read the Journal of the First Day.

HOUSE COMMUNICATION

A communication from the House (House Com. No. 1) transmitting House Concurrent Resolution No. 1, which was adopted by the House of Representatives on January 17, 1979, was read by the Temporary Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

At this time, Senator Kuroda introduced to the members of the Senate Ms. Añn Nathaniel, Vice President of the Alu Like Board and Chairperson of the State Advisory Council, and a group of members of the Alu Like administration and staff from all of the islands. Senator Kuroda stated that AluLike in Hawaiian means working together; that this is a federally funded native American program; that our native Americans in Hawaii are the native Hawaiians.

Senator Abercrombie then rose on a point of personal privilege and remarked as follows:

"Mr. President, I would like to put to rest any rumors that I've asked for courtesy resignations from all the administrators at the University."

Senator Chong, on behalf of the Senators from the 6th Senatorial District, introduced Mrs. Jean Minton, a resident of Waikiki, a selfless public servant and a force in condominium reform laws.

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

"Mr. President, as the newest member of this august Body, from the neighbor island, I'd just like to state to my colleagues that it's a pleasure and an honor for me to sit as a member of this Body. I would like to commend and congratulate the President and the new leadership of this Body and certainly congratulate the passing leadership for the job that it has done in years past.

"I would like to speak to Senator Wadsworth Yee of the minority that I will do the best I can to take Dickie's (former Senator Henderson) place in trying to mete out responsible legislation as a member of this Body. I hope that in the future we can become a great deal more solidified and that we can indeed, as Alu Like indicates, work together. Mahalo!"

Senator Anderson then rose on a point of personal privilege and stated as follows:

"Mr. President, today is the second day of the session and thus far the committee structures which we have normally done 30 days ago has not yet been formulated. The minority for one group anyway has no idea as to the numbers of committees, the numbers of senators sitting on the various committees. We've had no communication whatsoever from your office of the majority and yet we find a committee called the Economic Development, Energy and Natural Resources having public hearings. I cannot find it in the temporary Rules of the Senate we're operating under and I don't begrudge the chairman of that committee because he has been known to be one of the hardest working and the most dedicated but it's just somewhat awkward for a committee to start calling hearings before it's recognized in the rules, before members have been assigned to it.

"The minority, anyway, has not had any word from the President's office as to the dollar allotments per staff. We walk the halls and we find all kinds of people in some majority members' office working or appearing to be working. We have no idea and have no information yet how many dollars are being allocated to the various Senate offices for staff. We have heard nothing thus far on introduction of bills.

"Facing the Constitutional amendment with the 19-day cut off we have already lost yesterday and today and we'll probably lose Monday because of the Governor's speech. That means it'll be crammed into the 17 or 16 days which means an awful lot of short form bills will obviously be put on.

"Thus far, we have had, as far as the minority leadership, no meetings with the majority leadership, as we have done in the past, to discuss timetables, policies, programs, the whole scam of things.

"We can appreciate the difficulties that the majority has had but we really don't believe that it's fair to have part of the machinery cranked up, part of the people to be brought on the payroll, part of the committees to get moving. It's not defined in the new politics described by your speech yesterday. We would like very much to meet with your office or the majority leadership today. We would ask that the caucus get together and solve some of the problems. It's only a 60-day session but enough is enough."

The President in response to Senator Anderson stated that he would like to "ask you and the minority leader to meet with me this afternoon at 3: 00 o'clock."

Senator Cobb then stated:

"In partial response to the remarks of the senior Senator from the Third Senatorial District, I'd like to point out that the Constitutional amendment specifies that the bill cut off date will not be earlier than the 19th day but must proceed sometime after the 19th day. So rather than cramming all the bills into 14 or 17 days, as was previously illustrated, that would be the minimum period allowed. The maximum period could go up any time to the 40th day, as much as the recess would be mandated by the recently passed Constitutional amendment."

ADJOURNMENT

At 11: 49 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Friday, January 19, 1979.

THIRD DAY

Friday, January 19, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Smith of the Waialae Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie and Saiki who were excused.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the President was authorized to approve the Journal of the Senate.

The President announced that he had read and approved the Journals of the First and Second Days.

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

Senator Yee introduced a group of sixty-five students from the sixth grade at Royal School, with their teachers, Mrs. Linda Axthelm, Mrs. Goo and Mrs. Carole Sodehani.

Senator Cobb introduced Miss Terrie Sanler, a Hawaii resident,

who will be returning to Mills College in California this weekend.

SENATE RESOLUTION

A resolution (S.R. No. 1), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING FRANK S. NAKAMOTO OF PEARL CITY FOR SERVING AS THE FIRST UMPIRE FROM HAWAII AT THE 1978 WESTERN REGIONAL LITTLE LEAGUE BASEBALL TOURNAMENT", was jointly offered by Senators Kuroda, Mizuguchi, Cayetano, Young, Takitani, Yamasaki, Carpenter, Campbell, Chong, Hara, Toyofuku, Wong, Abercrombie, Cobb, Carroll, Ajifu, Yim, George and Ushijima, and was read by the Temporary Clerk.

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

The President announced that the dress code for Fridays for the Senators will be aloha shirts and muumuus, if they so desire.

ADJOURNMENT

At 11:37 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 10:15 o'clock a.m., Monday, January 22, 1979.

FOURTH DAY

Monday, January 22, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 10:15 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Major Kenneth Gibson, Salvation Army Divisional Headquarters, after which the Roll was called showing all Senators present, with the exception of Senator Carroll, who was excused.

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

At 10:20 o'clock a.m., 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

JOINT SESSION

The Joint Session of the Senate and the House of Representatives was called to order at 10:42 o'clock a.m., by the Honorable James Wakatsuki, Speaker of the House of Representatives.

At this time, the Speaker introduced the following to the members of the Joint Session: the First Lady of Hawaii, Mrs. Jean Ariyoshi, Lt. Governor Jean King, and Mr. Morris MacGregor, member of the Parliament of the Province of Manitoba, Canada.

The Speaker then appointed the Committee from the Senate, composed of Senators Kawasaki, Kuroda, Mizuguchi and Yee, and the Committee from the House, composed of Representatives Kihano, Peters, K. Yamada and Kamalii, to escort the Honorable George R. Ariyoshi, Governor of the State of Hawaii, to the dais.

Representative Stanley then presented Governor Ariyoshi with a lei on behalf of the Senate and the House of Representatives.

The Speaker presented the Governor of the State of Hawaii, the Honorable George R. Ariyoshi.

Governor Ariyoshi addressed the Joint Session as follows:

"Mr. Speaker, Mr. President, Mr. Chief Justice, Madam Lieutenant Governor, members of the Tenth State Legislature, my fellow Hawaiians:

"It is an honor to be here today, in these chambers, and before you and so many of our citizens, to share my thoughts on the 'state of our State' in this new year

of nineteen hundred and seventy-nine.

"This is a symbolic gathering, and one which reminds us all of the true nature of the system by which, as a community, we govern ourselves. It affords me, as chief executive, the opportunity to bring my concerns and my hopes and my dreams for our State before those of you who have assumed the legislative responsibility, and to do so in the presence of our judicial leaders and the people of Hawaii, whom we all represent.

"It is in this way that we acknowledge publicly, once again, the responsibility we all share for governing, the role each of us plays in the balanced relationships of our democratic process, and the fact that we are, in the final analysis, all answerable to the people whom we serve.

"The year of 1979 is a particularly meaningful one for these reflections, for here in Hawaii it is during these months that we will record our 20th year of Statehood. On August 18, 1979, we will observe that day 20 years before when President Dwight D. Eisenhower signed the bill making Hawaii the 50th state in the Union. And I was informed the other day that there are some who serve in the legislature today who were only 4 or 5 years old at the time that Hawaii became a state 20 years ago.

"While we are the newest State in terms of membership in the Union, we have embraced for many decades, and continue to embrace, the most cherished verities and aspirations of mankind. We are young, but inherently mature.

"Hawaii has stood for many years as a beacon of light in a world darkened by bigotry. Not a perfect beacon, to be sure, but one which shines more clearly than in any other place on earth. That light represents what the entire world must increasingly come to know, and to understand, and to practice. It is the light that makes all people not only equal before their Creator, but also equal before the law. It is a light that illuminates every aspect of our lives, and offers an insight into who we are, what we are, and where we are going.

"Sometimes, this beacon has not been seen clearly by a world preoccupied by its prejudices and its problems, but it is a light I am convinced that will be seen increasingly in the years to come, for it is the light of truth and of justice and of opportunity.

"So it is with a sense of abiding promise, that we look back to that momentous

day 20 years ago when Hawaii became a State, and it is with wonderment and some disbelief that we contemplate what has happened since.

"Let us reflect for a moment on how it was then, and how it is now.

"In 1959, Hawaii was home for 622,000 persons; today more than 900,000 reside here.

"In 1959, 243,000 visitors came here; in 1979 about 4 million will do so.

"Twenty years ago, 135,000 children attended our public schools; today 170,000 do. We spent \$26 million then; today we spend \$221 million.

"In 1959, the University of Hawaii had 7,700 students at Manoa and Hilo; today 43,000 students attend classes at 10 campuses throughout our islands. The budget was \$4.5 million; today it is \$109 million.

"Twenty years ago, 217,000 motor vehicles moved upon 3,100 miles of roadways; now there are 580,000 on 3,800 miles of streets and highways.

"In 1959, 696,000 persons moved annually among the islands by air; today 7.4 million do so.

"In 1959, we had no county charters, no containerization, little urban sprawl, no buildings higher than 14 stories, no Kaanapali or Princeville, or Wailea, no Hawaii 5-O, little concern for our water supply, no satellite television, and no jumbo jets. Today we have them all.

"Some of these changes we acknowledge as having been good for our islands and our people; some of them we may not feel so positive about. But good or bad, they exist today, either to enrich our lives or to challenge our capabilities as we move into the new year 1979, and approach the remaining years of the twentieth century.

"Perhaps one of the most significant changes during this twenty-year period has been the growth in government--in the dollars it spends and in the services it provides.

"Twenty years ago federal expenditures in Hawaii were \$447 million; today they are \$2.4 billion.

"In 1959, the territorial government spent \$140 million; today the State government spends \$1.5 billion, a ten-fold increase. Even allowing for the effects of inflation, that increase is astounding, significant and revealing.

"Growth in government spending has, in large measure, been the result of

our rapidly increasing population and its needs for the basic government services in the areas of health, education, transportation and welfare. But this growth has also been the result of the increasing demands of our citizens for new and different kinds of government services--services either not available or not even thought of in 1959.

"Governmental involvement in the arts, in environmental protection, in consumer protection, in alternate energy research, in school security, in the promotion of aquaculture and sea mining and in numerous other kinds of activities has taken on new or expanded importance in the past 20 years.

"Much of this growth of government has occurred because it has responded to the demands of our citizens for specific kinds of services.

"It is my conviction that we in Hawaii have reached that stage in our development where government no longer can continue to undertake all of the new or expanded activities people demand at the rate we have in recent years.

"This is not to say that we will forfeit our role as innovators of social legislation, and certainly this is not to say that we will allow our needy to go uncared for. But it is to say that government cannot do it all, and should not attempt to do it all.

"There is a limit to the burdens our taxpayers can--or should--carry. Each program initiated by government must be weighed not only in terms of the benefits it will provide but also against the additional burden which it places on those who support government.

"Today, therefore, I am asking each one of you--whether you are a legislator or a private citizen--to help us in establishing priorities for the common good.

"Government plays a dominant role in the lives of our people, and there can be no retreat from that. But we must determine what is essential and what is not; and what government should do, and what it should not.

"Prudence and selectivity surely reflects the desires of our citizens, for most recently they adopted two amendments to our Constitution which bear this out.

"The first of these quite simply requires that limits be placed on state spending both from current tax resources

and from borrowings. And the second mandates that grants of state funds to private organizations shall be made only in consonance with certain standards which assure that a truly public purpose is being met.

"How then shall we proceed as we enter this new year? To what issues should we direct our attention if a full life is to be made possible for all of our citizens?

"I believe these issues center primarily on the provision of a safe and secure community, the encouragement of the right kind of economic growth, the availability of high quality health care services, the rendering of assistance to those distressed, the provision of the finest educational opportunities for all our citizens, the thoughtful and careful planning for our future development, and the expansion of the role Hawaii has played as America's bridge to Asia and the Pacific.

"Let me address each of these briefly.

"One of our highest priorities for government action now clearly must be to make our community safe and secure.

"There is an astounding and disheartening increase in crime in Hawaii as it affects the day-to-day lives of our people.

"I am referring specifically to the alarming increase of murder, assault, robbery, burglary, larceny, auto theft, and similar street crimes in these islands.

"The worsening statistics on all crime lead me to the distressing conclusion that unless we move quickly and forcefully, Hawaii may well become, as many other areas of our country have become, a place where merchants and homeowners can find security only behind barricaded doors and windows.

"This is not the Hawaii that any of us want, and I feel very strongly that this is not the Hawaii any of us should be forced to accept. But if we are not to have a lawless Hawaii, if we are not to submit to the criminal element that would destroy us and everything that has been built with such effort and dedication, and sacrifice, then we must act immediately, and with dispatch, and with focus.

"It does little good to decry the state of affairs in words only, when those affairs continue to grow worse.

"It does little good to recognize the problems without moving to solve them.

"It does little good, and is of little comfort, to the victims of crime in our communities to say that we are sorry.

"All of us are sorry, to be sure. All

of us want something to be done. But what?

"I do not, quite obviously, have all the answers, because this evil growing within our society is a malignancy that is also afflicting much of our world. But there is something we must do about it--to restrain and contain this cancer.

"I have emphasized many times that law enforcement is and should remain a primary responsibility of our County governments. However, I am equally convinced that the State government must do whatever it can to assist those governments and the Federal government as well to address the growing problem and find effective courses of action.

"I will therefore be asking your support for an appropriation to continue the operation of the career criminal program for which the state provided funds last year to the respective county prosecutors.

"As you know, this program concentrates on identifying, prosecuting, convicting and incarcerating those who make a career of crime.

"In addition, we have included funds in the proposed budget to continue the work of the Crime Commission.

"Beyond that, however, and because of the events of the past few weeks, I will be convening soon a meeting of the top level state and county leaders who have a responsibility for the criminal justice system in Hawaii. The Chief Justice, the Mayors, the Chiefs of Police, Prosecutors, selected legislators, and the Chairman of the Crime Commission will be asked to meet with me and the Attorney General of the State to discuss the nature and extent of the problem we are facing and to consider what actions can and should be taken on a concerted basis to begin to effectively cope with it.

"I would expect that such a meeting could produce, at the very least, a common understanding of the problem, an agreement on a set of overall objectives, and a start on developing an action program. Moreover, I would want it to be the forerunner of subsequent meetings which the counties might undertake under State auspices and with the participation of federal law enforcement agencies, to assist one another in combatting this growing menace of crime in our streets. The State Government would serve as the catalyst for this effort to deal more effectively with what is becoming,

in my opinion, the single most pressing problem facing our communities.

"This meeting will not provide all the answers, but at least it will be a start. If initial approaches do not achieve needed results, then we will take other measures.

"I assure you here today that we in state government are not going to stand on the sidelines while our citizens are victimized by crime, are afraid to walk on the streets at night, are fearful for their lives and their property in their homes, and are held at gunpoint at their places of work.

"When I announced the career criminal program, I said that we were declaring war on crime in this State. That state of war against crime continues and will be intensified in the months ahead.

"I am hopeful that the cooperation which is so essential between the State and the Counties if we are to launch a successful fight against crime will also become the standard for our efforts in many other areas.

"Two months ago, I called for 'Project Aloha' to be the guiding principle in State-County relations. I asked all facets of government, whatever the differences in style or philosophy, to work together for the common good. The citizens of this State deserve nothing less, and should settle for nothing less.

"I have instructed each department in State Government to carry Project Aloha forward.

"Obviously, we cannot expect my Administration and the County Administrations to agree on everything. That would be both unrealistic and unhealthy, since there would not be the appropriate give and take which is so necessary to arrive at worthwhile conclusions.

"But I do want a greater spirit of cooperation between governmental entities in this State as they go about the work of the people. Not to do so would be to fail the obligation every elected and appointed official has to our citizens.

"There is also, a great need for us to continue our efforts to improve the economic climate in Hawaii, to the end that our dependence on the importation of the basic necessities of life is reduced and more jobs are created for our young people ready to enter the work force.

"During the last four years, in both word and deed, my administration has stressed the importance of expanding our agricultural base and of developing the huge long-term potential which an aquaculture industry promises. We will continue this

effort in the next four years.

"In the past, I have been called a dreamer for advancing the view that Hawaii can do much better in agricultural self-sufficiency than it has done, and that we can do much better in producing export commodities in addition to our traditional crops of sugar and pineapple.

"A dreamer I may be, but that dream is starting to become a reality.

"In furtherance of our objectives, we will be asking your support for funds and personnel to provide loans to deserving agricultural enterprises, for the development of water resources, for assuring the quality and marketability of our agricultural products, and for the increased development of agricultural parks throughout our islands.

"We are proposing also the establishment of a permanent staff to help develop the aquaculture industry in Hawaii. We will request from you that the Department of Land and Natural Resources be designated the lead agency in this significant effort. In the years to come, I am convinced that aquaculture will be one of our great economic assets, but we need to move now if we are to assure this.

"Local manufacturing, which includes the garment industry, plays an important role in our drive towards a greater measure of self-sufficiency. We have had several successful joint promotions aimed at expanding the 'made in Hawaii' businesses and we will continue these efforts.

"Also, we intend to direct our skills to assessing and planning for the utilization of the Leeward Hawaiian Islands for their rich potential in both commercial and recreational fishing. The agreement we have entered into with the Navy to permit the docking of a mothership at Midway in support of our fishing fleet is a major step toward this.

"Self-sufficiency in energy is also of vital importance to this State.

"Through the aggressive efforts of the State, and through our investments in research and development, along with the cooperation of the Federal and county governments and private industry, we are creating a structure that will make Hawaii the first self-sufficient State in the nation in the generation of electrical power through use of renewable energy sources.

"We will make the Big Island the

first to achieve this through the combined utilization of the burning of bagasse, geothermal energy, and ocean thermal energy. We will follow with the other islands thereafter.

"Recent price increases by the OPEC nations further impress upon me the urgency of this matter, if we are to assure the people of our state an uninterrupted and reasonably priced flow of energy for their homes and schools and businesses.

"We will ask your continued support in this effort by providing permanent staffing and additional basic funding for the State's energy research and development efforts. In addition, we will mount a major program with both state and federal matching funds to identify public buildings which have the potential for greater energy efficiency and to modify their structures and systems to reduce energy consumption.

"There are three major capital improvement projects in Honolulu for which we will seek your continued support and which I believe will substantially improve the economic viability of Hawaii for outside investment, and at the same time immeasurably add to the physical attractiveness of the city.

"First, is our intention to move forward as quickly as possible on the planning for development of the Kakaako area. Basic data gathering and developmental planning are already underway and we are gratified that, after far too long a delay, this important 'heart' of Honolulu, with its tremendous potential will be put to its maximum beneficial use in the foreseeable future.

"Some have asked: Why is the State and not the City moving on Kakaako? The answer to that is that a project of this magnitude and importance to the future of our State cannot continue to be a victim of past neglect and procrastination.

"Second, our foreign trade zone has expanded its program and met its objectives so successfully that we are requesting funds for its relocation to a site where physical constraints will not hamper its further development.

"And, third, it is our intent to pursue the development of the first increment of a World Trade Center at the Aloha Tower Complex which eventually will encompass piers 8 through 11.

"With your concurrence, Increment I will be developed at a cost of \$8.5 million in fiscal year 1980. In the years ahead, we hope to see a center in this downtown area with walkways, parks, and open space, international shops, offices for international trade and financial enterprises, restaurants and perhaps a hotel, all mostly

accomplished through the investment of private funds. I hope you will agree with this concept for the effective utilization of our most valuable waterfront property.

"At this time, an important need in the area of providing transportation facilities and services is in the provision of new or expanded interisland airport terminals.

"The increasing number of our own people, as well as our visitors who fly to the neighbor islands have put demands on these facilities beyond their optimum capabilities. We will therefore be asking for your support for additional funding for a new interisland terminal at Honolulu International Airport, a new terminal at Lihue on Kauai and major terminal expansion and improvements to the surrounding roadway and parking areas at Kahului on Maui.

"In addition, we are asking your support for two major highway projects which are needed to bring relief to our daily commuters--increasing the capacity of the transportation corridor on Kalanianaʻole Highway between Aina Koa and Lunalilo Home Road and the widening of Fort Weaver Road from two to four lanes.

"The needs of all of our people, wherever they reside, for high quality, close-at-hand medical facilities and services have been, and continue to be, a major concern for this Administration. We are acutely aware of some of the more recent problems in our Neighbor Island hospitals--problems which relate not only to adequate staffing levels, but also to effective recruitment, in-service training, scheduling, modern facilities, supplies and equipment, and general management proficiency.

"I am prepared therefore to ask for your support during this session for a major upgrading in the quality and accessibility of medical services for the people of this State.

"In each of our state/county hospitals we intend to provide basic staffing in the critical care units, such as intensive care, coronary care, emergency, and surgery regardless of the daily patient count of the hospital as a whole. This will permit care to be rendered immediately, under any circumstance, and will allow the development of the highest possible level of skilled services. To accomplish this goal and to also provide additional ancillary support for the hospitals, we are seeking your approval for an additional 186.5 positions for the fiscal biennium at a cost of approximately \$4 million.

"In addition, planning is underway for the construction of a new hospital to serve the Hilo area on the island of Hawaii and we are seeking the first increment of construction funds--\$15 million--for fiscal year 1980. Funding in excess of \$800,000 is being requested to provide physical and occupational therapy services for handicapped youngsters throughout our State.

"And finally we are asking for your approval to begin implementing the Emergency Medical Services Program--a program which will provide skilled, close-at-hand emergency medical attention and transportation in all areas of our state.

"We are also considering a number of alternatives for upgrading the management proficiency of our hospital staffs. We recently had a hospital management firm review the program at Maui Memorial Hospital. I have directed that their report be released and that we be guided by their comments and recommendations, and I want to say here to you that some of you are going to come screaming to me, but we are going to take the position that we're going to let the chips fall where they may.

"These are some of the problems and the plans we have in the area of health. I would like to recall, too, for a moment, some of our considerable achievements as I view them.

"--At Waimano Home, we have upgraded the facility, attained certification for the first time and are now receiving substantially increased Federal funding.

"--Numerous improvements have been made at the State Hospital at Kaneohe, resulting in more secure facilities for the criminally insane, more comfort and better treatment for all patients, and continuing certification from the Federal Government.

"--We have established new health centers throughout our Islands.

"--And we have successfully pioneered the movement of the aged, handicapped and the developmentally disabled from institutions into more home-like environments in our communities. This program gives me considerable satisfaction, for we are giving comfort and hope to those in our society most in need, but who can articulate their needs and aspirations only in a very weak voice.

"During the past few years, we have sought ways also to assure that help will be provided to those who need assistance to meet their basic human needs. With your concurrence, we have made that possible. The children, the elderly, the immigrant, the family, the blind, the disabled--all have received the medical and monetary assistance essential to their well-being. Surely there is no nobler goal we can set for ourselves than

the assurance that our fellow man is cared for.

"At the same time, we have been determined to weed out those who have taken advantage of these general assistance programs without reasonable or justifiable need. I am happy to report to you that in this endeavor we have had considerable success.

"Through our intensified efforts to uncover and eliminate fraud in the welfare system, we have referred 191 cases for prosecution in the last fiscal year. That represents a cost, had it gone undetected, of \$411,000 per year.

"These dollar savings to our people, significant as they are, may be only the tip of the iceberg. Impossible to calculate, but certainly significant in continuing volume, is the deterring effect these actions have on those who would consider perpetrating fraud in the future.

"Also, through our equally intensified efforts to obtain support for dependent children from parents capable of their support, we collected over \$1.5 million in fiscal year 1978.

"And as a result of your passage last year of Act 103, which alters general assistance eligibility requirements for single, able-bodied adults, we have had a decrease of 875 cases from the previous high--an approximate 15% reduction for a savings of nearly \$1 million in the first six months of experience. I might add here that this was the projected savings for the entire year. In addition, we have noted a 50% decrease in the number of new applications.

"We intend to continue this drive for two reasons: first, to save taxpayers dollars; and second, and more importantly, to safeguard the rights and dignity of those who have legitimate needs, and who do not deserve the public criticism which stems from the abuses of the undeserving.

"We ask for your continued support of our requests for resources as we press further on this front.

"One of the most encouraging accomplishments of the recent past, I believe, has been in the improvement in our educational system.

"In our lower education program, the clear direction given to first developing the basic educational skills in our children is reassuring; and in higher education, its availability throughout

our state is a source of great potential for the future.

"Perhaps less well-known to some, however, has been the movement to provide appropriate educational experiences to the handicapped children in our community--the physically, mentally and emotionally handicapped. In the past few years, we have increased our efforts to the extent that over 800 special education teachers and paraprofessionals and \$11 million are now utilized annually in this important endeavor.

"We intend, with your support, to continue the task of identifying children with special needs, and providing them every possible opportunity to improve their knowledge and their skills. We are thus requesting an additional 248 personnel--special education teachers, educational assistants, and speech and hearing teachers--at a cost of \$5.7 million over the biennium for this purpose. In addition, we are seeking an additional 34 personnel and almost \$1 million for the diagnostic skills necessary to properly serve these children.

"Not to be forgotten, also, is that we are seeking additional funds for the gifted and the talented children in our schools, and for those for whom English is not the primary language. Additional resources are also being sought for the opening of several new schools and public libraries.

"Central to all of this, of course, is our continuing emphasis on the basics of education. The three R's continue to be the foundation of our educational system, and it is from these that all else flows.

"In the field of higher education, the University of Hawaii continues to play an essential role in educating those citizens who will build and live in our preferred future.

"Because of the wide range of educational opportunities provided in our University system, young men and women are taking their places in society as productive and contributing members, in fields of health care, in tourism at all levels, in business and in the trades, in the law, in medicine, more and more in the new opportunities available in diversified agriculture and aquaculture, and in the arts and sciences.

"Significantly, our University scientists and scholars are cooperating productively with State departments and the private sector in the development of alternate sources of energy, diversified agriculture and aquaculture. In addition, University research activities constitute a substantial base for a think industry with opportunities for further growth.

"We have done well in upgrading the

basic educational facilities of this State, and if we are to continue in this, it is necessary that the Board of Education and the Board of Regents communicate their priorities to the Executive and to the Legislative branches.

"These two departments occupy very special relationships in our government, and, because of this, they must assume the responsibilities of leadership and of establishing reasonable and achievable goals.

"With our educational system the best assurance of a good future for our Island society, I know that I can count on your continued support.

"Also high in the Administration's priorities is the implementation of our new State Plan and its accompanying planning documents and activities. Our economy can flourish and our citizens can enjoy a meaningful life, when, as a community of diverse interests and concerns, we come together and agree to seek selected goals, to establish certain priorities, and to maintain known standards of excellence.

"Our State Plan process, which you adopted last year, provides this foundation. We will be seeking your continuing advice, assistance and action in the days ahead as you consider the priority directions and functional plans in Agriculture, Housing, Tourism and Transportation.

"The State Plan is the mechanism by which we will direct the future growth of Hawaii along paths which will ensure its beauty and viability for all time.

"There are those who will be critical of our efforts to achieve a preferred future, just as there always will be critics of whatever program is attempted.

"But let there be no misunderstanding of our motives.

"Our State Plan does not pit one group against another. It is not 'for' one segment of our society, and 'against' another segment. It is a plan for everyone, and it is a plan to make us all masters of our destiny.

"Without question, it is a plan for today, but especially it is a plan for tomorrow. While those of us who are adults now will benefit from it, the true and the real beneficiaries will be our children and the generations yet to follow.

"What can we say to our children, and to their children, if we fail to

act now? What will we be able to say to them if we have excessive population, overcrowding, overbuilding, and overdevelopment, resulting in the loss of our precious open spaces, our parks and our agricultural lands? If we permit our society to be overpopulated and overburdened, what will happen to our water resources? To our energy needs?

"Where will our children turn if they lack the right jobs in the right places?

"What then will happen to the Aloha Spirit, which perhaps is our most precious commodity?

"The answers to these questions are not easy nor are they easy to contemplate.

"To be sure, the tasks are not easy.

"Without question, the decisions are difficult.

"These decisions require vision, but especially they require the courage and the boldness to carry them through.

"There are many other areas of importance, too, for which we seek your support-- the development and staffing of our parks, the operation of Iolani Palace, the continuation of our school security aide program, the establishment of an affirmative action-civil rights program, increased staffing and facilities for our correctional system, the coastal zone management program, our very successful Hawaiian Homes programs, public housing projects, culture and the arts, the physical rehabilitation of Kahoolawe, and other necessary conservation efforts.

"My staff and I are prepared to discuss these projects with you in detail as you continue your deliberations over the next few months.

"And now, for a moment, I would like to discuss the Constitutional Convention, which was one of our most significant happenings in the past decade.

"Those of us in the legislative and executive branches of government face an important-- and almost sacred--task in implementing the intent of the recent changes to our State Constitution.

"Some of these changes must be implemented with enabling legislation.

"I am sure I do not need to remind this body that what you do in this regard will have an incalculable impact on our future. Without question, you are dealing with extremely serious and important matters-- matters that in some cases possibly may call for more time to resolve than this session of the Legislature affords you.

"You should not tarry in implementing the will of the people, but yet you should not, at the same time, be rushed into actions and judgments on issues that may require extensive scrutiny.

"If, in your judgment, statutory implementation on certain matters should be delayed in favor of a joint executive-legislative effort between sessions, I offer my pledge of whatever staff and time is necessary to accomplish this objective.

As I observed at the outset, 1979 is a milestone year for us in Hawaii-- a year in which we celebrate 20 years of statehood. I hope you will agree that it would be fitting and beneficial for all of us if, in the month of August, we undertook some special observance of this occasion.

"It should afford us the opportunity to assess where we began twenty years ago, what we have accomplished, and where we hope to go in the years which lie ahead. Accordingly, I will send to you a proposal for establishment of a 20th Anniversary Hawaii Statehood Celebration Committee and a request for a modest sum of money to plan an appropriate anniversary program.

"Today, Hawaii stands on the threshold of realizing its destiny as a cultural and economic link to Asia and the Pacific.

"Our emphasis on attracting multinational business headquarters to Hawaii; the continuing economic successes of our many Asian and Pacific nations, and the normalization of relations between our country and the People's Republic of China, all provide exciting opportunities for our Islands.

"Already, we have established contact with the People's Republic of China, and the director of the State's Department of Planning and Economic Development will make a trip to China in June.

"My membership on the National Governors' Association Committee on International Trade and Foreign Relations reflects our State's advantageous position in the field of foreign economics and trade.

"Truly, we only have begun to realize our potential and I want us to put increasing emphasis on this subject-- both from business and cultural standpoints-- in the years ahead.

"In concluding this message to you regarding the state of our State, I want you to know how much we appreciate

the understanding and support which so many of you have given us in the past four years. Truly, without it, our accomplishments and our service to our citizens would have been diminished. We are looking forward to your continued advice and counsel in the days ahead.

"Together, we have been able to hold the line on taxes in the face of rising costs due to inflation and greater demand for services.

"Together, in past years, we have cooperated in planning for our future, an essential exercise, if, indeed, we are to achieve the preferred future we all want, and so earnestly seek.

"Now is the time for action. Now is the time for us to implement our plans. Now is the time for us to start realizing our plans and to start realizing our potential.

"For those of you for whom this is your first legislative experience, let me wish you well in your efforts to serve the people who have put their trust in you. At times it will not be easy, but rest assured we all need the new perspective and the new enthusiasm which you bring to your job, just as we need the experience and knowledge which already resides here. We stand ready to give you whatever assistance you may find helpful.

"For it is for all of us together, the experienced and the inexperienced, the older and the young, the executive, and the legislative and the judiciary, the directors and the staffs, to bring to this State and to her people the very best that we have to offer, knowing that at times we will disagree, but knowing also, just as surely,

that once a decision is made we will lay down our arguments and move ahead on the course which has been set for us.

"That is our democratic process. That is what our system is all about, and that is how we in Hawaii have dealt with our problems in the past and will deal with the issues in the future.

"Aloha and Mahalo."

Senate President Wong then rose and stated:

"I think, Governor, we here in the Tenth Legislature offer our cooperation in the days ahead. You have outlined the administration's programs and objectives for the coming session and I can assure you, Governor, that we will give them every consideration and we will be looking forward in the forthcoming days for specific legislation to implement the programs as outlined in your speech.

"There being no objection, I declare this joint session is hereby adjourned."

At 11:31 o'clock a.m., the President declared the Joint Session adjourned.

The Senate reconvened at 11:40 o'clock a.m.

ADJOURNMENT

At 11:41 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, January 23, 1979.

FIFTH DAY

Tuesday, January 23, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Marvin Bice of the Central Baptist Church, after which the Roll was called showing all Senators present with the exception of Senators Ushijima and Yee who were excused.

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 2 to 5) were read by the Temporary Clerk and were disposed of as follows:

A resolution (S.R. No. 2), entitled: "SENATE RESOLUTION EXTENDING A WARM WELCOME AND ALOHA TO THE WORLD MARICULTURE SOCIETY ON THE OCCASION OF ITS TENTH ANNUAL CONVENTION", was jointly offered by Senators Yim, Carpenter, Chong, Toyofuku, Kawasaki, Campbell, Takitani, Cayetano, George, Ajifu, Cobb, Saiki, Mizuguchi, Yamasaki, Young, O'Connor, Soares, Anderson, Wong, Yee, Carroll, Abercrombie, Ushijima, Kuroda and Hara.

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.R. No. 2 was adopted.

Senator Yim yielded the floor to Senator Carpenter who thereupon introduced the President of the World Mariculture Society, Mr. John Glude. Senator Carpenter escorted Mr. Glude to the rostrum where he was presented with a certified copy of the resolution. Mr. Glude then addressed the members of the Senate as follows:

"Thank you, Mr. President. Thank you for the opportunity to come before your Body and to express the appreciation of the World Mariculture Society for the kindness of the State of Hawaii.

"A grant to the Society has made it possible for us to bring some noted aquaculture experts from various parts of the world to participate in this meeting and to give us the benefit of their knowledge concerning the culture of fish or shellfish in foreign countries.

"We have a membership of 1,000 and we have in Hawaii, an attendance of over 500 from more than 20 countries. We expect to continue our discussions during the week with over 160 scientific papers concerning aquaculture.

"I count it a pleasure to meet in Hawaii because of the significant advances that have been made in aquaculture in this State. Hawaii, as I know from experience, is a leading State in aquaculture, and this is because of the interest that you have shown at the State level and at the legislative level in providing funds, enthusiasm and encouragement in the growing of fish or shellfish in your State.

"I appreciate your efforts and I applaud you for it. I hope that you will be able to continue this because Hawaii truly can be a garden state in aquaculture as it is in agriculture.

"Thank you very much."

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

The Senate reconvened at 11:17 o'clock a.m.

A resolution (S.R. No. 3), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST SYMPATHY TO THE FAMILY OF EARL PACHECO", was jointly offered by Senators Ushijima, Hara, Carpenter, Chong, Mizuguchi, Kuroda, Cobb, Takitani, Yamasaki, Abercrombie, Campbell and Toyofuku.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 3 was adopted.

A resolution (S.R. No. 4), providing for the election of officers of the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, was offered by Senator Mizuguchi.

By unanimous consent, action on S.R. No. 4 was deferred until Wednesday, January 24, 1979.

A resolution (S.R. No. 5), advising the Honorable George R. Ariyoshi, Governor of the State of Hawaii, and the House of Representatives that the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, is organized and ready to transact business, was offered by Senator Mizuguchi.

By unanimous consent, action on S.R. No. 5 was deferred until Wednesday, January 24, 1979.

At this time, Senator Carpenter introduced to the members of the Senate Dr. and Mrs. David Woo.

The President stated as follows:

"Pursuant to the powers of the President under the Temporary Rules of the Senate, I am appointing two special committees--one on Agriculture and one on Tourism. These special committees are authorized to begin committee work and hearings and, upon adoption of the permanent Rules of the Senate, will become Senate standing committees.

"In addition, I am redesignating the Consumer Protection Committee as the Consumer Protection and Commerce Committee, the scope of responsibility of which will be specified in the permanent Rules."

"Other realignments of committee responsibilities will also be specified in the permanent Rules. The permanent Rules are now being put into final form and should be ready for adoption shortly."

At 11:20 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.

Senator Campbell then introduced to the members of the Senate a group of students from the fifth grade at Maemae School, with their teachers, Mrs. Mugiishi and Miss Moriyama.

At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of the time scheduled for a Public Hearing from 9:00 o'clock a.m., Wednesday, January 24, 1979, to 8:30 o'clock a.m., Wednesday, January 24, 1979, and the President granted the waiver.

ADJOURNMENT

At 11:24 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 24, 1979.

SIXTH DAY

Wednesday, January 24, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Paul Peachey, Metropolitan Community Church, after which the Roll was called showing all Senators present.

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

Senator Yee then introduced to the members of the Senate 37 students from the second and third grades of Royal School, accompanied by their teachers Mrs. Okamura and Mrs. Cornell.

Senator Campbell introduced to the members of the Senate a group of students from Maemae School, accompanied by their teacher Mrs. Akutagawa.

Senator Kawasaki then introduced former Senator Robert Taira, who was sitting in the gallery, to the members of the Senate.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 1 to 22) were read by the Temporary Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 1), transmitting a report prepared by the Commission on Population and the Hawaiian Future in response to House Concurrent Resolution No. 127 (1978), which requested migration data from an entry/exit census, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 2), transmitting a report prepared by the Department of Health in response to House Resolution No. 414 (1978), which requested the Department of Health in consultation with the State Retirement System to conduct a feasibility study concerning the State hiring of retirees from the patient labor force to work at Kalaupapa Settlement without having the retirees relinquish their pensions or other benefits, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 3), transmitting copies of the following reports prepared by the University of Hawaii:

1. In response to Senate Resolution No. 6 (1978), which requested the University of Hawaii to institute an exchange program for students and faculty in aquaculture to foster the development

of the aquaculture industry in Hawaii, was referred to the Committee on Economic Development;

2. In response to House Resolution No. 75 (1978), which requested the University of Hawaii College of Education to study whether special education courses should be made a requirement in the Bachelor of Education degree granting program, was referred to the Committee on Higher Education;

3. In response to Senate Resolution No. 337, S.D. 1 (1978), which requested data relating to actions required by public agencies and private industry to enhance Hawaii's potential role in the manganese nodule industry, was referred to the Committee on Economic Development;

4. In response to House Concurrent Resolution No. 87, H.D. 1 (1978), and House Resolution No. 435, H.D. 1, (1978), which requested a report expressing the support of the Hawaii State Legislature for development of a fair, firm, workable, and clear articulation policy for the University of Hawaii system, was referred to the Committee on Higher Education;

5. In response to House Resolution No. 258, H.D. 1 (1978), which requested the University of Hawaii College of Education to conduct a feasibility study concerning the inclusion of a health education course or program as a mandatory requirement in the elementary and secondary teacher preparation program, was referred to the Committee on Higher Education;

6. In response to House Resolution 273, H.D. 2 (1978), which requested a feasibility study of computer-based education at the University of Hawaii, was referred to the Committee on Higher Education; and

7. In response to House Resolution 375, H.D. 1 (1978), which requested the inclusion of geriatric medicine in the curriculum of the John A. Burns School of Medicine of the University of Hawaii, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 4), transmitting the Semi-Annual Report prepared by the Marine Affairs Coordinator, pursuant to Act 149, SLH 1977, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 5), transmitting a report prepared by the Departments of Land

and Natural Resources and Transportation pursuant to Senate Resolution No. 267, S.D. 1 (1978) and House Resolution No. 405, H.D. 1 (1978), which requested a reconnaissance study on flooding in the Kapulena-Kukuihaele areas, Island of Hawaii, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 6), transmitting various reports prepared by the Department of Education in response to:

1. Senate Resolution No. 340, S.D. 1 (1978), which requested the establishment of an orthopedic unit to serve orthopedically handicapped and other health impaired children in the Kauai, Hawaii, Windward, Leeward, Maui, and Central School Districts, was referred jointly to the Committee on Education and the Committee on Health;

2. House Concurrent Resolution No. 44, H.D. 1 (1978), supporting the continuation of the "Follow Through" Program, was referred to the Committee on Education;

3. House Resolution No. 235, H.D. 1 (1978), seeking federal funds for the "Follow Through" Program, was referred to the Committee on Education;

4. House Resolution No. 236, H.D. 1 (1978), urging increased support for the Department of Education's Girls Athletic Program, was referred to the Committee on Education;

5. House Resolution No. 271, H.D. 2 (1978), to develop a pilot project on health counseling in public high schools, was referred to the Committee on Education;

6. House Resolution No. 514 (1978), which requested the Department of Education to establish uniform standards and procedures to identify gifted and talented students within the public schools and to provide programs for such students, was referred to the Committee on Education;

7. House Resolution No. 543, H.D. 2 (1978), which requested the Department of Education, in consultation with the University of Hawaii, to improve the delivery of nutrition education programs within the public schools of Hawaii, was referred to the Committee on Education; and

8. House Resolution No. 547 (1978), which requested the Department

of Education to develop and implement a comprehensive system for alternative education programs, were referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 7), transmitting the Annual Report of the Commissioner of Motor Vehicle Insurance, pursuant to Section 294-16, HRS, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 8), transmitting a report prepared by the Department of Taxation in response to Senate Resolution No. 332 (1978), which requested the Department of Taxation to review and amend its tax appeals procedure, was referred to Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 9), transmitting the Annual Report of the Department of Defense, for the Fiscal Year 1978, was referred to the Committee on Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 10), transmitting a report prepared by the Department of Planning and Economic Development, entitled: "Hawaii and the Other Pacific Islands", was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 11), transmitting the 1977 Annual Report of the Department of Social Services and Housing, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 12), transmitting the Multi-Year Program and Financial Plan and Executive Budget for the period 1979-80 to 1984-85, the Variance Report for 1977-78 and 1978-79, and the approved Program Structure for fiscal years 1979-80 and 1980-81, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 13), transmitting copies of the following reports prepared by the Department of Social Services and Housing:

1. In response to House Resolution No. 12, H.D. 1 (1978), which requested the establishment of a corrections crime prevention program, was referred to the Committee on Judiciary;

2. In response to House Resolution No. 156 (1978) and Senate Resolution No. 75 (1978), which requested an evaluation of the laws relating to

spouse abuse, was referred to the Committee on Judiciary; and

3. In response to House Resolution No. 325 (1978), which requested the Hawaii Housing Authority to report to the Legislature concerning security problems at Makua-Alii Housing, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 14), transmitting an annual report of activities of 1977-78, prepared by the Teacher Education Coordinating Committee pursuant to Section 304-20, HRS. was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 15), transmitting a report prepared by the Department of Personnel Services in response to Section 77-9, HRS, consisting of data and classes for which recruitment was conducted above the minimum pay rate as well as those for which shortage category was declared during the period November 1, 1977 to October 31, 1978, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 16), transmitting a report prepared by the Department of Land and Natural Resources pursuant to House Resolution 520, H.D. 1 (1978), which requested a study and a report of findings and recommendations concerning flooding problems in the Ewa Plains Area, Oahu, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 17), transmitting a report prepared by the Department of Health pursuant to Senate Resolution No. 66, S.D. 1 (1978), which requested that funds be obtained from the National Institute of Mental Health for use in preventive mental health programs in the State of Hawaii, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 18), transmitting a report prepared by the Public Utilities Commission pursuant to House Resolution No. 19, H.D. 2 (1978), which requested the Commission to study and implement regulation of tour bus routes, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 19), transmitting an annual report of activities of 1977-78, prepared by the Teacher Education Coordinating Committee pursuant to Section 304-20, HRS, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 20), transmitting the FY 1977 Annual Report prepared by the Department of Transportation, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 21), transmitting the Annual Financial Report of the State of Hawaii for the fiscal year ended June 30, 1978, prepared by the Comptroller, pursuant to Section 40-5, HRS, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 22), transmitting the 1978 Annual Report prepared by the Criminal Injuries Compensation Commission, pursuant to Chapter 351 of the Hawaii Revised Statutes, was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

At 11:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 2), transmitting House Concurrent Resolution No. 2, which was adopted by the House of Representatives on January 24, 1979, was read by the Temporary Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING DEEPEST SYMPATHY TO THE FAMILY OF RICHARD KAUHI", was adopted on a rising vote.

At 12:23 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.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 6 to 8) were read by the Temporary Clerk and were disposed of as follows:

A resolution (S.R. No. 6), entitled: "SENATE RESOLUTION REQUESTING THE PROCLAMATION OF JANUARY AS 'BLOOD DONOR MONTH'", was jointly offered by Senators Carpenter, Hara, Kawasaki, Yamasaki, Chong, Yee, Ushijima, Young, Ajifu, Cobb, Takitani, Campbell, Saiki and George.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.R. No. 6 was adopted.

Senator Carpenter then urged all members of the Senate to donate at least one pint of blood; that the Hawaii Bloodmobile Bank will be at the Capitol from 9:00 a.m. to 3:00 p.m., on Thursday, January 25, 1979; that donors should report to House Conference Room 328.

A resolution (S.R. No. 7), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE SEX ABUSE TREATMENT CENTER FOR ITS INVALUABLE AND INNOVATIVE PROGRAM OF PSYCHOLOGICAL, MEDICAL, LEGAL AND EDUCATIONAL SERVICES FOR THE PEOPLE OF HAWAII", was jointly offered by Senators Chong, Young, Carroll, Yee, Campbell, Wong, Carpenter, Toyofuku, Mizuguchi, Cobb and Cayetano.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 7 was adopted.

A resolution (S.R. No. 8), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO THE FAMILY OF THE LATE EUGENE MONTOTO JR.", was jointly offered by Senators Chong, Cobb, Mizuguchi, Young, Carpenter, Cayetano, Yim, Campbell, Carroll, Yee and Abercrombie.

On motion by Senator Chong, seconded by Senator Abercrombie and carried, S.R. No. 8 was adopted.

MATTERS DEFERRED FROM JANUARY 23, 1979

Senate Resolution No. 4:

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 4, providing for the election of officers for the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, was adopted.

The President thereupon administered the oath of office to Seichi Hirai as Clerk, Timothy David Woo, Jr., as Assistant Clerk and Bienvenido C. Villaflor as Sergeant at Arms.

Senate Resolution No. 5:

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 5, advising the Honorable George R. Ariyoshi, Governor of the State of Hawaii, and the House of Representatives that the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, is organized and ready to transact business, was adopted.

Senator Carroll then introduced to the members of the Senate Mr. Peter Velasco, an old friend and gentleman,

known to be one of the top volleyball players that this State has ever produced.

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.

At this time, the President announced the appointments of Senator Joseph T. Kuroda as Majority Leader, Senators Anson Chong and George Toyofuku as Assistant Majority Leaders, Senator Norman Mizuguchi as Majority Floor Leader, Senators Dante Carpenter, Mamoru Yamasaki and Patsy K. Young as Assistant Majority Floor Leaders, Senator Charles M. Campbell as Majority Policy Leader and Senator John T. Ushijima, Chairman Emeritus.

He also announced the following Majority committee assignments:

Agriculture

Henry Takitani, Chairman
Stanley I. Hara, Vice-Chairman
George H. Toyofuku
Dante K. Carpenter
Duke T. Kawasaki
Norman Mizuguchi
Mamoru Yamasaki
Patsy K. Young

Consumer Protection and Commerce

Steve Cobb, Chairman
Anson Chong, Vice-Chairman
Charles M. Campbell
Dante K. Carpenter
Joseph T. Kuroda
Dennis O'Connor
John T. Ushijima
T. C. Yim

Ecology, Environment and Recreation

Stanley I. Hara, Chairman
Neil Abercrombie, Vice-Chairman
Benjamin J. Cayetano
Steve Cobb
George H. Toyofuku

Economic Development

T. C. Yim, Chairman
Dante K. Carpenter, Vice-Chairman
Steve Cobb
Stanley I. Hara
Joseph T. Kuroda
Norman Mizuguchi
Mamoru Yamasaki
Patsy K. Young

Education

Charles M. Campbell, Chairman
Patsy K. Young, Vice-Chairperson

Neil Abercrombie
Steve Cobb
Duke T. Kawasaki
Joseph T. Kuroda
Henry Takitani
John T. Ushijima

Government Operations and Efficiency

Duke T. Kawasaki, Chairman
George H. Toyofuku, Vice-Chairman
Benjamin J. Cayetano
Stanley I. Hara
Patsy K. Young

Health

Dante K. Carpenter, Chairman
Charles M. Campbell, Vice-Chairman
Neil Abercrombie
Anson Chong
Henry Takitani

Higher Education

Neil Abercrombie, Chairman
John T. Ushijima, Vice-Chairman
Charles M. Campbell
Dante K. Carpenter
Benjamin J. Cayetano

Housing and Hawaiian Homes

Patsy K. Young, Chairperson
Benjamin J. Cayetano, Vice-Chairman
Dante K. Carpenter
Stanley I. Hara
T. C. Yim

Human Resources

George H. Toyofuku, Chairman
Mamoru Yamasaki, Vice-Chairman
Neil Abercrombie
Stanley I. Hara
Dennis O'Connor

Intergovernmental Relations

John T. Ushijima, Chairman
Joseph T. Kuroda, Vice-Chairman
Neil Abercrombie
Dennis O'Connor
Mamoru Yamasaki

Judiciary

Dennis O'Connor, Chairman
Steve Cobb, Vice-Chairman
Charles M. Campbell
Anson Chong
Joseph T. Kuroda
Norman Mizuguchi
Henry Takitani
John T. Ushijima

Legislative Management

Mamoru Yamasaki, Chairman
Dennis O'Connor, Vice-Chairman

Public Utilities

Anson Chong, Chairman
Norman Mizuguchi, Vice-Chairman
Charles M. Campbell
Mamoru Yamasaki
T. C. Yim

Tourism

Joseph T. Kuroda, Chairman
Henry Takitani, Vice-Chairman
Steve Cobb
Duke T. Kawasaki
Norman Mizuguchi

Transportation

Norman Mizuguchi, Chairman
T. C. Yim, Vice-Chairman
Steve Cobb
Henry Takitani
John T. Ushijima

Ways and Means

Benjamin J. Cayetano, Chairman
Duke T. Kawasaki, Vice-Chairman
Neil Abercrombie
Dante K. Carpenter
Anson Chong
Stanley I. Hara
George H. Toyofuku
Mamoru Yamasaki
T. C. Yim
Patsy K. Young

Senator Yee then announced the appointments of Senator D. G. Anderson as Minority Floor Leader, Senator Mary George as Assistant Minority Leader, Senator Soares as Assistant Minority Floor Leader and himself as Minority Leader.

He also announced the following Minority committee assignments:

Agriculture

Ralph K. Ajifu
D. G. Anderson
John S. Carroll

Consumer Protection and Commerce

John S. Carroll
Patricia Saiki
Wadsworth Yee

Ecology, Environment and Recreation

Mary George
Wadsworth Yee

Economic Development

John S. Carroll
Mary George
Patricia Saiki

Education

Ralph K. Ajifu
D. G. Anderson
Patricia Saiki

Government Operations and Efficiency

Ralph K. Ajifu
John S. Carroll

Health

Patricia Saiki
Wadsworth Yee

Higher Education

Ralph K. Ajifu
Patricia Saiki

Housing and Hawaiian Homes

Ralph K. Ajifu
W. Buddy Soares

Human Resources

D. G. Anderson
W. Buddy Soares

Intergovernmental Relations

Mary George
Wadsworth Yee

Judiciary

John S. Carroll
Mary George
Patricia Saiki

Legislative Management

Mary George

Public Utilities

D. G. Anderson
W. Buddy Soares

Tourism

W. Buddy Soares
Wadsworth Yee

Transportation

Mary George
W. Buddy Soares

Ways and Means

Ralph K. Ajifu
D. G. Anderson
W. Buddy Soares
Wadsworth Yee

The President then stated as follows:

"The Chair, at this time, would like to thank the members of the Senate, both sides of the aisles, for their patience, the few weeks of getting our committee assignments in order. I appreciate the show of patience. Times may have been a little thin and a little jaunt but I want to thank every member of the Senate for his patience."

ADJOURNMENT

At 12:43 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, January 25, 1979.

SEVENTH DAY

Thursday, January 25, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Arthur Chartier of the Mililani Church, after which the Roll was called showing all Senators present with the exception of Senator Anderson who was excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 23 to 35) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 23), transmitting a report prepared by the Department of Planning and Economic Development entitled, "The Hotel Reservations Reporting Program: Evaluation and Recommendations," and outlines the operation and impact of Act 102, Session Laws of Hawaii 1976, "Relating to Hotel Reservations," and noting that the duration of this program was extended by Act 236, SLH 1978, was referred to the Committee on Tourism.

A message from the Governor (Gov. Msg. No. 24), transmitting a report prepared by the Department of Transportation in response to Act 179, Session Laws of Hawaii 1975, on Limiting Transportation Units, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 25), transmitting a Preliminary Report on the LANDSAT Project - State of Hawaii, which was prepared by the Department of Planning and Economic Development, and noting that the report describes their initial effort to assess the potentials of satellite remote sensing in Hawaii, was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 26), transmitting the Annual Report of the Hawaii Public Broadcasting Authority for the fiscal year ending June 30, 1978, pursuant to Section 314-12, Hawaii Revised Statutes, was referred to the Committee on

Education.

A message from the Governor (Gov. Msg. No. 27), transmitting several reports prepared by the Department of Agriculture in response to the following resolutions:

1. House Resolution No. 460, H.D. 1 (1978), which requested a feasibility study concerning a multi-purpose slaughterhouse complex for Oahu; and

2. House Resolution No. 590, H.D. 1 (1978), which requested the Department of Agriculture and its Ad Hoc Committee on the Animal Quarantine Station to investigate the possibility of military assistance to the Halawa facility;

and also enclosing the final report prepared by the Departments of Agriculture and Health in response to House Resolution No. 476, H.D. 1 (1978) which requested a joint report from them on progress achieved and measures implemented to permit the lifting of the ban on the sale of hog viscera on Oahu and to preclude the need for future bans, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 28), transmitting a report prepared by the Department of Planning and Economic Development in response to House Resolution No. 35, H.D. 1 (1978), which requested a progress report and recommendation for legislative action from the Governor's Committee for Hawaii as a Regional Center, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 29), transmitting several reports prepared by the Department of Transportation in response to the following resolutions:

1. Senate Resolution No. 356, S.D. 1 (1978), which requested the Department to submit appropriate information relating to the proposed improvements to Lunalilo Freeway and the implementation of the makai boulevard concept;

2. Senate Resolution No. 133 (1978), expressing concern over the existence of certain serious roadway hazards on or adjacent to the Likelike Highway, Oahu, and requesting the Department to initiate a study to alleviate the hazardous conditions;

3. Senate Resolution No. 279 (1978),

which requested a study on the implementation of an infrared emission test program for Hawaii; and

4. Senate Concurrent Resolution No. 65, S.D. 1, H.D. 1 and Senate Resolution No. 254, S.D. 1 (1978), which requested a feasibility study of transferring real property acquisition function of the Department of Transportation to either the Department of Accounting and General Services or the Department of Land and Natural Resources,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 30), transmitting reports prepared by the Department of Transportation in response to the following resolutions:

1. Senate Resolution No. 4 (1978), which requested various State and county agencies to formulate and adopt rules concerning the energy problem; and

2. Senate Resolution No. 154 and House Resolution No. 117 (1978), which requested boating industry review of water transportation plan,

was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 31), transmitting the Historic Preservation 1977 Annual Report which was prepared by the Department of Land and Natural Resources in accordance with Act 254, SLH 1967, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 32), transmitting a report prepared by the Department of Attorney General pursuant to Section 662-11, Hawaii Revised Statutes, regarding tort claims arbitrated, compromised, or settled for \$2,000 or less during the fiscal year ending June 30, 1978, was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 33), transmitting the Annual Report of the Insurance Commissioner of Hawaii, pursuant to Section 431-45, Hawaii Revised Statutes, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 34), transmitting a report prepared by the Department of Regu-

latory Agencies in response to Senate Resolution No. 308 and House Resolution No. 536 (1978), which related to the Hawaii Insurance Law, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 35), transmitting various reports prepared by the Department of Budget and Finance of the Program Memoranda for each of the major programs in the statewide program structure as follows: Economic Development, Employment, Transportation, Environmental Protection, Health, Social Problems, Formal Education, Culture and Recreation, Public Safety, Individual Rights and Government-Wide Support, was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATIONS

The following communications (Dept. Com. Nos. 1 to 5) were read by the Clerk and were disposed of as follows:

A communication from the Department of Budget and Finance (Dept. Com. No. 1), transmitting the errata sheets to the Multi-Year Program and Financial Plan and Executive Budget for the period 1979-1985 was referred to the Committee on Ways and Means.

A communication from the Department of Land and Natural Resources (Dept. Com. No. 2), transmitting the Conceptual Plan for the Kaena Point State Park, was referred to the Committee on Ecology, Environment and Recreation.

A communication from the Office of the Auditor (Dept. Com. No. 3), transmitting a report entitled, "A Review of Alternative Approaches to Hospital Cost Containment", was referred to the Committee on Health.

A communication from the Office of the Auditor (Dept. Com. No. 4), transmitting a report entitled, "A Study of Guidelines for State Grants, Subsidies, and Purchase of Services", was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Ways and Means.

A communication from the Office of the Auditor (Dept. Com. No. 5), transmitting a report entitled, "Management Audit of the Student Transportation Service Program", was referred to the Committee on Education.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 1 to 3) were read by the Clerk and were disposed of as follows:

A communication from the State of Hawaii Council of Housing and Construction Industry, (Misc. Com. No. 1), transmitting a Second Annual Report to the Legislature on the concerns and findings relative to the high cost of housing in Hawaii, in response to Act 166 (1976), was referred to the Committee on Housing and Hawaiian Homes.

A communication from the Honorable Eduardo E. Malapit, Mayor, County of Kauai (Misc. Com. No. 2), transmitting the Tentative Operating Budget for the County of Kauai for the fiscal year ending June 30, 1980, in compliance with the Hawaii Revised Statutes, as amended, and noting that the Administration will present further details on the budget at the time of the legislative hearing, was referred to the Committee on Ways and Means.

A communication from the Honorable Herbert T. Matayoshi, Mayor, County of Hawaii, (Misc. Com. No. 3), transmitting the budget for the County of Hawaii for the fiscal years 1978-1980, and including a ten year statement on real property and State grants-in-aid from the general fund and a statement computing their legal debt margin, pursuant to Section 243-4, Hawaii Revised Statutes, was referred to the Committee on Ways and Means.

Senator Kuroda then announced that today is Senator Dennis O'Connor's birthday and requested that his fellow colleagues join in wishing him congratulations by singing "Happy Birthday" after the adjournment of today's session.

At this time, the President commented as follows:

"I understand there have been some questions raised concerning the selection of Ben Villaflor as Senate Sergeant-at-Arms.

"While Ben is not yet an American citizen, he has indicated his intent to acquire citizenship. His current status is that of a resident alien. His residence is Hawaii, his adopted home.

"The Attorney General's Office has issued an opinion stating that Ben is eligible under the law to serve as Sergeant-at-Arms.

"Through his illustrious ring career, Ben has brought worldwide fame and glory to Hawaii. Truly, he is one of the outstanding sons of Hawaii--native or adopted.

"Ben Villaflor's success story typifies the contribution made to Hawaii by the various groups and individuals who have come to make Hawaii their home. As a representative of the Filipino community, he exemplifies the growing role of that group in Hawaii's social, economic and political life.

"I know Ben personally. He is a great athlete and a fine young man. He is married to a local girl and a recent father of a baby boy. He has promised to do his best in carrying out the duties of Sergeant-at-Arms.

"I am both proud and pleased to have Ben with us in the Senate."

ADJOURNMENT

At 11:42 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Friday January 26, 1979.

EIGHTH DAY

Friday, January 26, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Charles Crane, Church of the Holy Nativity, after which the Roll was called showing all Senators present.

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

Senator Carroll then introduced to the members of the Senate Ms. Virginia Sbicca of San Marino, California, accompanied by Ms. Valerie Nagatori.

Senator Yee introduced to the members of the Senate 75 fifth grade students of Kuhio School accompanied by their teachers Carole Chee, Thelma Ho and Victoria Yoshimura and parents Mrs. Vintean and Mrs. Watanabe.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 36 and 37) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 36), transmitting the Annual Report for fiscal year 1978 of the Hawaii Paroling Authority, pursuant to HRS 93-12, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 37), transmitting a Progress Report on the "Hawaii State Ferries" prepared by the Department of Transportation, pursuant to Act 186, Session Laws of Hawaii 1964, was referred to the Committee on Transportation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 3 and 4) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 3), transmitting House Concurrent Resolution No. 3, which was adopted in the House of Representatives on January 25, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 3, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE BLOOD DONOR PROGRAM OF THE BLOOD BANK OF HAWAII", was adopted.

A communication from the House (Hse.

Com. No. 4), transmitting House Concurrent Resolution No. 4, which was adopted in the House of Representatives on January 25, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 4, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING RAYMOND M. KAWANO FOR HIS OUTSTANDING SERVICE TO THE COMMUNITY", was adopted.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 1), entitled: "SENATE CONCURRENT RESOLUTION HONORING EDITH KEKUIHIKUHIPU'UONE KANAKA'OLE, NOTEWORTHY HAWAIIAN, PROUD WOMAN", was jointly offered by Senators Carpenter, Hara, Ushijima, Young, Ajifu, Mizuguchi, Cobb, Chong, Takitani, Campbell, Saiki, George, Wong, Yee, Carroll, Soares, Yamasaki, Toyofuku, Kuroda, Abercrombie, Kawasaki, Cayetano, O'Connor, Anderson and Yim was read by the Clerk.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.C.R. No. 1 was adopted.

Senator Carpenter then stated as follows:

"Mr. President, it gives me great pleasure to sponsor this resolution for a woman on the Big Island who has spent a good deal of her life in Hawaiian activities and who is a very respected person there; who will not be around too much longer to share her Aloha and Mana'o with us."

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 9 to 13) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 9), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO BERNADETTE IN QUAN LOO, THE 1979 NARCISSUS QUEEN, AND HER COURT", was jointly offered by Senator Yee, Carroll, George, Soares, Saiki, Ushijima, Hara, Cobb, Campbell, Yamasaki, Mizuguchi, Chong, Toyofuku, Abercrombie, Kuroda, Yim, Carpenter, Cayetano and Wong.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 9 was adopted.

At this time, Senator Yee introduced

to the members of the Senate, Queen Bernadette Loo and Princess Consulina Wong, accompanied by Mr. Newman Pei and Mr. Bill Lee of the Chinese Chamber of Commerce. The members of the Narcissus Court and Chinese Chamber were then presented with certified copies of the resolution and presented with leis by Senators Yee, Chong, Saiki and Young.

At 11:41 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.

Senator Kawasaki then escorted Queen Bernadette to the rostrum. She then addressed the members of the Senate as follows:

"On behalf of the Chinese Chamber and myself and Consulino, I would like to thank the Senate for inviting us here this morning.

"We'd like to wish you a Happy New Year, 'Kung Hee Fat Choy', and hope the Year of the Ram will bring much prosperity and happiness to you and all your families.

"Mahalo!"

A resolution (S.R. No. 10), entitled: "SENATE RESOLUTION COMMEMORATING AUSTRALIA'S NATIONAL DAY", was jointly offered by Senators Abercrombie, Carpenter, Campbell, Toyofuku, Cobb, Takitani, Kawasaki, Hara, Chong, Carroll, O'Connor, Soares, Ushijima, Young, Yamasaki, Ajifu, Cayetano, George, Saiki, Mizuguchi, Kuroda, Wong and Yee.

On motion by Senator Abercrombie, seconded by Senator Carpenter and carried, S.R. No. 10 was adopted.

A resolution (S.R. No. 11), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE UNIVERSITY OF HAWAII AT HILO VULCANS WOMEN'S VOLLEY BALL TEAM", was jointly offered by Senators Carpenter, Hara, Ushijima, Young, Ajifu, Mizuguchi, Cobb, Chong, Takitani, Campbell, Saiki, George, Carroll, Soares, Yamasaki, Toyofuku, Kuroda, Abercrombie, Kawasaki, Cayetano, O'Connor, Yim, Anderson, Yee and Wong.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.R. No. 11 was adopted.

Senator Carpenter then stated that this is the first year of national competition for the young ladies at Hilo in women's volleyball, nationwide; that the team did not do it with only people from Hilo but that there were a number of people from Kaneohe and Honolulu to help man the women's team; that the team was successful not only in winning the Western regional championship but placed second in the

national competitions. Senator Carpenter also added that his daughter Carla is a member of the Vulcans women's volleyball team.

A resolution (S.R. No. 12), entitled: "SENATE RESOLUTION HONORING EDITH KEKUIKUIHIPU'UONE KANAKA'OLE, NOTEWORTHY HAWAIIAN, PROUD WOMAN", was jointly offered by Senators Carpenter, Hara, Ushijima, Young, Ajifu, Cobb, Chong, Takitani, Campbell, Saiki, George, Carroll, Soares, Yee, Yamasaki, Toyofuku, Kuroda, Abercrombie, Kawasaki, Cayetano, O'Connor, Yim, Anderson, Wong and Mizuguchi.

On motion by Senator Carpenter, seconded by Senator Hara and carried, S.R. No. 12 was adopted.

A resolution (S.R. No. 13), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING ROBIN GOO OF ROOSEVELT HIGH SCHOOL FOR COACHING THE HAWAII CHAMPIONSHIP BOYS' VOLLEYBALL TEAM AND THE HAWAII CHAMPIONSHIP GIRLS' VOLLEYBALL TEAM", was jointly offered by Senators Chong, Kuroda, Young, Cobb, Carpenter, Mizuguchi, Cayetano, Yim, Campbell, Carroll and Yee.

On motion by Senator Chong, seconded by Senator Abercrombie and carried, S.R. No. 13 was adopted.

Senator Chong then introduced Coach Robin Goo, Ricky Waiolani of the boys' volleyball team, Prandi Costales and Missy Yomes of the girls' volleyball team to the members of the Senate and presented them with certified copies of the resolution.

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.

INTRODUCTION OF BILLS

At this time Senator Anderson rose to inquire as follows:

"Mr. President, I'd like to ask--before the era of new politics, there was usually a printed timetable that would come out, two or three days in advance, without last minute warning. We also have a Constitutional provision coming up with the five-day recess--I would really appreciate it if the majority leadership would sit down and put a timetable together so that we might plan the program a little more intelligently, at least on this side of the aisle."

The President then responded to Senator

Anderson's concerns as follows:

"The Senate leadership met with the House leadership today to discuss the question of the recess and also a timetable for the crossover. We are proceeding under that particular program."

On motion by Senator Mizuguchi, seconded by Senator Anderson 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, January 29, 1979:

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 Cayetano.

No. 5 "A Bill for an Act Relating to Twelve Member Jury (Constitutional Amendment)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter and Wong.

No. 6 "A Bill for an Act Relating to Jury Trial in Civil Matters (Constitutional Amendments of Article I, Section 13)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter and Wong.

No. 7. "A Bill for an Act Relating to the Grand Jury Counsel (Constitutional Amendments of Article I, Section 11)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter and Wong.

No. 8 "A Bill for an Act Relating to Right of Privacy (Constitutional Amendment of Article I, Section 6)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Campbell and Wong.

No. 9 "A Bill for an Act Relating to Primary Elections (Constitutional Amendment of Article II, Section 4)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Campbell and Wong.

No. 10 "A Bill for an Act Relating to Resignation from Public Office (Constitutional Amendments of Article II, Section 7)."

Introduced by: Senators O'Connor, Chong, Takitani, Kawasaki, Kuroda,

Carpenter, Wong and Campbell.

No. 11 "A Bill for an Act Relating to Primary Elections (Constitutional Amendments of Article II, Section 8)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter and Wong.

No. 12 "A Bill for an Act Relating to the Term of Office of Governor and Lieutenant Governor (Constitutional Amendments of Article V)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter and Wong.

No. 13 "A Bill for an Act Relating to Suffrage and Elections (Constitutional Amendments of Article II, Section 5)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 14 "A Bill for an Act Relating to Open Legislative Committee Meetings (Constitutional Amendments of Article III)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 15 "A Bill for an Act Relating to Reapportionment (Constitutional Amendments of Article IV)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter and Wong.

No. 16 "A Bill for an Act Relating to Income Taxation (Constitutional Amendments of Article VII, Section 2)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Hara, Carpenter, Wong, Campbell and Abercrombie.

No. 17 "A Bill for an Act Relating to the Tax Review Commission, (Constitutional Amendments of Article VII)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Hara, Carpenter, Wong and Abercrombie.

No. 18 "A Bill for an Act Relating to Taxation and Finance (Constitutional Amendments of Article VII, Section

4.)"

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Hara, Wong, Carpenter and Abercrombie.

No. 19 "A Bill for an Act Relating to the Spending Limitation (Constitutional Amendments of Article VII, Section 5)."

Introduced by: Senators O'Connor, Cobb, Kawasaki, Campbell, Carpenter, Wong and Abercrombie.

No. 20 "A Bill for an Act Relating to Disposition of Excess Revenues (Constitutional Amendments of Article VII, Section 6)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Hara, Wong, Carpenter and Abercrombie.

No. 21 "A Bill for an Act Relating to a Council on Revenues (Constitutional Amendments of Article VII, Section 7)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Hara, Carpenter, Wong and Abercrombie.

No. 22 "A Bill for an Act Relating to the Budget (Constitutional Amendments of Article VII, Section 8)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Carpenter, Kuroda, Campbell, Hara, Wong and Abercrombie.

No. 23 "A Bill for an Act Relating to Expenditure Ceiling (Constitutional Amendments of Article VII, Section 8 and 9)."

Introduced by: Senators O'Connor, Cobb, Kawasaki, Campbell, Carpenter, Wong and Abercrombie.

No. 24 "A Bill for an Act Relating to the Auditor (Constitutional Amendments of Article VII, Section 10)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter, Wong and Abercrombie.

No. 25 "A Bill for an Act Relating to Real Property Tax Assessment (Constitutional Amendments of Article XVIII)."

Introduced by: Senators O'Connor, Cobb, Chong, Kuroda, Kawasaki, Yamasaki, Abercrombie and Campbell.

No. 26 "A Bill for an Act Relating to State Mandates (Constitutional Amendments of Article VIII, Section 5)."

Introduced by: Senators O'Connor, Cobb, Chong, Kawasaki, Kuroda, Yamasaki, Carpenter, Campbell, Hara and Abercrombie.

No. 27 "A Bill for an Act Relating to the Board of Education."

Introduced by: Senators O'Connor, Cobb, Takitani, Kawasaki, Kuroda, Carpenter Wong and Campbell.

No. 28 "A Bill for an Act Relating to the Power of the Board of Education (Constitutional Amendments of Article X, Section 3)."

Introduced by: Senators O'Connor, Takitani, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 29 "A Bill for an Act Relating to the Jurisdiction of the Board of Regents, University of Hawaii (Constitutional Amendment of Article X, Section 6)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 30 "A Bill for an Act Relating to Hawaiian Education."

Introduced by: Senators Campbell, Young, Chong, Hara, Takitani, Toyofuku, Yim, Ushijima, Carpenter and Wong.

No. 31 "A Bill for an Act Relating to Public Assistance Payments (Constitutional Amendments of Article IX, Section 3)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 32 "A Bill for an Act Relating to Domiciliary Care (Constitutional Amendments of Article IX, Section 2)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 33 "A Bill for an Act Relating to Management of State Population Growth (Constitutional Amendments of Article IX, Sections 6 and 8)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong and Campbell.

No. 34 "A Bill for an Act Relating to Public Safety (Constitutional Amendments of Article IX, Section 10)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki,

- Kuroda, Campbell, Wong and Carpenter.
- No. 35 "A Bill for an Act Relating to Natural Resources Public Trust (Constitutional Amendments of Article XI)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Campbell, Yamasaki, Yim, Carpenter, Wong and Abercrombie.
- No. 36 "A Bill for an Act Relating to Agricultural Lands (Constitutional Amendments of Article XI)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Yim, Carpenter, Wong and Abercrombie.
- No. 37 "A Bill for an Act Relating to Public Land Banking (Constitutional Amendments of Article XI)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Campbell, Yim, Carpenter, Wong and Abercrombie.
- No. 38 "A Bill for an Act Relating to Marine Resources (Constitutional Amendments of Article XI, Section 6)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Campbell, Yim, Carpenter, Wong and Abercrombie.
- No. 39 "A Bill for an Act Relating to the Water Resources Agency (Constitutional Amendments of Article XI, Section 7)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Campbell, Yim, Carpenter, Wong and Abercrombie.
- No. 40 "A Bill for an Act Relating to the Water Use Control Board (Constitutional Amendments of Article XI, Section 7)."
- Introduced by: Senators O'Connor, Cobb, Kawasaki, Campbell, Carpenter, Wong and Abercrombie.
- No. 41 "A Bill for an Act Relating to Environmental Rights (Constitutional Amendments of Article XI)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Campbell, Carpenter, Wong and Abercrombie.
- No. 42 "A Bill for an Act Relating to Code of Ethics (Constitutional Amendment of Article XIV)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Hara, Campbell, Carpenter and Abercrombie.
- No. 43 "A Bill for an Act Relating to State Boundaries (Constitutional Amendments of Article XV, Section 1)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Hara, Campbell, Carpenter and Abercrombie.
- No. 44 "A Bill for an Act Relating to the State Motto (Constitutional Amendments of Article XV)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Hara, Kawasaki, Carpenter, Abercrombie and Campbell.
- No. 45 "A Bill for an Act Relating to Official Languages (Constitutional Amendments of Article XV)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Hara, Carpenter, Abercrombie and Campbell.
- No. 46 "A Bill for an Act Relating to Public Office and Employment (Constitutional Amendments of Article XVI, Section 3)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Carpenter, Abercrombie and Campbell.
- No. 47 "A Bill for an Act Relating to Adverse Possession (Constitutional Amendments of Article XVI, Section 12)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Carpenter, Campbell and Abercrombie.
- No. 48 "A Bill for an Act Relating to Plain Language (Constitutional Amendments of Article XVI, Section 13)."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Hara, Campbell, Carpenter and Abercrombie.
- No. 49 "A Bill for an Act Relating to the Judicial Salary Commission (Constitutional Amendments of Articles VI and XVIII)."
- Introduced by: Senators O'Connor, Kuroda, Takitani, Chong, Carpenter, Campbell, Wong and Abercrombie.
- No. 50 "A Bill for an Act Relating to District Judges (Constitutional Amendments of Articles VI and XVIII)."
- Introduced by: Senators O'Connor, Chong, Takitani, Kawasaki, Kuroda, Carpenter, Wong, Campbell and Abercrombie.
- No. 51 "A Bill for an Act Relating to the Judicial Selection Commission (Constitutional Amendments of Articles

VI and XVIII)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell, Carpenter, Wong and Abercrombie.

- No. 52 "A Bill for an Act Relating to the Commission of Judicial Discipline and Retirement (Constitutional Amendment of Article VI)."

Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Carpenter, Wong, Campbell and Abercrombie.

- No. 53 "A Bill for an Act Relating to Intermediate Appellate Court (Constitutional Amendments of Article VI)."

Introduced by: Senators O'Connor, Chong, Takitani, Kuroda, Carpenter, Wong, Abercrombie and Campbell.

- No. 57 "A Bill for an Act making an Appropriation for the Establishment and Operation of a Statewide Cooperative for the Diversified Agricultural Industry."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Wong, Campbell, Carpenter and Cobb.

- No. 58 "A Bill for an Act Relating to Assistance to Small Scale Agricultural Enterprises."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Toyofuku Ushijima, Yim, Campbell, Cobb, Wong and Carpenter.

- No. 59 "A Bill for an Act Making an Appropriation for the Development and Implementation of a Statewide Master Plan for the Diversified Agricultural Industry."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Carpenter, Campbell, Wong and Cobb.

- No. 60 "A Bill for an Act Relating to Agricultural Development."

Introduced by: Senators Takitani, Kuroda, Hara, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Wong, Carpenter, Campbell and Cobb.

- No. 61 "A Bill for an Act Making an Appropriation for Agricultural Research."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Mizuguchi, Toyofuku, Ushijima, Yim, Wong and Carpenter.

- No. 62 "A Bill for an Act Making an

Appropriation for an Expanded Commercial Forest Products Industry in Hawaii."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Mizuguchi, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 63 "A Bill for an Act Making an Appropriation for the Development of Water Resources for Hawaii's Agricultural Industries."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Mizuguchi, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 64 "A Bill for an Act Making an Appropriation for a Seed, Feed and Forage Research Program."

Introduced by: Senators Takitani, Kuroda, Hara, Chong, Carpenter, Young, Yamasaki, Mizuguchi, Wong, Campbell, Toyofuku, Ushijima and Yim.

- No. 65 "A Bill for an Act Making an Appropriation to Support the Transportation System for Hawaiian Agricultural Commodities."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 66 "A Bill for an Act Relating to Agriculture Freightage Subsidy Program."

Introduced by: Senators Takitani, Kuroda, Young, Yamasaki, Toyofuku, Ushijima, Yim, Campbell, Wong, Carpenter and Cobb.

- No. 67 "A Bill for an Act Making an Appropriation to Support the Transportation Systems for Hawaiian Agricultural Commodities."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Toyofuku, Ushijima, Yim, Campbell, Wong and Carpenter.

- No. 68 "A Bill for an Act Relating to Cargo and Storage Facilities for Diversified Agricultural Commodities and Products."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Toyofuku, Ushijima, Yim, Cobb, Wong, Campbell

and Carpenter.

- No. 69. "A Bill for an Act Making an Appropriation to Enhance the Expansion and Stability of Diversified Agriculture in Hawaii."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Campbell, Carpenter and Wong.

- No. 70. "A Bill for an Act Making an Appropriation to Support the Production and Marketing of Hawaiian Agricultural Commodities."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Mizuguchi, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 71 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senators Takitani, Hara, Chong, Young, Yamasaki, Mizuguchi, Kawasaki, Campbell, Cobb, Toyofuku, Wong, Ushijima, Yim and Carpenter.

- No. 72 "A Bill for an Act Relating to Reforestation Work Programs."

Introduced by: Senators Takitani, Kuroda, Hara, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Cobb, Campbell, Wong and Carpenter.

- No. 73 "A Bill for an Act Making an Appropriation for the Nursery and Floral Products Industries in Hawaii."

Introduced by: Senators Takitani, Hara, Chong, Yim, Toyofuku, Young, Yamasaki, Carpenter, Mizuguchi, Ushijima, Campbell and Wong.

- No. 74 "A Bill for an Act Relating to the Leasing of Public Lands for Ornamental Flowers and Nursery Products Production by Small Business Concerns."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Toyofuku, Campbell, Wong, Ushijima, Yim, Carpenter and Cobb.

- No. 75 "A Bill for an Act Making an Appropriation for Hawaii's Flower and Nursery Products Industries."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Campbell, Wong, Toyofuku, Ushijima, Yim and Carpenter.

- No. 76 "A Bill for an Act Making an Appropriation for Agricultural Park Development."

Introduced by: Senators Takitani, Hara,

Kuroda, Chong, Young, Yamasaki, Mizuguchi, Campbell, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 77 "A Bill for an Act Relating to Agricultural Parks."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Campbell, Mizuguchi, Toyofuku, Ushijima, Yim, Carpenter and Wong.

- No. 79 "A Bill for an Act Relating to Consumer Protection."

Introduced by: Senators Cobb, Chong, Kuroda, Hara, Kawasaki, Takitani, Yim, Young, Carpenter, Yamasaki, O'Connor, Wong and Abercrombie.

- No. 80 "A Bill for an Act Relating to Tax Incentives for the Purchase of Automobiles not Equipped with Catalytic Converters."

Introduced by: Senators Cobb, Abercrombie, Hara, Kawasaki, Takitani, Chong, Yim, O'Connor, Campbell, Carpenter and Wong.

- No. 81 "A Bill for an Act Relating to Disclosure Statements on the Use of Property."

Introduced by: Senators Cobb, Kawasaki, Chong, Young, Campbell, Carpenter, Wong and Abercrombie.

- No. 82 "A Bill for an Act Making an Appropriation for Conversion to Computerized Business and Professional Records."

Introduced by: Senators Cobb, Hara, Kawasaki, Takitani, Yim, Chong, Young, Carpenter, Yamasaki, O'Connor, Wong and Abercrombie.

- No. 83 "A Bill for an Act Relating to Intoxicating Liquor."

Introduced by: Senators Cobb, Abercrombie, Kawasaki, Yim, Carpenter, Young, O'Connor and Wong.

- No. 84 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb, Abercrombie, Chong, Kawasaki, Takitani, Yim, Young, Campbell, Carpenter, O'Connor and Wong.

- No. 85 "A Bill for an Act Relating to Professions and Occupations."

Introduced by: Senators Cobb, Kawasaki, Takitani, Yim, Chong, Campbell, Carpenter, Wong and Abercrombie.

No. 86 "A Bill for an Act Relating to Insurance."

Introduced by: Senators Cobb, Chong, Carpenter, O'Connor, Young, Wong and Abercrombie.

No. 87 "A Bill for an Act Relating to the Administrative Procedure Act."

Introduced by: Senators Cobb, Kuroda, Hara, Kawasaki, Takitani, Wong, Abercrombie, Campbell, Carpenter, Young, Chong, Yim and O'Connor.

No. 88 "A Bill for an Act Relating to Generic Drug Substitution."

Introduced by: Senators Cobb, Abercrombie, Chong, Kawasaki, Takitani, Yim, Young, Carpenter, Campbell, Yamasaki, O'Connor and Wong.

No. 91 "A Bill for an Act Relating to Dedicated Lands for Historic Preservation."

Introduced by: Senators Hara, Kuroda, Toyofuku, Takitani, Young, Ushijima, Yim, Campbell, Carpenter, Yamasaki, O'Connor and Wong.

No. 92 "A Bill for an Act Relating to the Improvement of the Birth Site of King Kamehameha I."

Introduced by: Senators Hara, Kuroda, Chong, Toyofuku, Takitani, Young, Ushijima, Mizuguchi, Yim, Cobb, Yamasaki, O'Connor, Wong, Campbell and Carpenter.

No. 94 "A Bill for an Act Making an Appropriation for the Large Fishing Vessel Loan program."

Introduced by: Senators Yim, Kuroda, Hara, Takitani, Toyofuku, Mizuguchi, Campbell, Cayetano, Ushijima, Yamasaki, Cobb, Carpenter and Wong.

No. 95 "A Bill for an Act Relating to an Aquaculture Hatchery Revolving Fund."

Introduced by: Senators Yim, Chong, Young, Takitani, Toyofuku, Mizuguchi, Yamasaki, Carpenter, Hara, Cayetano, Ushijima, Campbell and Wong.

No. 96 "A Bill for an Act Relating to Prawn Market Promotion."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Campbell, Mizuguchi, Ushijima, Yamasaki, Wong, Carpenter, Hara, Cayetano and Cobb.

No. 97 "A Bill for an Act Relating to the Aquaculture Loan Program."

Introduced by: Senators Yim, Kuroda,

Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Campbell, Wong, Carpenter, Hara and Cayetano.

No. 98 "A Bill for an Act Relating to the Aquaculture of the Malaysian Prawn."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Yamasaki, Hara, Cayetano, Wong, Mizuguchi, Ushijima and Campbell.

No. 99 "A Bill for an Act Relating to Baitfish."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Carpenter, Hara, Cayetano and Campbell.

No. 100 "A Bill for an Act Relating to Integrated Aquaculture Systems."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Hara, Cayetano, Carpenter and Campbell.

No. 101 "A Bill for an Act Relating to Aquaculture."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Campbell, Hara, Cayetano, Wong, Mizuguchi, Ushijima, Yamasaki and O'Connor.

No. 102 "A Bill for an Act Relating to an Aquaculture Information Center."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Hara, Cayetano, Cobb, Carpenter and Campbell.

No. 103 "A Bill for an Act Relating to Aquaculture."

Introduced by: Senators Yim, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Hara, Cayetano, Cobb and Campbell.

No. 104 "A Bill for an Act Relating to Tax Exemption for Aquaculture."

Introduced by: Senators Yim, Kuroda, Chong, Takitani, Toyofuku, Mizuguchi, Yamasaki, Wong, Hara, Cayetano, Ushijima, Campbell and O'Connor.

No. 105 "A Bill for an Act Relating to Biomass Energy Plantations."

Introduced by: Senators Yim, Kuroda, Chong, Young, Hara, Takitani,

Toyofuku, Carpenter, Cayetano, Mizuguchi, Ushijima, Yamasaki, Campbell, Kawasaki and Wong.

- No. 106 "A Bill for an Act Relating to an Appropriation for Alternate Energy Sources for Hawaii."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Hara, Cayetano, Cobb, Campbell and Carpenter.

- No. 107 "A Bill for an Act Relating to an Appropriation for Research, Development, Demonstration, and Utilization of Alternate Energy Sources for Hawaii."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Mizuguchi, Hara, Toyofuku, Ushijima, Yamasaki, Carpenter, Campbell, Cobb, Cayetano and Wong.

- No. 108 "A Bill for an Act Relating to the Hawaii Natural Energy Institute."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Yamasaki, Carpenter, Hara, Cayetano, Ushijima, Campbell and Wong.

- No. 109 "A Bill for an Act Relating to Solar Energy Loan Programs."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Campbell, Wong, Carpenter, Hara, Cayetano and Cobb.

- No. 110 "A Bill for an Act Relating to the Establishment of Hawaii Solar Center."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Carpenter, Hara, Cayetano, Campbell and Kawasaki.

- No. 111 "A Bill for an Act Relating to the Establishment of the Hawaii Geothermal Applications Center."

Introduced by: Senators Yim, Mizuguchi, Chong, Young, Carpenter, Cobb, Hara, Takitani, Toyofuku, Kuroda, Cayetano, Ushijima, Yamasaki, Campbell and Wong.

- No. 112 "A Bill for an Act Relating to the Establishment of an Energy Extension Service Program."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Carpenter, Hara, Cayetano, Cobb, Campbell and Kawasaki.

- No. 113 "A Bill for an Act Making an

Appropriation for an Electronics Industry Development Program."

Introduced by: Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Cobb, Carpenter, Hara, Campbell, Cayetano, Wong, Ushijima, Mizuguchi and Yamasaki.

- No. 114 "A Bill for an Act Relating to Van Pools."

Introduced by: Senators Yim, Kuroda, Chong, Takitani, Toyofuku, Cayetano, Mizuguchi, Ushijima, Yamasaki, Cobb, Kawasaki, Wong, Carpenter and Campbell.

- No. 117 "A Bill for an Act Relating to the Board of Education."

Introduced by Senators Campbell, Young, Kuroda, Chong, Yamasaki, Takitani, Yim, Carpenter and Wong.

- No. 120 "A Bill for an Act Relating to Generic Drug Substitution."

Introduced by: Senators Campbell, Carpenter, Cobb, Cayetano, Young, Chong, Toyofuku, Kawasaki, Yamasaki, O'Connor, Soares, Takitani and Wong.

- No. 121 "A Bill for an Act Making an Appropriation for the Continuation of the Protection and Advocacy System Established for Developmentally Disabled Persons."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 122 "A Bill for an Act Relating to Domiciliary Care."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor and Kuroda.

- No. 123 "A Bill for an Act Relating to Hawaiian Birth Certificates."

Introduced by: Senators Carpenter, Campbell, Chong, Kuroda and Wong.

- No. 124 "A Bill for an Act Relating to an Alcoholism Treatment Fund."

Introduced by: Senators Carpenter, Campbell, Cobb, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 125 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for the Breast Cancer Demonstration Project of the Pacific Health Research Institute."

Introduced by: Senators Carpenter,

Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 126 "A Bill for an Act Relating to Health Planning and Resource Development Programs."

Introduced by: Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

- No. 127 "A Bill for an Act Relating to County/State Hospitals."

Introduced by: Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

- No. 128 "A Bill for an Act Relating to the Family."

Introduced by: Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

- No. 129 "A Bill for an Act Relating to Mental Health."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 130 "A Bill for an Act Relating to the Control of Environmental Causes of Disease."

Introduced by: Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

- No. 131 "A Bill for an Act Relating to Programs for Developmentally Disabled."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 132 "A Bill for an Act Relating to Health Care Facilities."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 133 "A Bill for an Act Relating to Intensive Health Care Services."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor and Kuroda.

- No. 134 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senators Carpenter, Campbell, Cobb, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 135 "A Bill for an Act Relating to the Establishment of a Hospice."

Introduced by: Senators Carpenter, Campbell, Cobb, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 136 "A Bill for an Act Relating to Health Insurance for Hospice Care."

Introduced by: Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

- No. 137 "A Bill for an Act Relating to Health Care."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, Cobb, O'Connor, Kuroda and Wong.

- No. 138 "A Bill for an Act Relating to Preventive Health Care Services."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 139 "A Bill for an Act Relating to Hemophilia."

Introduced by: Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

- No. 140 "A Bill for an Act Making an Appropriation for a Graduate Student Fund."

Introduced by: Senators Abercrombie, Kuroda, Campbell, Chong, Yamasaki, Yim, O'Connor, Takitani, Hara, Carpenter and Wong.

- No. 144 "A Bill for an Act Relating to the Establishment of the Hawaii Mortgage Finance Agency."

Introduced by: Senators Young, Kuroda, Chong, Campbell, Takitani, Yamasaki, Carpenter, Kawasaki, O'Connor, Ushijima, Hara, Toyofuku, Yim, Cobb, Wong and Abercrombie.

- No. 145 "A Bill for an Act Relating to Residential Development Under the Hawaiian Homes Commission Act of 1920, as Amended."

Introduced by: Senators Young, Kuroda, Campbell, Chong, Takitani, Yamasaki, Ushijima, Hara, Yim, O'Connor, Toyofuku, Carpenter, Wong and Abercrombie.

- No. 146 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Kuroda, Yamasaki, Campbell, Chong, Takitani, Yamasaki, Ushijima, Cobb, Yim, O'Connor, Toyofuku, Carpenter,

Wong, Abercrombie and Mizuguchi.

No. 147 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Kuroda, Chong, Takitani, Kawasaki, Yamasaki, Ushijima, Yim and Wong.

No. 148 "A Bill for an Act Relating to Investments."

Introduced by: Senators Young, Kuroda, Kawasaki, Campbell, Chong, Takitani, Yamasaki, Ushijima, Yim, O'Connor, Carpenter, Wong and Abercrombie.

No. 149 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Kuroda, Chong, Takitani, Yamasaki, Ushijima, Wong, Carpenter, Yim, O'Connor, Toyofuku, Abercrombie and Mizuguchi.

No. 159 "A Bill for an Act Relating to Financial Assistance."

Introduced by: Senators Toyofuku, Yamasaki, Young, Campbell, Takitani, Yim, Mizuguchi, Ushijima, Carpenter, Chong, O'Connor, Kawasaki, Wong and Abercrombie.

No. 160 "A Bill for an Act Providing Financial Assistance to Private Employers who Hire Certain Unemployed Persons."

Introduced by: Senators Toyofuku, Yamasaki, Young, Campbell, Chong, Hara, Takitani, Yim, Mizuguchi, Ushijima, Carpenter, Cobb, O'Connor, Wong, Kuroda and Abercrombie.

No. 161 "A Bill for an Act Relating to Developmentally Disabled Persons."

Introduced by: Senators Toyofuku, Yamasaki, Young, Campbell, Takitani, Yim, Mizuguchi, Ushijima, Carpenter, O'Connor, Wong, Kuroda, Chong and Abercrombie.

No. 163 "A Bill for an Act Relating to Studies Conducted by the State and its Political Subdivisions."

Introduced by: Senators Ushijima, Kuroda, Campbell, Chong, Kawasaki, Hara, Young, Cobb, Toyofuku, Takitani, Yim, Mizuguchi, Carpenter, Yamasaki, O'Connor and Wong.

No. 164 "A Bill for an Act to Amend Chapter 27, Hawaii Revised Statutes, Relating to State Functions and Responsibilities."

Introduced by: Senators Ushijima, Kuroda, Hara, Campbell, Chong, Kawasaki,

Young, Cobb, Toyofuku, Takitani, Yim, Mizuguchi, Carpenter, Yamasaki, O'Connor and Wong.

No. 165 "A Bill for an Act Making an Appropriation for the Review of Administrative Rules and Regulations."

Introduced by: Senators Ushijima, Kuroda, Hara, Campbell, Chong, Young, Cobb, Kawasaki, Takitani, Toyofuku, Yim, Mizuguchi, Carpenter, Yamasaki, Wong and O'Connor.

No. 166 "A Bill for an Act Making an Appropriation to the Counties."

Introduced by: Senators Ushijima, Kuroda, Hara, Campbell, Chong, Young, Toyofuku, Takitani, Yim, Mizuguchi, Yamasaki, Carpenter, O'Connor and Wong.

No. 168 "A Bill for an act Relating to Grand Jury Proceedings."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 169 "A Bill for an Act Relating to the Intake Service Centers."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 170 "A Bill for an Act Relating to the Intake Service Centers."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 171 "A Bill for an Act Relating to the Inheritance and Estate Taxation of Pensions."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 172 "A Bill for an Act Relating to Driver Licensing."

Introduced by Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 173 "A Bill for an Act Relating to Requirements of Retail Installment Contracts."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 174 "A Bill for an Act Relating to Attachment."

Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.

No. 175 "A Bill for an Act Relating to Unlawful Suspension or Discharge from Employment."

- Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.
- No. 176 "A Bill for an Act Relating to Assistance to Displaced Persons."
- Introduced by: Senators O'Connor, Cobb, Carpenter, Wong and Abercrombie.
- No. 177 "A Bill for an Act Relating to the Status of Women."
- Introduced by: Senators O'Connor, Carpenter, Wong and Abercrombie.
- No. 178 "A Bill for an Act Relating to Child Abuse."
- Introduced by: Senators O'Connor, Cobb, Takitani, Kawasaki, Wong, Campbell, Carpenter and Abercrombie.
- No. 179 "A Bill for an Act Relating to Payment of Witness Expenses by the Public Prosecutor or County Attorney, and by the Public Defender."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Carpenter, Wong, Abercrombie and Campbell.
- No. 180 "A Bill for an Act Relating to the Penal Code."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Carpenter, Wong, Abercrombie and Campbell.
- No. 181 "A Bill for an Act Relating to Criminal Prosecution."
- Introduced by: Senators O'Connor, Cobb, Chong, Kawasaki, Carpenter, Wong, Abercrombie and Campbell.
- No. 182 "A Bill for an Act Relating to Sentencing."
- Introduced by: Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Wong, Abercrombie, Campbell and Carpenter.
- No. 190 "A Bill for an Act Relating to Public Utilities."
- Introduced by: Senators Chong, Mizuguchi, Hara, Takitani, Cobb, Yim, Carpenter, Campbell, Yamasaki, O'Connor, Toyofuku, Kuroda, Kawasaki, Wong and Abercrombie.
- No. 196 "A Bill for an Act Making an Appropriation for Airport Modernization at Honolulu International, Lihue, and Kahului Airports."
- Introduced by: Senators Mizuguchi, O'Connor, Campbell, Chong, Hara and Cobb.
- No. 197 "A Bill for an Act Relating to Federal-Aid Highways."
- Introduced by: Senators Mizuguchi, Wong, Kawasaki, Yim, Yamasaki, Chong, Cobb and Hara.
- No. 198 "A Bill for an Act Relating to a Bicycle Transportation Advisory Council."
- Introduced by: Senators Mizuguchi, O'Connor, Campbell, Chong, Cobb and Hara.
- No. 199 "A Bill for an Act Relating to Hawaiian Affairs (Constitutional Amendment of Article XII, Section 8)."
- Introduced by: Senators O'Connor, Chong and Kuroda.
- No. 200 "A Bill for an Act Relating to Hawaiian Education Program (Constitutional Amendment of Article X)."
- Introduced by: Senators O'Connor, Chong and Kuroda.
- No. 201 "A Bill for an Act Relating to Hawaiian Affairs (Constitutional Amendments of Article XII, Sections 4, 5, 6, and 7)."
- Introduced by: Senators O'Connor, Chong and Kuroda.
- No. 202 "A Bill for an Act Making an Appropriation for the Keaukaha Community/Recreational Center, Keaukaha, Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Young, Campbell, Mizuguchi, Kuroda, Takitani, Yamasaki, O'Connor, Cayetano, Ajifu, George, Soares, Chong, Saiki, Abercrombie and Yim.
- No. 203 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for Pu'uuhonua, the Family Crisis Shelter in Hilo, Incorporated, Hawaii."
- Introduced by: Senators Carpenter, Toyofuku, Chong, Young, Ajifu, Mizuguchi, Hara, Ushijima, Takitani, Campbell, Saiki, Soares, O'Connor, Yamasaki, Kuroda, Abercrombie, Cayetano and George.
- No. 204 "A Bill for an Act Relating to Insurance."
- Introduced by: Senator Cobb, by request.
- No. 205 "A Bill for an Act Relating to Motor Vehicle Insurance."
- Introduced by: Senator Cobb, by request.

- No. 206 "A Bill for an Act Relating to Motor Vehicle Insurance."
Introduced by: Senator Cobb, by request.
- No. 207 "A Bill for an Act Relating to Public Contracts."
Introduced by: Senator Cobb, by request.
- No. 208 "A Bill for an Act Relating to Energy Conservation."
Introduced by: Senators Cobb, Chong, Carpenter and Ushijima.
- No. 209 "A Bill for an Act Relating to No-Fault Insurance."
Introduced by: Senators Cobb and Carpenter.
- No. 210 "A Bill for an Act Relating to Disclosure Statements on the Use of Property."
Introduced by: Senators Cobb and Chong.
- No. 211 "A Bill for an Act Relating to the Department of Regulatory Agencies."
Introduced by: Senator Cobb, by request.
- No. 212 "A Bill for an Act Relating to Taxicabs."
Introduced by: Senator Cobb, by request.
- No. 213 "A Bill for an Act Relating to the Residential Real Property Transfer Excise Tax."
Introduced by: Senators Cobb, Chong and Carpenter.
- No. 214 "A Bill for an Act Proposing an Amendment to Article XVII, Section 2, of the Hawaii Constitution, Relating to Voter Ratification."
Introduced by: Senators Cobb, Chong and Carpenter.
- No. 216 "A Bill for an Act Relating to Employment Security."
Introduced by: Senator Abercrombie.
- No. 217 "A Bill for an Act Relating to the Establishment of a Department of Public Libraries."
Introduced by: Senator Abercrombie.
- No. 218 "A Bill for an Act Relating to Public Utility Works."
Introduced by: Senator Abercrombie.
- No. 219 "A Bill for an Act Relating to the Public Utilities Commission."
- Introduced by: Senator Abercrombie.
- No. 220 "A Bill for an Act Relating to Opticians."
Introduced by: Senator Abercrombie.
- No. 221 "A Bill for an Act Relating to Offenses Related to Drugs and Intoxicating Compounds."
Introduced by: Senator Abercrombie.
- No. 222 "A Bill for an Act Relating to Public Service."
Introduced by: Senator Abercrombie.
- No. 223 "A Bill for an Act Relating to the Land Use Commission."
Introduced by: Senator Abercrombie.
- No. 224 "A Bill for an Act Relating to Income Tax."
Introduced by: Senator Abercrombie.
- No. 225 "A bill for an Act Relating to Notice of Bank Account Investigations."
Introduced by: Senator Abercrombie.
- No. 226 "A Bill for an Act Relating to Standards of Competency in Public Schools."
Introduced by: Senator Abercrombie.
- No. 227 "A Bill for an Act Relating to a Legislative Analyst."
Introduced by: Senator Abercrombie.
- No. 229 "A Bill for an Act Relating to General Excise Tax Exemption for Prosthetic Devices."
Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Cayetano, Yim, Campbell, Yee, Takitani and Abercrombie.
- No. 230 "A Bill for an Act Relating to Income Taxation."
Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Yim, Campbell, Yee, Takitani and Abercrombie.
- No. 231 "A Bill for an Act Relating to Home Health Care."
Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Cayetano, Yim, Campbell, Yee, Takitani, Hara and Abercrombie.
- No. 232 "A Bill for an Act Relating to Drugs."

Introduced by: Senators Chong, Carpenter, Cayetano, Yee and Abercrombie.

- No. 233 "A Bill for an Act Proposing Amendments to Article II, Article III, and Article XVII of the Constitution of the State of Hawaii to Provide for the Initiative, Referendum and Recall."

Introduced by: Senators Chong, Kawasaki and Campbell.

- No. 234 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Yim, Campbell, Kuroda, Yee, Toyofuku, Takitani, Hara and Abercrombie.

- No. 235 "A Bill for an Act Relating to the Hawaii Foundation on Culture and the Arts."

Introduced by: Senators Chong, Campbell, Young, Carpenter, Mizuguchi, Wong, Hara, Kawasaki, Cayetano, Yee, Takitani and Abercrombie.

- No. 236 "A Bill for an Act Relating to Exemptions from Income Tax."

Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Takitani, Cayetano, Yim, Kuroda, Yee, Hara and Abercrombie.

- No. 237 "A Bill for an Act Relating to Income Tax."

Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Cayetano, Campbell, Kuroda, Yee, Takitani and Abercrombie.

- No. 238 "A Bill for an Act Relating to Capital Gains Taxation."

Introduced by: Senators Chong, Young, Cobb, Carpenter, Mizuguchi, Campbell, Yee and Takitani.

- No. 239 "A Bill for an Act Relating to Generic Drug Substitution."

Introduced by: Senators Chong, Carpenter, Cayetano, Campbell, Cobb, Toyofuku and Abercrombie.

- No. 240 "A Bill for an Act Relating to Mopeds."

Introduced by: Senators Chong, Hara, Abercrombie, Carpenter, Campbell, Kuroda, Yee and Takitani.

- No. 241 "A Bill for an Act Relating to Taxes on Certain Food and Drugs."

Introduced by: Senators Chong, Young, Cobb, Campbell, Yee, Takitani and

Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Monday, January 29, 1979:

Senate Bills

- No. 2 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Cayetano.

- No. 3 "A Bill for an Act Relating to Capital Improvement Projects and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

- No. 4 "A Bill for an Act Relating to an Act Making Appropriations for Judiciary Program Expenditures and for Improvements for the Fiscal Biennium July 1, 1979 to June 30, 1981, and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

- No. 54 "A Bill for an Act Relating to Hawaiian Education Program (Constitutional Amendments of Article X)."

Introduced by: Senators O'Connor and Kuroda.

- No. 55 "A Bill for an Act Relating to Traditional and Customary Rights (Constitutional Amendments of Article XII, Section 8)."

Introduced by: Senators O'Connor and Kuroda.

- No. 56 "A Bill for an Act Relating to Hawaiian Affairs (Constitutional Amendments of Article XII, Sections 4, 5, 6 and 7)."

Introduced by: Senators O'Connor and Kuroda.

- No. 78 "A Bill for an Act Relating to Agriculture."

Introduced by: Senators Takitani, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Campbell, Wong and Carpenter.

- No. 89 "A Bill for an Act Relating to Business."

Introduced by: Senators Cobb and Chong

- No. 90. "A Bill for an Act Relating

to No-Fault Insurance."

Introduced by: Senators Cobb, Chong, Kawasaki, Takitani, Yim, Young, Carpenter, O'Connor, Wong and Abercrombie.

No. 93 "A Bill for an Act Relating to Radioactive Materials."

Introduced by: Senators Hara, Kuroda, Chong, Toyofuku, Takitani, Young, Ushijima, Wong, Mizuguchi, Yim, Campbell, Carpenter, Yamasaki and O'Connor.

No. 115 "A Bill for an Act Relating to the Permit Process for Aquaculture."

Introduced by: Senators Yim, Kuroda, Chong, Takitani, Toyofuku, Mizuguchi, Yamasaki, Wong, Hara, Cayetano, Ushijima, Campbell, O'Connor and Kawasaki.

No. 116 "A Bill for an Act Relating to the Development of Geothermal Energy."

Introduced by: Senators Yim, Kuroda, Chong, Young, Hara, Takitani, Toyofuku, Mizuguchi, Carpenter, Cayetano, Ushijima, Yamasaki, Campbell, Kawasaki and Wong.

No. 118 "A Bill for an Act Relating to Professional and Occupational Boards and Commissions."

Introduced by: Senators Kawasaki, Toyofuku, Campbell, Chong, Ushijima, Young, Mizuguchi, Kuroda, Carpenter, Yim, Takitani, Cobb, O'Connor, Yamasaki and Wong.

No. 119 "A Bill for an Act Relating to Reorganization of the Executive Branch of State Government."

Introduced by: Senators Kawasaki, Toyofuku, Campbell, Chong, Ushijima, Young, Mizuguchi, Kuroda, Carpenter, Yim, Takitani, Cobb, O'Connor, Yamasaki and Wong.

No. 141 "A Bill for an Act Relating to West Oahu College."

Introduced by: Senators Abercrombie, Kuroda, Campbell, Chong, Yim, O'Connor, Takitani, Kawasaki, Carpenter and Wong.

No. 142 "A Bill for an Act Relating to East Honolulu Community College."

Introduced by: Senators Abercrombie, Kuroda, Campbell, Chong, Yim, O'Connor, Takitani, Kawasaki, Carpenter and Wong.

No. 143 "A Bill for an Act Relating to Discretionary Fund Accountability by the University of Hawaii."

Introduced by: Senators Abercrombie, Kuroda, Campbell, Chong, Yim, O'Connor,

Yamasaki, Takitani, Carpenter, Kawasaki and Wong.

No. 150 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Kuroda, Campbell, Chong, Takitani, Yamasaki, Ushijima, Yim, Kawasaki, O'Connor, Toyofuku, Wong, Abercrombie, Mizuguchi and Carpenter.

No. 151 "A Bill for an Act Relating to the Hawaiian Education Program."

Introduced by: Senators Young, Kuroda, Abercrombie, Carpenter, Yamasaki, Hara and Chong.

No. 152 "A Bill for an Act Relating to Hawaiian Affairs."

Introduced by: Senators Young, Kuroda, Abercrombie, Carpenter, Yamasaki, Hara and Chong.

No. 153 "A Bill for an Act Relating to the Hawaiian Homes Commission Act of 1920, as Amended."

Introduced by: Senators Young, Kuroda, Abercrombie, Carpenter, Yamasaki, Hara and Chong.

No. 154 "A Bill for an Act Relating to Traditional and Customary Rights."

Introduced by: Senators Young, Kuroda, Abercrombie, Carpenter, Yamasaki, Hara and Chong.

No. 155 "A Bill for an Act Relating to the Hawaiian Homes Commission Act of 1920, as Amended."

Introduced by: Senators Young, Kuroda, Campbell, Chong, Mizuguchi, Takitani, Ushijima, O'Connor, Hara, Yamasaki, Yim, Toyofuku, Carpenter, Wong and Abercrombie.

No. 156 "A Bill for an Act Relating to the Hawaii Community Development Authority."

Introduced by: Senators Young, Kuroda, Chong, Campbell, Takitani, Yamasaki, Ushijima, Kawasaki, Hara, Yim, Abercrombie, O'Connor, Toyofuku, Carpenter, Wong and Mizuguchi.

No. 157 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Kuroda, Chong, Campbell, Takitani, Yamasaki, Ushijima, Yim, O'Connor, Toyofuku, Carpenter, Wong and Mizuguchi.

No. 158 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senators Young, Kuroda, Campbell, Chong, Takitani, Yamasaki, Ushijima, Yim, O'Connor, Carpenter, Wong, Abercrombie and Mizuguchi.

No. 162 "A Bill for an Act Relating to Population Growth."

Introduced by: Senators Toyofuku, Takitani, Hara, Yim, Mizuguchi, Ushijima, Carpenter, O'Connor, Chong, Kawasaki, Wong, Kuroda and Abercrombie.

No. 167 "A Bill for an Act Relating to State and County Government."

Introduced by: Senators Ushijima, Kuroda, Hara, Campbell, Chong, Young, Cobb, Mizuguchi, Toyofuku, Takitani, Yim, Carpenter, Yamasaki, O'Connor and Wong.

No. 183 "A Bill for an Act Relating to the Debtor-Creditor Code."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 184 "A Bill for an Act Relating to Civil Commitment."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 185 "A Bill for an Act Relating to the Landlord-Tenant Code."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 186 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 187 "A Bill for an Act Relating to the Hawaii Rules of Evidence."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 188 "A Bill for an Act Relating to Receiverships."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 189 "A Bill for an Act Relating to the Uniform Probate Code."

Introduced by: Senators O'Connor, Cobb and Abercrombie.

No. 191 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Chong, Kawasaki, Wong and Abercrombie.

No. 192 "A Bill for an Act Relating to

Public Utilities."

Introduced by: Senators Chong, Kawasaki, Wong and Abercrombie.

No. 193 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Chong, Wong and Abercrombie.

No. 194 "A Bill for an Act Relating to Adoption of a State Tourism Plan."

Introduced by: Senators Kuroda, Takitani, Toyofuku, Hara, Yamasaki, Kawasaki, Ushijima, Young, Chong, Mizuguchi, Yim, Cobb, Carpenter, Campbell, O'Connor, Wong and Abercrombie.

No. 195 "A Bill for an Act Relating to Hotels."

Introduced by: Senators Kuroda, Takitani, Yamasaki, Kawasaki, Ushijima, Young, Chong, Mizuguchi, Yim, Carpenter, Campbell, O'Connor, Wong and Abercrombie.

No. 215 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senators Cobb and Chong.

No. 228 "A Bill for an Act Relating to the Repeal of the No-Fault Insurance Law."

Introduced by: Senator Abercrombie.

Senator Kawasaki then rose on a point of personal privilege and stated as follows:

"Mr. President, I just wanted to explain to the members of this Body that in the 12 years that I have been around here, I've never seen the Vice President of the Senate given the privilege of escorting beauty queens to the rostrum and for that reason I was momentarily at loss to recollect my thoughts--but, I want to assure you that I'm perfectly qualified to do that now and I'm prepared to do that in the future."

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 11:54 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, January 29, 1979.

NINTH DAY

Monday, January 29, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Stephen Amsden of the Central Union Church, after which the Roll was called showing all Senators present, with the exception of Senators Hara, O'Connor and Ushijima who were excused.

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

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 38 to 40) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 38), transmitting a report prepared by the Department of Social Services and Housing in response to Section 346-54, paragraph 2, Hawaii Revised Statutes, as amended, regarding expenditures versus revenues, was referred jointly to the Committee on Human Resources and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 39), transmitting a report prepared by the Department of Social Services and Housing in response to Section 346-53 (b), Hawaii Revised Statutes, as amended, regarding cost of living adjustments for public assistance, was referred jointly to the Committee on Human Resources and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 40), transmitting a report prepared by the Department of Health in response to Senate Concurrent Resolution No. 84, S.D. 1, Senate Resolution No. 311 and House Resolution No. 575, H.D. 2 (1978), which requested that Department to review the Air Pollution Control Regulations, was referred to the Committee on Ecology, Environment and Recreation.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Ombudsman, (Dept. Com. No. 6), transmitting the annual report of the activities of the Office for fiscal year 1977-1978, was read

by the Clerk and was referred to the Committee on Legislative Management.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 2 to 7) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 2), entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO REPLACE THE CATALYTIC CONVERTERS ON AUTOMOBILES WITH ALTERNATIVE DEVICES IN THE INTEREST OF PROTECTING THE NATION'S CONSUMERS AND SERVING AN IMPORTANT PUBLIC PURPOSE", was jointly offered by Senators Cobb, Yim, Chong, Campbell, Carpenter, Mizuguchi, Hara, Yamasaki, Wong, Abercrombie and O'Connor.

By unanimous consent, S.C.R. No. 2 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 3), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO SET UP A HOUSING INFORMATION SYSTEM TO COMPLY WITH ACT 225 OF 1976", was jointly offered by Senators Young, Chong, Campbell, Takitani, Kuroda, Yamasaki, Ushijima, Yim, Cobb, Kawasaki, O'Connor, Carpenter, Wong, Abercrombie and Mizuguchi.

By unanimous consent, S.C.R. No. 3 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 4), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO INVESTIGATE INCENTIVES NECESSARY TO ALLOW ALTERNATIVE AND INNOVATIVE MORTGAGE FORM PROGRAMS BY THE PRIVATE SECTOR TO INCREASE HOMEOWNERSHIP FOR LOW AND MIDDLE INCOME FAMILIES", was jointly offered by Senators Young, Kuroda, Chong, Takitani, Yamasaki, Ushijima, Hara, Yim, Cobb, Kawasaki, O'Connor, Carpenter, Wong, Abercrombie and Mizuguchi.

By unanimous consent, S.C.R. No. 4 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 5), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO AMEND THE NATIONAL HOUSING ACT

IN RELATION TO FEDERAL INSURANCE OF MORTGAGES ON LEASED LAND", was jointly offered by Senators Young, Chong, Campbell, Takitani, Kuroda, Yamasaki, Ushijima, Hara, Yim, Cobb, Kawasaki, O'Connor, Carpenter, Wong, Abercrombie and Mizuguchi.

By unanimous consent, S.C.R. No. 5 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 6), entitled: "SENATE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS", was jointly offered by Senators Campbell, Wong, O'Connor, Young, Mizuguchi, Chong, Abercrombie, Kawasaki and Carpenter.

By unanimous consent, S.C.R. No. 6 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 7), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE PACIFIC ISLANDS DEVELOPMENT COMMISSION AND ITS EFFORTS AND PROGRESS IN THE COOPERATIVE DEVELOPMENT OF THE RESOURCES IN THE PACIFIC AREAS", was jointly offered by Senators Kuroda, Yim, Carpenter, Chong, Cayetano, Cobb, Soares, Abercrombie, Yamasaki, George, Takitani, Toyofuku, Mizuguchi, Kawasaki, Saiki, Hara, Young, Ajifu and Wong.

Senator Kuroda moved that S.C.R. No. 7 be adopted, seconded by Senator Yim.

Senator Carroll then rose to speak in favor of the resolution as follows:

"Mr. President, I rise to speak in favor of this resolution with certain reservations.

"The WHEREAS clause, which speaks about the tentative development foundation plan to explore the Leeward Islands... I meet with some concern. I would like to say for the record, Mr. President, that those Leeward Islands are the last vestige of a pressing series of ecosystem about which we know very, very little.

"We're in the very beginning of studying the interrelationship of these islands in the entire Pacific basin area, and any activity in those

islands potentially can do damage to those islands and to those ecosystems. There is a tripartite study which is being conducted at the present time which is less than one year under way. It was noted that the period of time necessary to develop the data to be able to exploit the resources there, would be in the vicinity of approximately five years. I think that any activity in those islands, prior to the conclusion at least of a portion of those studies, is very, very premature at that.

"As to the rest of the resolution and to the activities, I'm very much in favor and urge that all vote 'aye'. Thank you, Mr. President."

Senator Abercrombie, upon being recognized by the President, stated that he concurred with the remarks of the previous speaker.

The motion to adopt S.C.R. No. 7 was put by the Chair and was carried, and S.C.R. No. 7 was adopted.

Senator Kuroda then introduced to the members of the Senate, the Honorable Peter Coleman, Governor of American Samoa, and Senator Young presented him with a red carnation lei.

Senator Kuroda then introduced to the members of the Senate former State Senator Fred Rohlfing, who is the Director and Consultant for American Samoa; Mrs. Anita Tomely and Mr. Senele Tuipele Leapanga, who are both Assistants to the Governor.

Governor Peter Coleman then addressed the members of the Senate as follows:

"Mr. President, Members of the Senate, Ladies and Gentlemen:

"This is indeed an honor to be here today. I wish to say 'Talofa' and 'Mahalo Nui Loa' for this opportunity to say a few words before this important Body.

"We, in American Samoa feel very close to the people of Hawaii. My personal connection is very deep education-wise and family-wise. Some 20,000 people of Samoan ancestry live here, but because of our extended family (Aiga) system, they never really cut their ties to their homeland 2,400 miles to the south. To remind yourself of these ties you need only catch a fully loaded Pan American plane during your summer at Honolulu or Pago Pago airports and see what comes off the baggage carousel!

"American Samoa is not a large place. The main island (of 7) is 18

miles long and 6 miles across at the widest point. Our resident population is about 31,000, a good part of whom are people from Western Samoa. We do not have sufficient arable land to become a major agricultural supplier. While Hawaii is larger and does have significant agricultural export industries, you, too, could not support your rapidly expanding population on agriculture alone.

"Since taking office as American Samoa's first elected Governor one year ago, encouragement of economic opportunity has been high on our priority list. Effects, however, of years of rule by paternalism type of government has left us many problems that we are now correcting. As an unincorporated unorganized territory, we still are a creature of the United States Department of Interior and depend a great deal upon its understanding and support. But we are moving as rapidly as we can to develop our assets so as to become less dependent on United States financial support.

"We have a number of assets, both human and material. Chief among the latter are beautiful Pago Pago Harbor and Pago Pago International Airport.

"This transportation complex is the best in the South Pacific with the possible exception of Suva Harbor and Nadi Airport in Fiji. While Suva and Nadi may provide somewhat more diversified surface-shipping services, they are separated by a half hour plane ride or an eight-hour drive, whereas Pago Pago Harbor and Airport are a fifteen-minute drive at 25 miles an hour.

"Since taking office last January, we have thoroughly analyzed our problems and taken action to pull our act together. We are well on our way to completing a comprehensive five-year development plan and have worked very closely with our chief private industry (fishing) on a number of politico-economic problems.

"To better understand our fundamental problems and how we are approaching them, I first want to share with you a short analysis of the problems of small Pacific islands such as ours.

"The problems which we face as islands are not difficult to outline. Small Pacific island countries operate at a disadvantage in the world economy.

"Most small islands depend on

a few main commodities to earn overseas exchange--usually coconut products, fruit, sugar and spices, and in a few cases, minerals or fish. In fact the average Pacific island derives over half its export earnings from one main commodity. We in American Samoa are dependent on our fish cannery exports--an estimate of about \$100 million a year.

"For most Pacific countries, primary exports are subject to extreme price fluctuations on the world market. The Pacific islands' share of production is too small to affect world prices in any of these commodities. The only major operating scheme to help small islands with this problem is STABEX, signed under the ACP/EEC Lome Convention. It has provided its four Pacific members (Fiji, Tonga, Western Samoa and Papua New Guinea) with very valuable stabilization funds. There are also some minor bilateral marketing agreements. Unfortunately, American Samoa and other island countries do not share in these benefits.

"In trade, the Pacific suffers more than the other developing island groups because of isolation from major markets. Due to transport and market communication problems per capita, Pacific exports have never been as high, as say, the Caribbean. Many individual and regional efforts have been made to lower the cost and improve the frequency of Pacific shipping, without great success to date. Modern shipping requires economics of scale to operate efficiently. To avoid this problem, some Pacific islands are now exporting high value fresh fruit and vegetables by air.

"Because of existing transport services and old colonial links, Pacific trade has been very tightly tied to particular metropolitan powers. Exports are concentrated on traditional markets although these may not be the closest or most profitable. New Zealand and Australia, for example, are heavily connected to the South Pacific Islands while both United States exports and imports are under-represented. Only three per cent of Pacific trade is among the islands themselves. Some attempts have been made through the South Pacific Bureau for economic cooperation (SPECC) to arrange regional marketing agreements. However, the dilemma of the Pacific islands is that, unlike the OPEC countries, they control only a tiny proportion of world production.

"Increasingly the most important source of funds for small islands is foreign aid.

"This aid is not without strings. Almost all aid in the Pacific is bilateral. In 1976, on average, each country or territory received about 85% of its aid from one donor country. This pattern also is based on colonial ties. For other Pacific Island nations, this is now changing, with Japan, Western Europe, Canada and regional development organizations becoming major donors.

"American Samoa, however, has been totally dependent on the United States for budgetary aid. For economic development purposes, we have received about one million dollars and are not eligible for development loans by international financing bodies. Contrast that with over \$20 million of development capital which was made available to the independent country of Western Samoa last year by the World Bank, Asian Development Bank and other bilateral air products.

"Another problem that small island countries face is the exploiting activities of multinational private companies. Foreign commercial firms can certainly affect Pacific economies, and there is evidence that some have done so. Island countries also face great problems in administration because of their small size.

"In our own way, we in American Samoa fit this pattern of the small island nations.

"How then to solve our economic problems?

"During this past year of my administration, we have made considerable progress in transportation and communication matters. We fought tenaciously for better civil air service, the basis of a sound tourism program and an essential element of commerce. As of May 1st, Continental Airlines will be making five weekly daytime flights to Pago Pago. Another link, regular surface shipping to Hawaii, was re-established late in 1978. We are also looking forward in June to satellite communication.

"An event of less than two weeks vintage points up an ever more progressive development in the long run.

"The progressive development to which I refer is the role that American Samoa is now playing in affairs of the region, particularly in its relations with the other eastern Polynesian island states and territories. A visible demonstration of this role took place during the week of January 8-12,

when the prime ministers of Tonga and Tuvalu, the premiers of Niue and the Cook Islands, prominent ministers from Western Samoa, and French Polynesia (Tahiti) at my personal invitation attended the most recent Pacific Islands Development Commission, also known as PIDC, meeting in Pago Pago. PIDC is, as you know, an organization composed of the chief executives of Guam, Trust Territory of the Pacific Islands, American Samoa, Northern Marianas Islands and Hawaii, as well as private interests, largely from the fishing industry. While our formal meetings in Pago Pago might be characterized as 'routine', our 'off the record' and personal discussions were barrier-breaking.

"As Premier Tom Davis of the Cook Island said in last week's speech to Pago Pago Rotary, we can work together constructively by lowering our shortsighted barriers to interisland trade and intercourse; by encouraging private enterprise not by talk alone, but by direct measures; by reducing overlapping duplicatory services of regional air carriers; processing plants, etc. American Samoa has two major fish canneries in addition to prime shipping and airport facilities. It makes no sense to duplicate these facilities in Apia, Rarotonga, or Funafuti.

"Joint Pacific island efforts on controlling immigration, agricultural disease and other threats to the environment will be more productive than individual efforts. There is no sense, too, in duplicating large capital facilities with high overhead (e.g., educational facilities, airports and major harbors.) This is the sort of thing we talked about with other leaders of the South Pacific at our Pago PIDC meeting.

"Another example is our joint plan with our close neighbor, Western Samoa, to assist tourism facility development with Continental Airlines who will be making a major commitment to the South Pacific as of May 1st.

"What does all of this mean to you in Hawaii? Your own recent DPED report, 'Hawaii and the Other Pacific Islands', prepared by Harlan Lee while on leave from the State Department, puts it this way:

'As a gateway to the immense United States market, Hawaii offers the other Pacific islands an ideal market place for their exports. In turn Hawaii has the potential of serving as a convenient super market or department store for a wide variety of goods, at prices competitive with other sources, that the islands need from the United States.'

"We, in American Samoa are the gateway to the South Pacific for Hawaii and in turn the gateway for our other small island regional neighbors to trade with Hawaii and the mainland. We are already an integral geographic part of the South Pacific. We are determined to become an integral part of the South Pacific. If we succeed in achieving this goal, we are sure there will be many benefits for Hawaii, too.

"So, as I see it, our mutual economic interests are in tandem in this part of the world. We have already worked very closely with Hawaiian fishing interests and are very active together in the Western Pacific Regional Fisheries Council headed by Senator Wadsworth Yee. We work closely with Andy Gerakas of PIDC, and hope that you will again support this program.

"In addition, we are increasingly looking to Hawaii for contract and permanent employees for our government. Our new liaison office, whose director is your former Senate colleague, Fred Rohlfing, is functioning as a valuable interface with government, business and the community-at-large on a number of employment, immigration, educational, material, supply and legal matters. He can provide you with detailed information about American Samoa, and the region of which it is a part. Also of note is our recent appointment of your former Director of Personnel, Edna Taufa'asau as our Director of Manpower Resources, and also, former State Representative Joe Dwight, Jr., as our Attorney General.

"As a State, you are a fully integrated part of the United States but we are, as the lawyers say, an 'inchoate' territory, unorganized and unincorporated. For you non-constitutionalists, unincorporated means any territory to which the United States Constitution has not been expressly and fully extended. Unorganized does not mean we don't have our act together. It only means Congress has not written an Organic Act for us as they did for Hawaii in 1900. Our Political Study Commission is now reviewing political status alternatives for us.

"Despite this difference, we have much in common politically. We too have to deal with those Federal agencies whose rules and regulations all seem to be devised for landlocked midwestern states with temperate climates. Can you imagine having to post a 'right turn on red' sign on an island where there are no traffic signals, in order to preserve Federal

highway grants-in-aid? I'm sure you can, with your problems on sewer effluent and the Water Quality Act.

"We have no votes in Congress. Consequently, we rely heavily on the help of the Hawaii delegation and some other friends from western states. I wish to acknowledge here and now the tremendous work that Senators Inouye and Matsunaga and Representatives Heftel and Akaka have been doing for us. We are both surrounded by water, have common Polynesian antecedents, a common connection with the greatest nation in the world and a comparable record of sacrifice to our nation.

"Increasingly, your attention and ours is being directed to the ocean that surrounds us. When we start exercising that attention we are automatically projected into an international political arena, law of the sea conferences, regional fishing compacts, etc.

"We in American Samoa have learned, the hard way, that we can't sit back and expect the Federal government to act in our best interest automatically. Certainly we can't assume they will. We must express our views to them.

"A case in point is the question of the South Central Pacific disputed islands, islands over which the United States, the United Kingdom, New Zealand and Australia have had conflicting claims for over 100 years. Just last Thursday and Friday, State Department representatives met with a joint delegation from the United Kingdom and the shortly-to-be-independent Gilbert Islands.

"Some fourteen disputed islands of the line and Phoenix group are involved. Without going into great detail, the United States based most of its claims on the Guano mining of the 1800's, the Guano Act of 1856. But in the case of islands like Canton and Enderbury, we have had a settled presence since the islands became important for civil aviation and defense activities.

"Little weight was given (strangely) to the fact that Polynesians had occupied these islands for centuries while travelling to and from Hawaii and the South. To us the islands are important because for every island there is a 200-mile radius of fishing economic zone around it.

"As I said earlier, we in Samoa are dependent for our survival on the continued health of our fish canneries. Access of our fleet to Pacific waters is vital. When we learned, through a published statement in the Pacific Islands monthly magazine, of the State Department's

alleged willingness to give up all United States claims, we went to 'battle stations.' We made a strong presentation of our case in Washington to the State Department.

"You in Hawaii are also deeply affected by these events since you are trying to develop your long range fishing fleet. It is a natural for that fleet to operate up north out of Midway during summer months and off the line islands south during winter months.

"If the Gilberts assert their 200-mile economic zone, we both have a real problem. Particularly, also if they were to grant license to another nation to fish there exclusively.

"I am happy to say that your State Administration joined American Samoa's protest of any outright giveaway as of last Wednesday, and as of today through our involvement, we have achieved a positive working relationship with the Gilbertese.

"So again we see how our interests are interlinked.

"Neither Hawaii nor American Samoa can escape the fact that we are oceanic states, unique in the American constellation. While science has produced new technologies, governments are notoriously snail-like in their reactions. This is particularly so in the field of oceanic technology.

"The problems of new industries that might be based in Hawaii and/or American Samoa cannot be handled except at the international level, at least the regional international level. This is why we in American Samoa emphasize our participation in all South Pacific and Pacific-wide institutions, e.g., PIDC, the South Pacific Commission, and send observers to South Pacific forum meetings. Hawaii, as such, I might add has been largely absent from these forums, though Hawaiian residents have represented the United States from time to time. But it has been noted that your own great State is taking positive action in this direction.

"We have one other important common politico-social element--our mutual desire to preserve as much as possible our unique island cultures. As with Hawaii in the past twenty years since Statehood, we in Samoa are faced with the inevitability of our greater integration into the world at large. We welcome the opportunity to participate actively

in improving the lives of our own and other peoples through modern technologies. But we in Samoa are also deeply committed to the preservation of the true and abiding values of Fa'a Samoa, the Samoan culture. To some we may seem slow in building hotels or accepting our land policies to development, but we do so for a reason. If it is good, it will ultimately have broad public support. Until then we won't give the store away!

"I appreciate your willingness to interrupt your important deliberations to listen to a fellow islander with deep roots here in Hawaii.

"I wish you a successful session and pledge my administration to working with you and your State and county governments on mutual problems.

"Little American Samoa needs a lot of help from its big sister State!

"Fa'afatai Tele Lava, Mahalo Nui Loa."

The President then thanked Governor Coleman for his remarks.

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

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 14 to 69) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 14), entitled: "SENATE RESOLUTION HONORING ISAMI KOBAYASHI FOR HIS YEARS OF UNSELFISH COMMUNITY SERVICE", was jointly offered by Senators Hara, Ushijima, Carpenter, Campbell, Toyofuku, Cobb, Cayetano, Takitani, Yamasaki, Chong, Mizuguchi, George, Wong, O'Connor, Anderson, Soares, Kawasaki, Young, Yee, Ajifu, Yim, Carroll, Saiki, Abercrombie and Kuroda.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, S.R. No. 14 was adopted.

A resolution (S.R. No. 15), entitled: "SENATE RESOLUTION URGING ESTABLISHMENT OF INTERN WORK-EXPERIENCE PROGRAMS IN THE AGRICULTURAL CURRICULA AT THE MANOA AND HILO CAMPUSES OF THE UNIVERSITY OF HAWAII", was jointly offered by Senators Takitani, Hara, Kuroda, Chong, Young, Yamasaki, Mizuguchi, Toyofuku, Ushijima, Yim, Cobb, Campbell, Carpenter and Wong.

By unanimous consent, S.R. No. 15 was referred to the Committee on Agriculture, then to the Committee on Higher Education.

A resolution (S.R. No. 16), entitled: "SENATE RESOLUTION URGING ALL GOVERNMENT AGENCIES WHICH REGULATE BUSINESSES TO INITIATE DEREGULATION PROGRAMS", was jointly offered by Senators Cobb and Chong.

By unanimous consent, S.R. No. 16 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 17), entitled: "SENATE RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO REPLACE THE CATALYTIC CONVERTERS ON AUTOMOBILES WITH ALTERNATIVE DEVICES IN THE INTEREST OF PROTECTING THE NATION'S CONSUMERS AND SERVING AN IMPORTANT PUBLIC PURPOSE", was jointly offered by Senators Cobb, Yim, Chong, Campbell, Carpenter, Mizuguchi, Hara, Yamasaki, Wong, Abercrombie and O'Connor.

By unanimous consent, S.R. No. 17 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 18), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF NO-FAULT OPEN RATING PERIOD", was jointly offered by Senators Cobb, Chong, Kawasaki, Hara, Takitani, Campbell, Carpenter, Young, Yim, O'Connor and Wong.

By unanimous consent, S.R. No. 18 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 19), entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF THE IMPACT OF THE INDUSTRIAL LOAN COMPANY GUARANTY ACT", was jointly offered by Senators Cobb, Kuroda, Chong, Kawasaki, Hara, Takitani, Campbell, Carpenter, Yim, Young, O'Connor and Wong.

By unanimous consent, S.R. No. 19 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 20), entitled: "SENATE RESOLUTION REQUESTING

THE DEPARTMENT OF REGULATORY AGENCIES TO STUDY THE INTEREST RATE SETTING PRACTICES OF HAWAII'S INDUSTRIAL LOAN COMPANIES", was jointly offered by Senators Cobb, Kuroda, Kawasaki, Chong, Yim, Young, Campbell, Carpenter, O'Connor, Wong and Abercrombie.

By unanimous consent, S.R. No. 20 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 21), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE SUNSET LAW", was jointly offered by Senators Cobb, Kuroda, Hara, Kawasaki, Takitani, Yim, Chong, Young, Carpenter, O'Connor, Wong and Abercrombie.

By unanimous consent, S.R. No. 21 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 22), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF REGULATORY AGENCIES TO STUDY THE FEASIBILITY OF MAKING EXAMINATIONS GIVEN TO PROSPECTIVE ENTRANTS INTO REGULATED PROFESSIONS AND OCCUPATIONS OBJECTIVE", was jointly offered by Senators Cobb, Kuroda, Hara, Kawasaki, Takitani, Chong, Young, Carpenter, Yamasaki, O'Connor, Wong and Abercrombie.

By unanimous consent, S.R. No. 22 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 23), entitled: "SENATE RESOLUTION REQUESTING THE SUBMITTAL OF RECOMMENDATIONS FOR STREAMLINING THE PERMIT PROCEDURE FOR AQUACULTURE PROJECTS", was jointly offered by Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Ushijima, Yamasaki, Wong, Hara, Cayetano, Carpenter, Campbell, O'Connor and Kawasaki.

By unanimous consent, S.R. No. 23 was referred to the Committee on Economic Development.

A resolution (S.R. No. 24), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON ANCIENT HAWAIIAN FISHPONDS WHICH DEMONSTRATE HIGH POTENTIAL AS HISTORICAL FEATURES, VISITOR ATTRACTIONS, AND COMMERCIAL AQUACULTURE", was jointly offered by Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Yamasaki, Wong, Hara, Cayetano, Ushijima, Cobb, Carpenter, Campbell, O'Connor and Kawasaki.

By unanimous consent, S.R. No. 24 was referred to the Committee on Economic Development.

A resolution (S.R. No. 25), entitled: "SENATE RESOLUTION REQUESTING THAT SUITABLE LAND FOR AQUACULTURAL PURPOSES BE SET ASIDE AND MADE AVAILABLE TO AQUACULTURISTS UNDER TERMS COMPARABLE TO THOSE GIVEN TO TRADITIONAL LAND FARMERS", was jointly offered by Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Yamasaki, O'Connor, Wong, Hara, Cayetano, Cobb, Ushijima, Carpenter and Campbell.

By unanimous consent, S.R. No. 25 was referred to the Committee on Economic Development.

A resolution (S.R. No. 26), entitled: "SENATE RESOLUTION REQUESTING THE PROVISION OF VOCATIONAL AND FORMAL EDUCATION AT ALL LEVELS TO MEET THE NEEDS OF HAWAII'S AQUACULTURE INDUSTRY", was jointly offered by Senators Yim, Kuroda, Chong, Young, Takitani, Toyofuku, Mizuguchi, Yamasaki, Kawasaki, Wong, Hara, Cayetano, Ushijima, Cobb, Carpenter, Campbell and O'Connor.

By unanimous consent, S.R. No. 26 was referred jointly to the Committee on Economic Development, the Committee on Education and the Committee on Higher Education.

A resolution (S.R. No. 27), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was jointly offered by Senators Campbell, Young, Cobb, Takitani, Ushijima, Chong, Yamasaki, Yim, Mizuguchi, Toyofuku, Carpenter, Wong and Kuroda.

By unanimous consent, S.R. No. 27 was referred to the Committee on Education.

A resolution (S.R. No. 28), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A REPORT ON THE REASONS FOR INCREASING THE HIGH SCHOOL GRADUATION REQUIREMENTS", was jointly offered by Senators Campbell, Young, Takitani, Ushijima, Chong, Yamasaki, Carpenter and Wong.

By unanimous consent, S.R. No. 28 was referred to the Committee on Education.

A resolution (S.R. No. 29), entitled:

"SENATE RESOLUTION REQUESTING A STATUS REPORT ON SCHOOL-BY-SCHOOL BUDGETING", was jointly offered by Senators Campbell, Young, Cobb, Takitani, Ushijima, Chong, Hara, Yamasaki, Abercrombie, Yim, Mizuguchi, Toyofuku, Carpenter, Wong and Kuroda.

By unanimous consent, S.R. No. 29 was referred to the Committee on Education.

A resolution (S.R. No. 30), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A HAWAIIAN EDUCATION PROGRAM IN THE PUBLIC SCHOOLS", was jointly offered by Senators Campbell, Young, Chong, Hara, Yamasaki, Abercrombie, Takitani, Yim, Mizuguchi, Toyofuku, Ushijima, Wong and Carpenter.

By unanimous consent, S.R. No. 30 was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Education.

A resolution (S.R. No. 31), entitled: "SENATE RESOLUTION REQUESTING REPORTS ON VIOLENCE, VANDALISM, AND FIRES", was jointly offered by Senators Campbell, Young, Chong, Cobb, Yim, Takitani, Ushijima, Hara, Yamasaki, Abercrombie, Mizuguchi, Toyofuku, Carpenter and Wong.

By unanimous consent, S.R. No. 31 was referred to the Committee on Education.

A resolution (S.R. No. 32), entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE ASBESTOS SITUATION IN PUBLIC SCHOOLS", was jointly offered by Senators Campbell, Young, Chong, Cobb, Takitani, Ushijima, Hara, Yamasaki, Yim, Toyofuku, Carpenter, Wong and Mizuguchi.

By unanimous consent, S.R. No. 32 was referred to the Committee on Education.

A resolution (S.R. No. 33), entitled: "SENATE RESOLUTION REQUESTING AN EDUCATIONAL PROGRAM TO REDUCE TEENAGE SHOPLIFTING", was jointly offered by Senators Campbell, Young, Cobb, Takitani, Ushijima, Chong, Hara, Yamasaki, Yim, Carpenter, Wong, Kuroda and Mizuguchi.

By unanimous consent, S.R. No. 33 was referred to the Committee on Education.

A resolution (S.R. No. 34), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A STATUS REPORT ON ITS PROGRAM FOR THE GIFTED AND TALENTED", was jointly offered by Senators Campbell, Young, Chong, Cobb, Takitani, Ushijima, Hara, Yamasaki,

Yim, Toyofuku, Carpenter, Wong and Mizuguchi.

By unanimous consent, S.R. No. 34 was referred to the Committee on Education.

A resolution (S.R. No. 35), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF STAGGERED SCHOOL HOURS TO ALLEVIATE TRAFFIC CONGESTION", was jointly offered by Senators Campbell, Young, Chong, Yamasaki, Takitani, Yim, Toyofuku, Ushijima, Wong, Cobb and Carpenter.

By unanimous consent, S.R. No. 35 was referred jointly to the Committee on Education and the Committee on Transportation.

A resolution (S.R. No. 36), entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF GUIDELINES AND POLICIES FOR STATE GRANTS, SUBSIDIES, AND PURCHASE OF SERVICES RELATING TO HEALTH CARE SERVICES", was jointly offered by Senators Carpenter, Campbell, Chong, O'Connor, Kuroda and Wong.

By unanimous consent, S.R. No. 36 was referred to the Committee on Health.

A resolution (S.R. No. 37), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH REVIEW THE IMPLEMENTATION OF THE STATEWIDE EMERGENCY MEDICAL SERVICES SYSTEM", was jointly offered by Senators Carpenter, Campbell, Chong, Cobb, Yamasaki, O'Connor, Kuroda and Wong.

By unanimous consent, S.R. No. 37 was referred to the Committee on Health.

A resolution (S.R. No. 38), entitled: "SENATE RESOLUTION RELATING TO THE NEEDS OF THE DEVELOPMENTALLY DISABLED", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

By unanimous consent, S.R. No. 38 was referred to the Committee on Health.

A resolution (S.R. No. 39), entitled: "SENATE RESOLUTION RELATING TO ENCOURAGING THE DIRECTOR OF HEALTH TO HELPING PERSONS INTO THE MAINSTREAM OF SOCIETY", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

By unanimous consent, S.R. No. 39 was referred to the Committee on Health.

A resolution (S.R. No. 40), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HEALTH TO REVIEW THE CURRENT PROGRAMS AND POLICIES OF OSHA REGARDING VICTIMS OF ASBESTOS RELATED DISEASES", was jointly offered by Senators Carpenter, Campbell, Yamasaki, Chong, O'Connor, Kuroda and Wong.

By unanimous consent, S.R. No. 40 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 41), entitled: "SENATE RESOLUTION RELATING TO RUBELLA", was jointly offered by Senators Carpenter, Campbell, Cobb, Yamasaki, Kuroda, Wong, Chong and O'Connor.

By unanimous consent, S.R. No. 41 was referred to the Committee on Health.

A resolution (S.R. No. 42), entitled: "SENATE RESOLUTION RELATING TO THE FEASIBILITY OF ESTABLISHING A HEALTH CARE OMBUDSMAN", was jointly offered by Senators Carpenter, Campbell, Chong, O'Connor, Cobb, Yamasaki, Kuroda and Wong.

By unanimous consent, S.R. No. 42 was referred to the Committee on Health.

A resolution (S.R. No. 43), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO PROVIDE A REPORT ON THE STATUS OF ITS COMPLIANCE WITH THE SUBSTANCE ABUSE AMENDMENTS", was jointly offered by Senators Carpenter, Campbell, Chong, O'Connor, Wong, Yamasaki and Kuroda.

By unanimous consent, S.R. No. 43 was referred to the Committee on Health.

A resolution (S.R. No. 44), entitled: "SENATE RESOLUTION RELATING TO A FEASIBILITY STUDY OF INCLUSION OF A FIRST AID CHART IN THE PHONE DIRECTORY ON ALL ISLANDS", was jointly offered by Senators Carpenter, Campbell, Chong, Wong, Cobb, Yamasaki, O'Connor and Kuroda.

By unanimous consent, S.R. No. 44 was referred jointly to the Committee on Health and the Committee on Public Utilities.

A resolution (S.R. No. 45), entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE NECESSITY OF INCREASING VARIOUS EMERGENCY TREATMENT SERVICES, ON THE FEASIBI-

LITY OF COORDINATING THESE SERVICES, AND ON ANY ATTEMPTS IN PROGRESS", was jointly offered by Senators Carpenter, Campbell, Chong, Kuroda, Cobb, Yamasaki, O'Connor and Wong.

By unanimous consent, S.R. No. 45 was referred jointly to the Committee on Health and the Committee on Human Resources.

A resolution (S.R. No. 46), entitled: "SENATE RESOLUTION URGING CONGRESS TO AMEND THE NATIONAL HOUSING ACT IN RELATION TO FEDERAL INSURANCE OF MORTGAGES ON LEASED LAND", was jointly offered by Senators Young, Chong, Hara, Campbell, Takitani, Kuroda, Abercrombie, Yamasaki, Ushijima, Yim, Cobb, Kawasaki, O'Connor, Carpenter, Wong and Mizuguchi.

By unanimous consent, S.R. No. 46 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 47), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO INVESTIGATE INCENTIVES NECESSARY TO ALLOW ALTERNATIVE AND INNOVATIVE MORTGAGE FORM PROGRAMS BY THE PRIVATE SECTOR TO INCREASE HOMEOWNERSHIP FOR LOW AND MIDDLE INCOME FAMILIES", was jointly offered by Senators Young, Kuroda, Campbell, Chong, Takitani, Yamasaki, Ushijima, Yim, Cobb, Kawasaki, O'Connor, Toyofuku, Carpenter, Wong, Abercrombie and Mizuguchi.

By unanimous consent, S.R. No. 47 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 48), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO SET UP A HOUSING INFORMATION SYSTEM TO COMPLY WITH ACT 225 OF 1976", was jointly offered by Senators Young, Kuroda, Campbell, Chong, Takitani, Yamasaki, Ushijima, Yim, Cobb, Kawasaki, O'Connor, Carpenter, Wong, Abercrombie and Mizuguchi.

By unanimous consent, S.R. No. 48 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 49), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES TO REVIEW THE COUNTIES' REPORTS ON SENATE RESOLUTION 144, REGULAR SESSION OF 1978", was jointly offered by Senators Young, Chong, Abercrombie,

Carpenter and Yamasaki.

By unanimous consent, S.R. No. 49 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management.

A resolution (S.R. No. 50), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW ITS EDUCATION AND PUBLIC INFORMATION PROGRAM", was jointly offered by Senators Young, Kuroda, Abercrombie, Carpenter, Chong, Yamasaki and Hara.

By unanimous consent, S.R. No. 50 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 51), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO EXPAND ITS HOME OWNERSHIP EDUCATION COURSE TO INCLUDE RESIDENTS OF HAWAIIAN HOME LANDS", was jointly offered by Senators Young, Kuroda, Abercrombie, Yamasaki, Hara, Carpenter and Chong.

By unanimous consent, S.R. No. 51 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 52), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE NEED FOR LEGISLATIVE SUPERVISION OF FEDERAL AID TO THE STATE AND COUNTY GOVERNMENTS", was jointly offered by Senators Ushijima, O'Connor, Chong, Kuroda, Mizuguchi, Toyofuku, Hara, Young, Wong, Takitani, Yim, Carpenter and Cobb.

By unanimous consent, S.R. No. 52 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 53), entitled: "SENATE RESOLUTION RELATING TO THE UCC", was jointly offered by Senators O'Connor, Cobb and Abercrombie.

By unanimous consent, S.R. No. 53 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 54), entitled: "SENATE RESOLUTION DIRECTING THE SENATE JUDICIARY COMMITTEE TO EXAMINE THE EXISTING DEPARTMENTAL STRUCTURE OF THE EXECUTIVE BRANCH", was jointly offered by Senators O'Connor, Cobb, Takitani, Chong, Kawasaki, Kuroda, Campbell and Carpenter.

By unanimous consent, S.R. No. 54 was referred to the Committee on Judiciary,

then to the Committee on Legislative Management.

A resolution (S.R. No. 55), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO END THE UNNECESSARY DELAY IN IMPLEMENTING ITS 1976 MANDATE TO END DISCRIMINATORY LONG-DISTANCE RATES CHARGED HAWAII TELEPHONE USERS", was jointly offered by Senators Chong, Campbell, Takitani, Yim, Carpenter, Yamasaki, O'Connor, Kuroda, Kawasaki, Wong and Abercrombie.

By unanimous consent, S.R. No. 55 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 56), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE NEED FOR AND THE FEASIBILITY OF A CONVENTION CENTER IN KAKAOKO, OAHU", was jointly offered by Senators Kuroda, Takitani, Hara, Toyofuku, Yamasaki, Ushijima, Young, Chong, Yim, Cobb, Carpenter, Campbell, O'Connor, Wong and Abercrombie.

By unanimous consent, S.R. No. 56 was referred jointly to the Committee on Tourism and the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 57), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DEVELOP MEANS TO CURB THE ALARMING RATE OF CRIMES AGAINST VISITORS TO OUR STATE", was jointly offered by Senators Kuroda, Takitani, Toyofuku, Yamasaki, Yim, Hara, Chong, Cobb, Abercrombie, Kawasaki, Ushijima, Young, Mizuguchi, Carpenter, Campbell, O'Connor and Wong.

By unanimous consent, S.R. No. 57 was referred to the Committee on Tourism.

A resolution (S.R. No. 58), entitled: "SENATE RESOLUTION RELATING TO THE HONOLULU HARBOR REDEVELOPMENT", was jointly offered by Senators Mizuguchi, Wong, Kawasaki, Yim, Yamasaki, Chong, Cobb and Hara.

By unanimous consent, S.R. No. 58 was referred to the Committee on Transportation.

A resolution (S.R. No. 59), entitled: "SENATE RESOLUTION RELATING TO POTENTIAL IMPACT OF AIRLINE DEREGULATION ON DEMANDS FOR AIRLINE FACILITIES", was jointly offered by Senators Mizuguchi, Wong, Kawasaki, Yim, Yamasaki,

Chong, Cobb and Hara.

By unanimous consent, S.R. No. 59 was referred to the Committee on Transportation.

A resolution (S.R. No. 60), entitled: "SENATE RESOLUTION RELATING TO THE REVIEW OF DELINEATION OF ROAD MAINTENANCE RESPONSIBILITIES AND THE REVIEW OF ROAD DAMAGE CAUSED BY RECENT WEATHER CONDITIONS", was jointly offered by Senators Mizuguchi, Chong, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Kawasaki, O'Connor and Wong.

By unanimous consent, S.R. No. 60 was referred to the Committee on Transportation.

A resolution (S.R. No. 61), entitled: "SENATE RESOLUTION RELATING TO SCHOOL BUS SAFETY", was jointly offered by Senators Mizuguchi, Chong, Campbell, Cobb and O'Connor.

By unanimous consent, S.R. No. 61 was referred to the Committee on Transportation.

A resolution (S.R. No. 62), entitled: "SENATE RESOLUTION RELATING TO A STAGGERED WORK HOUR PROGRAM TO DEAL WITH TRAFFIC CONGESTION", was jointly offered by Senators Mizuguchi, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Kawasaki, O'Connor, Wong and Chong.

By unanimous consent, S.R. No. 62 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 63), entitled: "SENATE RESOLUTION RELATING TO THE CONCEPT OF SPECIAL FUNDING FOR VARIOUS MODES OF TRANSPORTATION", was jointly offered by Senators Mizuguchi, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Kawasaki, O'Connor, Wong and Chong.

By unanimous consent, S.R. No. 63 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 64), entitled: "SENATE RESOLUTION RELATING TO TRANSPORTATION PLANNING", was jointly offered by Senators Mizuguchi, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Chong, Kawasaki, O'Connor and Wong.

By unanimous consent, S.R. No. 64 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 65), entitled: "SENATE RESOLUTION RELATING TO AIRPORT SAFETY", was jointly offered by Senators Mizuguchi, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Kawasaki, O'Connor, Chong and Wong.

By unanimous consent, S.R. No. 65 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 66), entitled: "SENATE RESOLUTION RELATING TO HIGHWAY BEAUTIFICATION", was jointly offered by Senators Mizuguchi, Kuroda, Young, Hara, Takitani, Ushijima, Cobb, Toyofuku, Yamasaki, Yim, Carpenter, Campbell, Kawasaki, O'Connor, Wong and Chong.

By unanimous consent, S.R. No. 66 was referred to the Committee on Transportation.

A resolution (S.R. No. 67), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROCEED IMMEDIATELY TO DEVELOP A PROGRAM FOR STUDENT INVOLVEMENT ON EVERY SCHOOL CAMPUS IN ITS EFFORTS TO CURB SCHOOL VIOLENCE AND VANDALISM", was jointly offered by Senators Campbell, Young, Chong, Hara, Yamasaki, Takitani, Yim, Toyofuku, Ushijima, Carpenter, Kuroda and Mizuguchi.

By unanimous consent, S.R. No. 67 was referred to the Committee on Education.

A resolution (S.R. No. 68), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF PUBLIC CONCERNS RELATING TO HORIZONTAL PROPERTY REGIMES", was jointly offered by Senators Cobb, Chong, Carpenter and Ushijima.

By unanimous consent, S.R. No. 68 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 69), entitled: "SENATE RESOLUTION COMMENDING THE PACIFIC ISLANDS DEVELOPMENT COMMISSION AND ITS EFFORTS AND PROGRESS IN THE COOPERATIVE DEVELOPMENT OF THE RESOURCES IN THE PACIFIC AREAS", was jointly offered by Senators Kuroda, Yim, Wong, Carpenter, Chong, Anderson,

Cayetano, Cobb, Soares, Abercrombie, Yamasaki, George, Takitani, Toyofuku, Mizuguchi, Kawasaki, Saiki, Hara, Ajifu and Young.

On motion by Senator Kuroda, seconded by Senator Yim and carried, S.R. No. 69 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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, January 30, 1979:

Senate Bill

No. 242 "A Bill for an Act Making an Appropriation for Plans and Construction of Molokai Rehabilitation Facility at Kaunakakai, Molokai."

Introduced by: Senators Yamasaki and Takitani.

No. 243 "A Bill for an Act Making an Appropriation to Provide for One Public Health Nursing Position at Lanai, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 244 "A Bill for an Act Making an Appropriation for a Master Plan to Develop Honomuni Beach as a State Beach Park, Molokai."

Introduced by: Senators Yamasaki, by request, and Takitani.

No. 245 "A Bill for an Act Making Supplemental Appropriation for Construction of Improvements at Maui Vacuum Cooling Plant, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 246 "A Bill for an Act To Provide Funds for One Counselor Position at Hana High and Elementary School, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 247 "A Bill for an Act Relating to Physicians Cooperative."

Introduced by: Senators Yamasaki, Takitani, Young, Ajifu, Yee, Chong, Ushijima, Carpenter, Kuroda, Carroll and George.

No. 248 "A Bill for an Act Relating to the Pacific and Asian Affairs Council

for the State of Hawaii."

Introduced by: Senators Yamasaki, Takitani, Mizuguchi, Chong, Young, Ushijima, George, Ajifu, Carpenter, Cayetano, Yee, Kuroda and Hara.

No. 249 "A Bill for an Act Making an Appropriation for Statewide Young Farmers' Program."

Introduced by: Senators Yamasaki, Takitani, Carroll, Mizuguchi, Cobb, Chong, Yee, Young, Ushijima, George, Cayetano, Ajifu, Carpenter, Kuroda and Hara.

No. 250 "A Bill for an Act Making an Appropriation for Various Community Action Agencies."

Introduced by: Senators Yamasaki, Takitani, Chong, Mizuguchi, Young, Ushijima, George, Cayetano, Ajifu, Carpenter, Yee, Kuroda and Hara.

No. 251 "A Bill for an Act Making an Appropriation for the Eradication of Fruit Fly."

Introduced by: Senators Yamasaki, Takitani, Hara, Ushijima and Chong.

No. 252 "A Bill for an Act Making an Appropriation for Hawaii Foundation for History and Humanities."

Introduced by: Senators Yamasaki, Ushijima, Chong, Takitani, Carpenter, Yee, Kuroda, George and Hara.

No. 253 "A Bill for an Act Relating to Post Retirement Allowances."

Introduced by: Senators Yamasaki, Takitani, Carpenter, Yee, Kuroda, Chong and Hara.

No. 254 "A Bill for an Act Relating to General Excise Tax Exemptions for the Elderly."

Introduced by: Senators Yamasaki, by request, and Takitani.

No. 255 "A Bill for an Act Making an Appropriation for the Expansion of Pre-Vocational, Day Activity Training Programs for Developmentally Disabled Adults."

Introduced by: Senators Toyofuku, O'Connor, Abercrombie, Yim, Cayetano, Takitani, Mizuguchi, Yamasaki, Chong, Carpenter, Cobb, Campbell, Young, Hara, Saiki and Ushijima.

No. 256 "A Bill for an Act Making an Appropriation to Provide a

Grant-In-Aid to Serenity House, Kapaa, Kauai."

Introduced by: Senators Toyofuku, Takitani, Campbell, Chong, O'Connor, Young, Carpenter, Mizuguchi, Yamasaki and Ushijima.

No. 257 "A Bill for an Act Making an Appropriation for the Kauai Association for Retarded Citizens."

Introduced by: Senators Toyofuku, Takitani, Carpenter, Young, Mizuguchi, Yamasaki, O'Connor, Ushijima, Chong and Campbell.

No. 258 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Toyofuku, Hara, Takitani, Yamasaki, O'Connor, Young, Ushijima, Carpenter, Mizuguchi, Campbell and Cayetano.

No. 259 "A Bill for an Act Relating to the Income Tax."

Introduced by: Senators Toyofuku, Takitani, Ushijima, Yamasaki, Mizuguchi, Chong, Cobb, Soares, Carpenter, Young, Hara and O'Connor.

No. 260 "A Bill for an Act Relating to Advertising."

Introduced by: Senators Toyofuku, Takitani, Campbell, Chong, Cobb, Abercrombie, Carpenter, Hara, Young and O'Connor.

No. 261 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Aina Haina Elementary School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

No. 262 "A Bill for an Act Making an Appropriation for Improvements at Aliiolani Elementary School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

No. 263 "A Bill for an Act Making an Appropriation for Capital Improvement Project at Niu Valley Intermediate School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

No. 264 "A Bill for an Act Relating to Taxation of Related Corporations."

Introduced by: Senators Yee, George, Saiki, Kuroda, Takitani and Soares.

No. 265 "A Bill for an Act Relating to the General Excise Tax on Lessors of Real Property."

Introduced by: Senators Yee, George, Saiki, Kuroda, Takitani, Cobb, Soares and Carpenter.

No. 266 "A Bill for an Act Relating to Taxation."

Introduced by: Senators Yee, Carpenter, George, Carroll, Kuroda, Takitani, Cobb and Soares.

No. 267 "A Bill for an Act Relating to Partial Payment of Taxes and to Interest Charged on Penalties."

Introduced by: Senators Yee, Yamasaki, George, Saiki, Kuroda, Takitani, Cobb, Soares and Carpenter.

No. 268 "A Bill for an Act Relating to Real Property Taxes."

Introduced by: Senators Yee, Yamasaki, George, Carroll, Saiki, Kuroda, Takitani, Cobb, Soares and Carpenter.

No. 269 "A Bill for an Act Relating to Capital Punishment."

Introduced by: Senators Yee, Saiki, Kuroda, Cobb, Soares and Carpenter.

No. 270 "A Bill for an Act Relating to Leasehold Rents."

Introduced by: Senators Yee, Soares, Carpenter, Yamasaki, Carroll, Saiki, Kuroda and Takitani.

No. 271 "A Bill for an Act Relating to Prompt Complaint."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Chong, Kuroda, Ushijima, Abercrombie, Hara, Ajifu, Saiki and George.

No. 272 "A Bill for an Act Relating to Firearms and Ammunition."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Chong, Kuroda, Ushijima, Abercrombie, Hara, Ajifu, Saiki and George.

No. 273 "A Bill for an Act Relating to Use of Force."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Chong, Kuroda, Ushijima, Ajifu, Saiki, Abercrombie and George.

No. 274 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators Takitani,

Yamasaki, O'Connor, Chong, Kuroda, Ushijima, Hara, Ajifu and Saiki.

No. 275 "A Bill for an Act Relating to Pornography."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Kuroda, Ajifu, Saiki and George.

No. 276 "A Bill for an Act Relating to Offenses Against Property Rights."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Toyofuku, Chong, Kuroda, Ushijima, Abercrombie, Hara, Ajifu, Saiki and George.

No. 277 "A Bill for an Act Relating to Choice of Evils."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Kuroda, Ushijima, Hara, Ajifu, Saiki and George.

No. 278 "A Bill for an Act Relating to Responsibility and Fitness."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Chong, Kuroda, Ushijima, Hara, Ajifu, Saiki and George.

No. 279 "A Bill for an Act Relating to Criminal Procedure."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Toyofuku, Chong, Kuroda, Ushijima, Hara, Ajifu, Saiki and George.

No. 280 "A Bill for an Act Relating to Deferred Acceptance of Guilty Pleas."

Introduced by: Senators Takitani, Yamasaki, O'Connor, Toyofuku, Chong, Kuroda, Ushijima, Abercrombie, Hara, Ajifu, Saiki and George.

No. 281 "A Bill for an Act Relating to Civil Liability."

Introduced by: Senators Toyofuku, Campbell, Takitani, Ushijima, Yamasaki, Mizuguchi, Chong, Cobb, Soares, Carpenter, Young and Hara.

No. 282 "A Bill for an Act Relating to Income Taxation."

Introduced by: Senators Toyofuku, Takitani, Ushijima, Yamasaki, Chong, Cobb, Soares, Carpenter, Hara, Young and O'Connor.

No. 283 "A Bill for an Act Relating to Small Claims."

Introduced by: Senator Cobb.

No. 284 "A Bill for an Act Relating

to the Repeal of the Hawaii Community Development Authority Act."

Introduced by: Senator Abercrombie.

No. 285 "A Bill for an Act Relating to Hawaii Employment Security Law."

Introduced by: Senator Abercrombie.

No. 286 "A Bill for an Act Relating to Outside Employment for Public Employees."

Introduced by: Senator Abercrombie.

No. 287 "A Bill for an Act Relating to Out-Of-State Condominiums."

Introduced by: Senator Cobb, by request.

At this time, Senator Anderson rose on a point of information and inquired if "all of the vehicles that we need for dealing with the Constitutional amendments will be introduced either in short form or long form, so that they, in fact, will be in the hopper," and the President assured the Senator that the measures will be introduced to take care of the matter.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1), informing the Senate that Senate Concurrent Resolution No. 1, Senate Resolution Nos. 1 to 13, Senate Bill Nos. 1 to 241, Governor's Message Nos. 1 to 37, Departmental Communication Nos. 1 to 5 and Miscellaneous Communication Nos. 1 to 3 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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, January 26, 1979:

Senate Bills	Referred to:
No. 1	Committee on Ways and Means
No. 2	Committee on Ways and Means
No. 3	Committee on Ways and Means
No. 4	Committee on Ways and Means

No. 5	Committee on Judiciary
No. 6	Committee on Judiciary
No. 7	Committee on Judiciary, then to the Committee on Ways and Means
No. 8	Committee on Judiciary
No. 9	Committee on Judiciary
No. 10	Committee on Judiciary
No. 11	Committee on Judiciary
No. 12	Committee on Judiciary
No. 13	Committee on Judiciary, then to the Committee on Ways and Means
No. 14	Committee on Judiciary
No. 15	Committee on Judiciary
No. 16	Committee on Judiciary, then to the Committee on Ways and Means
No. 17	Committee on Judiciary, then to the Committee on Ways and Means
No. 18	Committee on Judiciary, then to the Committee on Ways and Means
No. 19	Committee on Judiciary, then to the Committee on Ways and Means
No. 20	Committee on Judiciary, then to the Committee on Ways and Means
No. 21	Committee on Judiciary, then to the Committee on Ways and Means
No. 22	Committee on Judiciary, then to the Committee on Ways and Means
No. 23	Committee on Judiciary, then to the Committee on Ways and Means
No. 24	Committee on Legislative Management, then to the Committee on Judiciary
No. 25	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
No. 26	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
No. 27	Committee on Education, then to the Committee on Judiciary
No. 28	Committee on Education, then to the Committee on Judiciary
No. 29	Committee on Higher Education, then to the Committee on Judiciary

- No. 30 Jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 31 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 32 Committee on Health, then to the Committee on Judiciary
- No. 33 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary
- No. 34 Committee on Judiciary
- No. 35 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary
- No. 36 Committee on Agriculture, then to the Committee on Judiciary
- No. 37 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 38 Committee on Economic Development, then to the Committee on Judiciary
- No. 39 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 40 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 41 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 42 Committee on Judiciary
- No. 43 Committee on Economic Development, then to the Committee on Judiciary
- No. 44 Committee on Judiciary
- No. 45 Committee on Judiciary
- No. 46 Committee on Human Resources, then to the Committee on Judiciary
- No. 47 Committee on Economic Development, then to the Committee on Judiciary
- No. 48 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 49 Committee on Judiciary, then to the Committee on Ways and Means
- No. 50 Committee on Judiciary
- No. 51 Committee on Judiciary, then to the Committee on Ways and Means
- No. 52 Committee on Judiciary, then to the Committee on Ways and Means
- No. 53 Committee on Judiciary, then to the Committee on Ways and Means
- No. 54 Jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 55 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 56 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 57 Committee on Agriculture, then to the Committee on Ways and Means
- No. 58 Committee on Agriculture, then to the Committee on Ways and Means
- No. 59 Committee on Agriculture, then to the Committee on Ways and Means
- No. 60 Committee on Agriculture, then to the Committee on Ways and Means
- No. 61 Committee on Agriculture, then to the Committee on Ways and Means
- No. 62 Committee on Agriculture, then to the Committee on Ways and Means
- No. 63 Committee on Agriculture, then to the Committee on Ways and Means
- No. 64 Committee on Agriculture, then to the Committee on Ways and Means
- No. 65 Committee on Agriculture, then to the Committee on Ways and Means

- No. 66 Committee on Agriculture, then to the Committee on Ways and Means
- No. 67 Committee on Agriculture, then to the Committee on Ways and Means
- No. 68 Committee on Agriculture, then to the Committee on Ways and Means
- No. 69 Committee on Agriculture, then to the Committee on Ways and Means
- No. 70 Committee on Agriculture, then to the Committee on Ways and Means
- No. 71 Committee on Agriculture, then to the Committee on Ways and Means
- No. 72 Committee on Agriculture, then to the Committee on Ways and Means
- No. 73 Committee on Agriculture, then to the Committee on Ways and Means
- No. 74 Committee on Agriculture, then to the Committee on Economic Development
- No. 75 Committee on Agriculture, then to the Committee on Ways and Means
- No. 76 Committee on Agriculture, then to the Committee on Ways and Means
- No. 77 Committee on Agriculture, then to the Committee on Ways and Means
- No. 78 Committee on Agriculture, then to the Committee on Judiciary
- No. 79 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 80 Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 81' Committee on Consumer Protection and Commerce
- No. 82 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 83 Committee on Consumer Protection and Commerce
- No. 84 Committee on Consumer Protection and Commerce
- No. 85 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 86 Committee on Consumer Protection and Commerce
- No. 87 Jointly to the Committee on Government Operations and Efficiency and the Committee on Legislative Management
- No. 88 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 89 Committee on Consumer Protection and Commerce
- No. 90 Committee on Consumer Protection and Commerce
- No. 91 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 92 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 93 Jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 94 Committee on Economic Development, then to the Committee on Ways and Means
- No. 95 Committee on Economic Development, then to the Committee on Ways and Means
- No. 96 Committee on Economic Development, then to the Committee on Ways and Means
- No. 97 Committee on Economic Development, then to the Committee on Ways and Means
- No. 98 Committee on Economic Development, then to the Committee on Ways and Means
- No. 99 Committee on Economic Development, then to the Committee on Ways and Means
- No. 100 Committee on Economic Development, then to the Committee on Ways and Means
- No. 101 Committee on Economic Development, then to the Committee on Ways and Means

- No. 102 Committee on Economic Development, then to the Committee on Ways and Means
- No. 103 Committee on Economic Development, then to the Committee on Ways and Means
- No. 104 Committee on Economic Development, then to the Committee on Ways and Means
- No. 105 Committee on Economic Development, then to the Committee on Ways and Means
- No. 106 Committee on Economic Development, then to the Committee on Ways and Means
- No. 107 Committee on Economic Development, then to the Committee on Ways and Means
- No. 108 Committee on Economic Development, then to the Committee on Ways and Means
- No. 109 Committee on Economic Development, then to the Committee on Ways and Means
- No. 110 Committee on Economic Development, then to the Committee on Ways and Means
- No. 111 Committee on Economic Development, then to the Committee on Ways and Means
- No. 112 Committee on Economic Development, then to the Committee on Ways and Means
- No. 113 Committee on Economic Development, then to the Committee on Ways and Means
- No. 114 Committee on Human Resources, then to the Committee on Ways and Means
- No. 115 Committee on Economic Development
- No. 116 Committee on Economic Development
- No. 117 Committee on Education, then to the Committee on Judiciary
- No. 118 Committee on Government Operations and Efficiency, then to the Committee on Consumer Protection and Commerce
- No. 119 Committee on Government Operations and Efficiency
- No. 120 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 121 Committee on Health, then to the Committee on Ways and Means
- No. 122 Committee on Health
- No. 123 Committee on Health
- No. 124 Committee on Health, then to the Committee on Ways and Means
- No. 125 Committee on Health, then to the Committee on Ways and Means
- No. 126 Committee on Health, then to the Committee on Ways and Means
- No. 127 Committee on Health, then to the Committee on Ways and Means
- No. 128 Committee on Health, then to the Committee on Ways and Means
- No. 129 Committee on Health, then to the Committee on Ways and Means
- No. 130 Committee on Health, then to the Committee on Ways and Means
- No. 131 Committee on Health, then to the Committee on Ways and Means
- No. 132 Committee on Health, then to the Committee on Ways and Means
- No. 133 Committee on Health, then to the Committee on Ways and Means
- No. 134 Committee on Health, then to the Committee on Ways and Means
- No. 135 Committee on Health, then to the Committee on Ways and Means
- No. 136 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 137 Committee on Health, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 138 Committee on Health, then to the Committee on Ways and Means
- No. 139 Committee on Health, then to the Committee on Ways and Means
- No. 140 Committee on Higher Education, then to the Committee on Ways and Means
- No. 141 Committee on Higher Education
- No. 142 Committee on Higher Education
- No. 143 Committee on Higher Education, then to the Committee on Ways and Means

- No. 144 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 145 Committee on Housing and Hawaiian Homes
- No. 146 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 147 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 148 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 149 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 150 Committee on Housing and Hawaiian Homes
- No. 151 Jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 152 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 153 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 154 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 155 Committee on Housing and Hawaiian Homes
- No. 156 Committee on Housing and Hawaiian Homes
- No. 157 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 158 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 159 Committee on Human Resources, then to the Committee on Ways and Means
- No. 160 Committee on Human Resources, then to the Committee on Ways and Means
- No. 161 Committee on Health, then to the Committee on Ways and Means
- No. 162 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary
- No. 163 Committee on Intergovernmental Relations
- No. 164 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 165 Jointly to the Committee on Government Operations and Efficiency and the Committee on Legislative Management, then to the Committee on Ways and Means
- No. 166 Committee on Intergovernmental Relations then to the Committee on Ways and Means
- No. 167 Committee on Intergovernmental Relations
- No. 168 Committee on Judiciary
- No. 169 Committee on Judiciary, then to the Committee on Ways and Means
- No. 170 Committee on Judiciary, then to the Committee on Ways and Means
- No. 171 Committee on Ways and Means
- No. 172 Committee on Transportation, then to the Committee on Judiciary
- No. 173 Committee on Consumer Protection and Commerce
- No. 174 Committee on Judiciary
- No. 175 Committee on Human Resources, then to the Committee on Judiciary
- No. 176 Committee on Judiciary
- No. 177 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 178 Committee on Judiciary
- No. 179 Committee on Judiciary, then to the Committee on Ways and Means
- No. 180 Committee on Judiciary
- No. 181 Committee on Judiciary, then to the Committee on Ways and Means
- No. 182 Committee on Judiciary
- No. 183 ,Committee on Consumer Protection and Commerce
- No. 184 Committee on Judiciary

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| No. 185 | Committee on Judiciary | on Ways and Means |
| No. 186 | Committee on Judiciary | No. 209 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| No. 187 | Committee on Judiciary | |
| No. 188 | Committee on Judiciary | No. 210 Committee on Consumer Protection and Commerce |
| No. 189 | Committee on Judiciary | No. 211 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| No. 190 | Committee on Public Utilities | |
| No. 191 | Committee on Public Utilities | No. 212 Committee on Consumer Protection and Commerce |
| No. 192 | Committee on Public Utilities | |
| No. 193 | Committee on Public Utilities | No. 213 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| No. 194 | Committee on Tourism | |
| No. 195 | Committee on Tourism | No. 214 Committee on Judiciary |
| No. 196 | Committee on Transportation, then to the Committee on Ways and Means | No. 215 Committee on Consumer Protection and Commerce |
| No. 197 | Committee on Transportation | No. 216 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 198 | Committee on Transportation, then to the Committee on Ways and Means | No. 217 Committee on Education, then to the Committee on Ways and Means |
| No. 199 | Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary | No. 218 Committee on Public Utilities, then to the Committee on Human Resources |
| No. 200 | Jointly to the Committee on Education and the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, and then to the Committee on Ways and Means | No. 219 Committee on Public Utilities |
| No. 201 | Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means | No. 220 Committee on Consumer Protection and Commerce |
| No. 202 | Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | No. 221 Committee on Health, then to the Committee on Judiciary |
| No. 203 | Committee on Human Resources, then to the Committee on Ways and Means | No. 222 Committee on Human Resources |
| No. 204 | Committee on Consumer Protection and Commerce | No. 223 Committee on Economic Development |
| No. 205 | Committee on Consumer Protection and Commerce | No. 224 Committee on Ways and Means |
| No. 206 | Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 225 Committee on Consumer Protection and Commerce |
| No. 207 | Committee on Government Operations and Efficiency | No. 226 Committee on Education |
| No. 208 | Committee on Economic Development, then to the Committee | No. 227 Committee on Legislative Management, then to the Committee on Ways and Means |
| | | No. 228 Committee on Consumer Protection and Commerce |
| | | No. 229 Committee on Health, then to the Committee on Ways and Means |
| | | No. 230 Committee on Ways and Means |
| | | No. 231 Committee on Health, then to the Committee on Ways and Means |
| | | No. 232 Committee on Health, then |

to the Committee on Judiciary

No. 233 Committee on Government
Operations and Efficiency, then
to the Committee on Judiciary

No. 234 Committee on Ways and Means

No. 235 Committee on Education,
then to the Committee on Ways
and Means

No. 236 Committee on Ways and Means

No. 237 Committee on Ways and Means

No. 238 Committee on Ways and Means

No. 239 Committee on Health, then
to the Committee on Consumer
Protection and Commerce

No. 240 Committee on Transportation,
then to the Committee on Judiciary

No. 241 Committee on Ways and Means

HOUSE COMMUNICATION

A communication from the House

(Hse. Com. No. 5), transmitting House Concurrent Resolution No. 15, which was adopted by the House of Representatives on January 29, 1979, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION A RESOLUTION HONORING THE MEMORY OF THE LATE NELSON A. ROCKEFELLER AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HIS FAMILY", was adopted.

At this time, Senator Abercrombie rose on a point of information and inquired if there was some question on the referral sheets, should it be discussed with the President. The President replied in the affirmative.

ADJOURNMENT

At 12:10 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., on Tuesday, January 30, 1979.

TENTH DAY

Tuesday, January 30, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Harold Jow, United Church of Christ, after which the Roll was called showing all Senators present, with the exception of Senators Yee and Yim who were excused.

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

Senator Campbell then introduced to the members of the Senate six members of the Retired Teachers Association Legislative Committee, accompanied by their chairperson Mrs. Louise McGregor-Mechado. He added that the retired teachers had made an outstanding contribution to the education of the children of Hawaii.

Senator Carroll, on behalf of the Senators from the Sixth Senatorial District, introduced to the members of the Senate 16 student council members of Kuhio School, accompanied by their teachers Susan Kaya and Betty Wakabayashi.

Senator Abercrombie introduced to the members of the Senate, Mr. Norman Montiegal, one of his oldest friends and one who has guided, in great measure, the destination of Radio KTUH at the University of Hawaii--one of the finest campus radio stations in the U.S.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 41 to 55) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 41), submitting for consideration and confirmation as Comptroller, the nomination of Hideo Murakami, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 41 was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 42), submitting for consideration and confirmation as Chairman of the Board of Agriculture, the nomination of John Farias, Jr., term to expire December 31, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 42 was referred to the Committee on Agriculture.

A message from the Governor (Gov.

Msg. No. 43), submitting for consideration and confirmation as Attorney General, the nomination of Wayne K. Minami, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 43 was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 44), submitting for consideration and confirmation as Adjutant General, the nomination of Valentine A. Siefermann, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 44 was referred to the Committee on Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 45), submitting for consideration and confirmation as Director of Finance, the nomination of Eileen R. Anderson, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 45 was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 46), submitting for consideration and confirmation as Chairperson of the Hawaiian Homes Commission, the nomination of Georgiana K. Padeken, term to expire December 31, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 46 was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 47), submitting for consideration and confirmation as Director of Health, the nomination of George A. L. Yuen, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 47 was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 48), submitting for consideration and confirmation as Director of Labor and Industrial Relations, the nomination of Joshua C. Agsalud, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 48 was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 49), submitting for consideration and confirmation as Chairman of the

Board of Land and Natural Resources, the nomination of Susumu Ono, term to expire December 31, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 49 was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 50), submitting for consideration and confirmation as Director of Personnel Services, the nomination of Donald A. Botelho, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 50 was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 51), submitting for consideration and confirmation as Director of Planning and Economic Development, the nomination of Hideto Kono, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 51 was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 52), submitting for consideration and confirmation as Director of Regulatory Agencies, the nomination of Tany S. Hong, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 52 was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 53), submitting for consideration and confirmation as Director of Social Services and Housing, the nomination of Andrew I. T. Chang, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 53 was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 54), submitting for consideration and confirmation as Director of Taxation, the nomination of George Freitas, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 54 was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 55), submitting for consideration and confirmation as Director of Transportation, the nomination of Ryokichi Higashionna, term to expire December 6, 1982, was placed on file.

By unanimous consent, Gov. Msg. No. 55 was referred to the Committee on Transportation.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 6), returning Senate Concurrent Resolution No. 1 which was adopted by the House of Representatives on January 29, 1979, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 70 to 73) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 70), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE REAL ESTATE COMMISSION'S STUDY ON TIME SHARING", was jointly offered by Senators Cobb, Chong, Kawasaki, Takitani, Carpenter, Campbell, Yim and Young.

By unanimous consent, S.R. No. 70 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 71), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO HAWAIIAN AIRLINES, INC., ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Saiki, Takitani, George, Carroll, Kuroda, Cobb, Hara, Carpenter, Toyofuku, Yamasaki, Ajifu, Chong, Yee, Mizuguchi, Wong, Campbell, Soares, Abercrombie, Cayetano, Young, Kawasaki and Anderson.

On motion by Senator Saiki, seconded by Senator Takitani and carried, S.R. No. 71 was adopted.

At this time, Senator Saiki introduced to the members of the Senate Mr. John H. Magoon, Jr., Chairman of the Board, President and Chief Executive Officer of Hawaiian Airlines, and Mr. Erastus Corning, III, Executive Vice President and Chief Operating Officer, who were presented with certified copies of the resolution and leis by Senators George and Young.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

A resolution (S.R. No. 72), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE COSTS RELATING TO LAST ILLNESSES AND DEATH", was jointly offered by Senators Cayetano

and Cobb.

By unanimous consent, S.R. No. 72 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 73), entitled: "SENATE RESOLUTION EXPRESSING CONDOLENCES TO THE FAMILY OF THE LATE MARGARET LUM", was jointly offered by Senators Wong, Yamasaki, Takitani, Chong, Mizuguchi, Hara, Cobb, Ushijima, Cayetano, Kuroda, Kawasaki, Campbell, Carpenter, O'Connor, Ajifu, Yee, Abercrombie, Carroll, George, Anderson, Soares, Saiki, Toyofuku and Young.

On motion by Senator Kawasaki, seconded by Senator Campbell and carried, S.R. No. 73 was adopted on a rising vote.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 31, 1979:

Senate Bills

No. 308 "A Bill for an Act Relating to Employment Agencies."

Introduced by: Senators Kawasaki, Cayetano, Chong, Carpenter, Takitani, Cobb, Saiki, Ajifu, Soares, Carroll, Kuroda and Campbell.

No. 309 "A Bill for an Act Relating to Generic Drug Substitution."

Introduced by: Senators Kawasaki, Ajifu, Campbell, Carpenter, Carroll, Cayetano, Chong, Mizuguchi, Soares, Takitani, Toyofuku, Ushijima, Yamasaki and Young.

No. 310 "A Bill for an Act Relating to Generic Drugs."

Introduced by: Senators Kawasaki, Ajifu, Campbell, Carpenter, Carroll, Cayetano, Chong, Cobb, Mizuguchi, Soares, Takitani, Toyofuku, Ushijima, Yamasaki and Young.

No. 311 "A Bill for an Act Relating to No-Fault Insurance."

Introduced by: Senators Cobb, Kawasaki, Takitani, Yim, Chong, Young, Carpenter and Yamasaki.

No. 312 "A Bill for an Act Relating to the Introduction of Bills."

Introduced by: Senator Carroll.

No. 313 "A Bill for an Act Making an Appropriation for Capital Improvements for Heeia Kea Harbor, Oahu."

Introduced by: Senators Carroll and George.

No. 314 "A Bill for an Act Making an Appropriation for Heeia Kea Small Boat Harbor, Oahu."

Introduced by: Senators Carroll and George.

No. 315 "A Bill for an Act Relating to Excise Tax Credit."

Introduced by: Senator Carroll.

No. 316 "A Bill for an Act Making an Appropriation for the Refurbishing of Oahu Prison."

Introduced by: Senator Carroll.

No. 317 "A Bill for an Act Relating to Smoking in Public Places."

Introduced by: Senator Carroll.

No. 318 "A Bill for an Act Relating to the X-Rated Movies."

Introduced by: Senator Carroll.

No. 319 "A Bill for an Act Relating to General Fund Appropriations."

Introduced by: Senator Carroll.

No. 320 "A Bill for an Act Proposing an Amendment to the Constitution of the State of Hawaii to Provide for the Recall of Public Officers."

Introduced by: Senator Carroll.

No. 321 "A Bill for an Act Relating to State Spending Limit."

Introduced by: Senator Carroll.

No. 322 "A Bill for an Act Relating to the Highway Fund."

Introduced by: Senator Carroll.

No. 323 "A Bill for an Act Relating to the Liquor Tax Law."

Introduced by: Senator Carroll.

No. 324 "A Bill for an Act Relating to the Tobacco Tax Law."

Introduced by: Senator Carroll.

No. 325 "A Bill for an Act Proposing an Amendment to Articles II and III of the Constitution of the State of Hawaii

to Provide for the Referendum."

Introduced by: Senator Carroll.

No. 326 "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 Carroll.

No. 327 "A Bill for an Act Relating to Taxes on Certain Food and Drugs."

Introduced by: Senator Carroll.

No. 328 "A Bill for an Act Relating to Elections."

Introduced by: Senator Carroll.

No. 329 "A Bill for an Act Relating to the Creation of the Condominium Commission."

Introduced by: Senator Carroll.

No. 330 "A Bill for an Act Relating to Residential Leasehold Cooperatives."

Introduced by: Senator Carroll.

No. 331 "A Bill for an Act Relating to Residential Leasehold Condominiums."

Introduced by: Senator Carroll.

No. 332 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Carroll.

No. 333 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Carroll.

No. 334 "A Bill for an Act Making an Appropriation for Construction of a Gymnasium Complex in Keaukaha, Hawaii."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 335 "A Bill for an Act Relating to Hawaii Employment Security Law."

Introduced by: Senator Abercrombie.

No. 336 "A Bill for an Act Relating to the East-West Center."

Introduced by: Senator Abercrombie.

No. 337 "A Bill for an Act Relating to Adult Education Teachers."

Introduced by: Senator Abercrombie.

No. 338 "A Bill for an Act Relating to Acupuncture."

Introduced by: Senators Carpenter, Chong, Kuroda, Yamasaki, Kawasaki and Cayetano.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, January 31, 1979:

Senate Bills

No. 288 "A Bill for an Act Relating to the Tax Review Commission."

Introduced by: Senator Cayetano

No. 289 "A Bill for an Act Relating to State Mandates."

Introduced by: Senator Cayetano.

No. 290 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senator Cayetano.

No. 291 "A Bill for an Act Relating to State Bonds."

Introduced by: Senator Cayetano.

No. 292 "A Bill for an Act Relating to County Bonds."

Introduced by: Senator Cayetano.

No. 293 "A Bill for an Act Relating to Counties."

Introduced by: Senator Cayetano.

No. 294 "A Bill for an Act Relating to Housing."

Introduced by: Senator Cayetano.

No. 295 "A Bill for an Act Relating to Health Care."

Introduced by: Senator Cayetano.

No. 296 "A Bill for an Act Relating to Utilities."

Introduced by: Senator Cayetano.

No. 297 "A Bill for an Act Relating to Industrial Enterprises."

Introduced by: Senator Cayetano.

No. 298 "A Bill for an Act Relating to Processing Enterprises."

Introduced by: Senator Cayetano.

No. 299 "A Bill for an Act Relating to Manufacturing Enterprises."

Introduced by: Senator Cayetano.

No. 300 "A Bill for an Act Relating to the Auditor."

Introduced by: Senator Cayetano.

No. 301 "A Bill for an Act Relating to the Budgetary Process."

Introduced by: Senator Cayetano.

No. 302 "A Bill for an Act Relating to the Budget."

Introduced by: Senator Cayetano.

No. 303 "A Bill for an Act Relating to a Council on Revenues."

Introduced by: Senator Cayetano.

No. 304 "A Bill for an Act Relating to the Disposition of Excess Revenues."

Introduced by: Senator Cayetano.

No. 305 "A Bill for an Act Relating to Public Finance."

Introduced by: Senator Cayetano.

No. 306 "A Bill for an Act Relating to Public Grants."

Introduced by: Senator Cayetano.

No. 307 "A Bill for an Act Relating to Income Taxation."

Introduced by: Senator Cayetano.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 2) informing the Senate that Senate Concurrent Resolution Nos. 2 to 7, Senate Resolution Nos. 14 to 69, Senate Bill Nos. 242 to 287 and Governor's Message Nos. 38 to 40 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Monday, January 29, 1979:

Senate Bills Referred to:

No. 242 Committee on Human Resources, then to the Committee on Ways and Means

No. 243 Committee on Health, then to

the Committee on Ways and Means

No. 244 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 245 Committee on Agriculture, then to the Committee on Ways and Means

No. 246 Committee on Education, then to the Committee on Ways and Means

No. 247 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 248 Committee on Education, then to the Committee on Ways and Means

No. 249 Committee on Agriculture, then to the Committee on Ways and Means

No. 250 Committee on Human Resources, then to the Committee on Ways and Means

No. 251 Committee on Agriculture, then to the Committee on Ways and Means

No. 252 Committee on Education, then to the Committee on Ways and Means

No. 253 Committee on Human Resources, then to the Committee on Ways and Means

No. 254 Committee on Human Resources, then to the Committee on Ways and Means

No. 255 Committee on Human Resources, then to the Committee on Ways and Means

No. 256 Committee on Health, then to the Committee on Ways and Means

No. 257 Committee on Health, then to the Committee on Ways and Means

No. 258 Committee on Economic Development, then to the Committee on Ways and Means

No. 259 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 260 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary

No. 261 Committee on Education, then to the Committee on Ways and Means

No. 262 Committee on Education, then to the Committee on Ways and Means

No. 263 Committee on Education, then
to the Committee on Ways and Means

No. 264 Committee on Consumer Protection
and Commerce, then to the Committee
on Ways and Means

No. 265 Committee on Economic Development,
then to the Committee on Ways and Means

No. 266 Committee on Ways and Means

No. 267 Committee on Ways and Means

No. 268 Committee on Intergovernmental
Relations, then to the Committee on Ways
and Means

No. 269 Committee on Judiciary

No. 270 Committee on Housing and Hawaiian
Homes, then to the Committee on Ways
and Means

No. 271 Committee on Judiciary

No. 272 Committee on Judiciary

No. 273 Committee on Judiciary

No. 274 Committee on Judiciary

No. 275 Committee on Judiciary

No. 276 Committee on Judiciary

No. 277 Committee on Judiciary

No. 278 Committee on Judiciary

No. 279 Committee on Judiciary

No. 280 Committee on Judiciary

No. 281 Committee on Judiciary

No. 282 Committee on Ways and Means

No. 283 Committee on Judiciary

No. 284 Committee on Housing and Hawaii-
an Homes, then to the Committee on Ways
and Means

No. 285 Committee on Human Resources,
then to the Committee on Judiciary

No. 286 Committee on Human Resources,
then to the Committee on Judiciary

No. 287 Committee on Consumer Protection
and Commerce, then to the Committee
on Judiciary

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following re-
referral of a senate concurrent resolution
that was offered on Monday, January 29,
1979:

Senate
Concurrent
Resolution Referred to:

No. 2 Committee on Consumer
Protection and Commerce

RE-REFERRAL OF SENATE BILLS

The President made the following
re-referral of bills that were introduced
on Friday, January 26, 1979:

Senate Bills Referred to:

No. 62 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 72 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 80 Committee on Consumer
Protection and Commerce, then to
the Committee on Ways and Means

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

The Senate reconvened at 11:42 o'clock
a.m.

Senator Carroll then rose to speak
on a point of personal privilege and
stated as follows:

"Mr. President, I'm aggrieved because
of matters which transpired on the floor
of the Senate on January 25, 1979.

"Prior to the appointment of the Sergeant
at Arms, or his election actually, if
you will, an opinion as to whether or
not a resident alien could so serve was
requested of the Attorney General.
Based on that opinion, apparently our
Sergeant at Arms was unanimously elected.
I personally did not see that opinion
except for a few brief moments prior
to the adoption of the resolution electing
the Sergeant at Arms and the Clerk.
Since that time, I've studied this matter
carefully with the Senate Republican
Attorney.

"Pursuant to that study, I prepared
a letter to the Attorney General, a copy
of which I have sent to you and I've
also furnished each member of the Senate
with a copy.

"The Attorney General yesterday informed
me that sometime this week a new opinion
will be forthcoming.

"Mr. President, the opinion which
was transmitted to your office was flimsy,
nondefinitive and in my opinion, and

in the opinion, I might add, of the Senate Republican Attorney, perhaps not a proper statement of the law.

"Now, if you examine the Hawaii Revised Statutes, 781-A and B, we find that, as it was amended in 1976, there certainly is a provision whereby an employee of the state may be a resident alien.

"Now, without entering into a discussion of what is and is not an officer, an examination of the Attorney General's Opinion cites the power and the authority that is provided in the Senate Rules which allows the Sergeant at Arms to arrest and detain members of this august Body including, if you will, your Senate Republicans.

"Now, Mr. President, I do not say categorically that the Attorney General's Opinion is wrong, but I do say that it was shabbily prepared, it is not definitive, and very probably, the conclusion is not only not a correct statement of the law but, very likely, in direct contravention of the law.

"Now, I am aggrieved by that opinion. I am aggrieved by the attitude that the Attorney General exhibits to this Honorable Body by the submission of this opinion to you. It shows to me, Mr. President, a 'devil may care' attitude at best--and at worst, it is a thinly disguised showing of contempt for the Senate and for the citizens of this state. I am aggrieved by this and I insist that the record so reflect.

"Thank you, Mr. President."

The President then remarked as follows:

"Senator Carroll, I think you have stated your opinion as a legal person. We have called on the Attorney General to rule on behalf of myself and the Senate. We find a difference of opinion. I hope this can be resolved in the next few days.

"I have not had an opportunity to dialogue with the Attorney General on another opinion. Till such time, the chair rules that, as far as Mr. Ben Villaflor is concerned, he is the Sergeant at Arms, based on the authority given to me as President, by election of this Body. Until a new opinion is forthcoming, we will view this as an appointment which is in good standing."

Senator Carroll then responded to the President as follows:

"Mr. President, in my comments, I am in no way attacking either Mr. Villaflor or the appointment or the election, if you will. I am simply attacking the single point of the shabby preparation of opinion for the use of this Honorable Body, and that is the thrust and extent of my remarks."

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, January 31, 1979, in memory of the late Margaret Lum, mother of Senator T. C. Yim.

ELEVENTH DAY

Wednesday, January 31, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Kim On Chong, a Retired Chaplain from Mid-Pacific Institute, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Hara and Yim who were excused.

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

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

Senator Yamasaki introduced Ms. Alma Anton and Ms. Carol French from the island of Maui, and Ms. Mignon Dacy from Honolulu, who accompanied them.

Senator Carroll introduced Mr. and Mrs. Charles Tulin from Anchorage, Alaska. Mr. Tulin is an expert in aviation litigation and he has been involved recently with the Canary Islands airplane crash.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 56), transmitting the State's C.I.P. Status Report - Financial Summary which was prepared by the Department of Planning and Economic Development with the cooperation of the Department of Accounting and General Services, was read by the Clerk and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 8), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Kuroda, Cobb, Mizuguchi, Soares, O'Connor, Carpenter, Chong, George, Carroll, Ajifu, Anderson, Yee and Cayetano, and was read by the Clerk.

By unanimous consent, S.C.R. No. 8 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 74 to 76) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 74), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON PAYMENT FOR ACUPUNCTURE SERVICES", was jointly offered by Senators Carpenter, Chong, Kuroda, Campbell, Yamasaki, Ushijima, Cayetano, Kawasaki and Young.

By unanimous consent, S.R. No. 74 was referred to the Committee on Health.

A resolution (S.R. No. 75), entitled: "SENATE RESOLUTION REQUESTING MORE ETHNIC STUDIES IN ELEMENTARY SCHOOLS", was offered by Senator Carroll.

By unanimous consent, S.R. No. 75 was referred to the Committee on Education.

A resolution (S.R. No. 76), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Kuroda, Cobb, Chong, Anderson, Soares, Mizuguchi, Ajifu, Kawasaki, O'Connor, Carpenter, Carroll, Cayetano, George and Yee.

By unanimous consent, S.R. No. 76 was referred to the Committee on Agriculture.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 1, 1979:

Senate Bills

No. 339 "A Bill for an Act Relating to Department of Health Employees' Annuity Contracts."

Introduced by: Senators Ushijima, Yamasaki, Hara, Toyofuku, Mizuguchi, Kuroda, Chong, Takitani, Young and Carroll.

No. 340 "A Bill for an Act Relating to the Hawaii Employment Security Law."

Introduced by: Senator Abercrombie.

No. 341 "A Bill for an Act Relating to Newspapers."

Introduced by: Senators Abercrombie and Kawasaki.

No. 342 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 343 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 344 "A Bill for an Act Relating to Transfers of Funds Within the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 345 "A Bill for an Act Relating to Capital Improvement Projects and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

No. 346 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Cayetano.

No. 347 "A Bill for an Act Relating to an Act Making Appropriations for Judiciary Program Expenditures and for Improvements for the Fiscal Biennium July 1, 1979 to June 30, 1981, and Authorizing the Issuance of Bonds."

Introduced by: Senator Cayetano.

No. 348 "A Bill for an Act Relating to the Revolving Funds."

Introduced by: Senator Cayetano.

No. 349 "A Bill for an Act Relating to Revenue Bonds."

Introduced by: Senator Cayetano.

No. 350 "A Bill for an Act Relating to General Obligation Bonds."

Introduced by: Senator Cayetano.

No. 351 "A Bill for an Act Relating to Making an Appropriation for Grants-In-Aid."

Introduced by: Senator Cayetano.

No. 352 "A Bill for an Act Relating to Making an Appropriation for Subsidies."

Introduced by: Senator Cayetano.

No. 353 "A Bill for an Act Relating to the City and County of Honolulu."

Introduced by: Senator Cayetano.

No. 354 "A Bill for an Act Relating to the County of Maui."

Introduced by: Senator Cayetano.

No. 355 "A Bill for an Act Relating to the County of Hawaii."

Introduced by: Senator Cayetano.

No. 356 "A Bill for an Act Relating to the County of Kauai."

Introduced by: Senator Cayetano.

No. 357 "A Bill for an Act Relating to the General Fund."

Introduced by: Senator Cayetano.

No. 358 "A Bill for an Act Relating to Special Funds."

Introduced by: Senator Cayetano.

No. 359 "A Bill for an Act Relating to State Bonds."

Introduced by: Senator Cayetano.

No. 360 "A Bill for an Act Relating to Collective Bargaining and Making an Appropriation Therefor."

Introduced by: Senator Cayetano.

No. 375 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Toyofuku, Takitani, Mizuguchi, Yamasaki, Ushijima, O'Connor, Campbell, Chong, Kuroda, Carpenter and Cobb.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Thursday, February 1, 1979:

Senate Bills

No. 361 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Cayetano.

No. 362 "A Bill for an Act Relating to the Inheritance and Estate Taxes."

Introduced by: Senator Cayetano.

No. 363 "A Bill for an Act Relating to the Use Tax."

Introduced by: Senator Cayetano.

No. 364 "A Bill for an Act Relating to the Public Utilities Franchise Tax."

Introduced by: Senator Cayetano.

No. 365 "A Bill for an Act Relating to the Taxation of Banks and other Financial Corporations."

Introduced by: Senator Cayetano.

No. 366 "A Bill for an Act Relating to the Liquor Tax."

Introduced by: Senator Cayetano.

No. 367 "A Bill for an Act Relating to the Tobacco Tax."

Introduced by: Senator Cayetano.

No. 368 "A Bill for an Act Relating to the Conveyance Tax."

Introduced by: Senator Cayetano.

No. 369 "A Bill for an Act Relating to County Vehicular Taxes."

Introduced by: Senator Cayetano.

No. 370 "A Bill for an Act Relating to the Real Property Tax."

Introduced by: Senator Cayetano.

No. 371 "A Bill for an Act Relating to the General Excise Tax."

Introduced by: Senator Cayetano.

No. 372 "A Bill for an Act Relating to the Income Tax."

Introduced by: Senator Cayetano.

No. 373 "A Bill for an Act Relating to the Fuel Tax."

Introduced by: Senator Cayetano.

No. 374 "A Bill for an Act Relating to the Public Service Company Tax."

Introduced by: Senator Cayetano.

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

The Senate reconvened at 11:42 o'clock a.m.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 3), informing the Senate that Senate Resolution Nos. 70 to 73, Senate Bill Nos. 288 to 338 and Governor's Message Nos. 41 to 55 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Tuesday, January 30, 1979:

Senate Bills	Referred to:
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No. 288	Committee on Judiciary, then to the Committee on Ways and Means
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No. 289	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 290	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 291	Committee on Judiciary, then to the Committee on Ways and Means
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No. 292	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 293	Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 294	Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 295	Committee on Health, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 296	Committee on Public Utilities, then to the Committee on Judiciary, then to the Committee on Ways and Means
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No. 297	Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
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- No. 298 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 299 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 300 Committee on Legislative Management, then to the Committee on Judiciary
- No. 301 Committee on Judiciary, then to the Committee on Ways and Means
- No. 302 Committee on Judiciary, then to the Committee on Ways and Means
- No. 303 Committee on Judiciary, then to the Committee on Ways and Means
- No. 304 Committee on Judiciary, then to the Committee on Ways and Means
- No. 305 Committee on Judiciary, then to the Committee on Ways and Means
- No. 306 Committee on Judiciary, then to the Committee on Ways and Means
- No. 307 Committee on Judiciary, then to the Committee on Ways and Means
- No. 308 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce
- No. 309 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 310 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 311 Committee on Consumer Protection and Commerce
- No. 312 Committee on Legislative Management, then to the Committee on Judiciary
- No. 313 Committee on Transportation, then to the Committee on Ways and Means
- No. 314 Committee on Transportation, then to the Committee on Ways and Means
- No. 315 Committee on Human Resources, then to the Committee on Ways and Means
- No. 316 Committee on Judiciary, then to the Committee on Ways and Means
- No. 317 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 318 Committee on Judiciary
- No. 319 Committee on Ways and Means
- No. 320 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 321 Committee on Ways and Means
- No. 322 Committee on Transportation, then to the Committee on Ways and Means
- No. 323 Committee on Ways and Means
- No. 324 Committee on Ways and Means
- No. 325 Committee on Legislative Management, then to the Committee on Judiciary
- No. 326 Committee on Legislative Management, then to the Committee on Judiciary
- No. 327 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 328 Committee on Judiciary, then to the Committee on Ways and Means
- No. 329 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 330 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 331 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 332 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 333 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 334 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 335 Committee on Human Resources,

then to the Committee on Ways
and Means

No. 336 Committee on Higher Education

No. 337 Committee on Education,
then to the Committee on Ways
and Means

No. 338 Committee on Human Resources,
then to the Committee on Ways
and Means

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following
re-referral of a resolution which
had been offered on Monday, January
29, 1979:

Senate
Resolution Referred to:

No. 68 Committee on Consumer
Protection and Commerce, then
to the Committee on Legislative
Management

MISCELLANEOUS COMMUNICATION

A communication from the Commission
on the Handicapped (Misc. Com.
No. 4), transmitting the Commission's
Implementation Plan which spans the
years 1978 through 1981, was read
by the Clerk and was referred to the
Committee on Human Resources.

At this time, Senator Takitani,
for the Committee on Agriculture,
requested a waiver of the 48-hour
notice of a Public Hearing on the

following measures:

S.C.R. No. 8, entitled: "SENATE
CONCURRENT RESOLUTION REQUESTING
THE PRESIDENT OF THE UNITED STATES
AND THE SPECIAL REPRESENTATIVE
FOR TRADE NEGOTIATIONS TO
EXCEPT FRESH AND PROCESSED PINE-
APPLE PRODUCTS FROM TARIFF REDUC-
TION IN THE CURRENT MULTILATERAL
TRADE NEGOTIATIONS"; and

S.R. No. 76, entitled: "SENATE
RESOLUTION REQUESTING THE
PRESIDENT OF THE UNITED STATES
AND THE SPECIAL REPRESENTATIVE
FOR TRADE NEGOTIATIONS TO
EXCEPT FRESH AND PROCESSED PINE-
APPLE PRODUCTS FROM TARIFF REDUC-
TION IN THE CURRENT MULTILATERAL
TRADE NEGOTIATIONS",

and the President granted the waiver.

The President then commented as
follows:

"I am hoping, like all of us here
in this Honorable Body, that the sugar
talks will continue, and that both sides
across the aisle will continue talking.
I think this is the wish of the Senate
for the day. I hope everything will
work out well."

ADJOURNMENT

At 11:45 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11:30 o'clock
a.m., Thursday, February 1, 1979.

TWELFTH DAY

Thursday, February 1, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Jori Watland, Christ the King Lutheran Church, after which the Roll was called showing all Senators present, with the exception of Senators Hara, Soares, Takitani and Yim, who were excused.

The President announced that he had read and approved the Journal of the Eleventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 57 to 63) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 57), transmitting a document entitled: "Land and Water Resource Management in Hawaii", prepared by the Hawaii Institute for Management and Analysis in Government of the Department of Budget and Finance, dated January, 1979, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 58), transmitting a report prepared by the Department of Social Services and Housing in response to Section 346-54, Hawaii Revised Statutes, as amended, dealing with the adequacy of welfare allowances, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 59), transmitting the First Year Annual Report (July 1, 1977 to June 30, 1978) prepared by the Hawaii Community Development Authority pursuant to Section 206E-19, Hawaii Revised Statutes, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 60), transmitting a special report, "A Directory of Employment Training Resources in Hawaii, 1978", prepared by the State Commission on Manpower and Full Employment in cooperation with the State Manpower Services Council, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 61), transmitting a special report, "Profile of Hawaii's Youth in the Labor Force", prepared by the State Commission on Manpower and Full Employment in cooperation with the State Manpower Services Council, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 62), transmitting a report on the State's plans to relocate businesses which rent lands from the State at Sand Island, prepared by the Department of Transportation and the Department of Land and Natural Resources in response to H.R. No. 428 (1978), was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 63), transmitting a report relating to the Hawaii Water Carrier Act, prepared by the Department of Regulatory Agencies in response to S.R. No. 364 (1978) and H.R. No. 581 (1978), was referred to the Committee on Public Utilities.

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:

A concurrent resolution (S.C.R. No. 9), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET", was jointly offered by Senators George, Kuroda, Soares, Takitani, Hara, Carroll, Saiki, Ajifu, Toyofuku, Carpenter, Anderson, Cobb, Campbell, O'Connor and Yee.

By unanimous consent, S.C.R. No. 9 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 10), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was jointly offered by Senators George, Cobb, Kuroda, Chong, Young, Ajifu, Anderson, Takitani, Hara, Carpenter, Toyofuku, Soares, Yee, Campbell, Carroll, Saiki and O'Connor.

By unanimous consent, S.C.R. No. 10 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 77 to 83) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 77), entitled:

"SENATE RESOLUTION REQUESTING A STUDY ON DAYLIGHT SAVING TIME", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 77 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management.

A resolution (S.R. No. 78), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was jointly offered by Senators George, Cobb, Kuroda, Chong, Young, Ajifu, Takitani, Anderson, Hara, Carpenter, Toyofuku, Soares, Yee, Campbell, Carroll, Saiki and O'Connor.

By unanimous consent, S.R. No. 78 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A resolution (S.R. No. 79), entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO PREPARE AND SUBMIT A CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET", was jointly offered by Senators George, Kuroda, Soares, Takitani, Hara, Carroll, Saiki, Ajifu, Toyofuku, Carpenter, Anderson, Cobb, O'Connor, Campbell and Yee.

By unanimous consent, S.R. No. 79 was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A resolution (S.R. No. 80), entitled: "SENATE RESOLUTION RELATING TO THE STUDY OF NON-FOSSIL FUEL", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Young, Wong, Mizuguchi, Campbell, O'Connor and Soares.

By unanimous consent, S.R. No. 80 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 81), entitled: "SENATE RESOLUTION RELATING TO PUBLIC UTILITIES", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Campbell, Hara, Young, Wong, O'Connor, Mizuguchi and Soares.

By unanimous consent, S.R. No. 81 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 82), entitled: "SENATE RESOLUTION RELATING TO ENERGY", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Hara, Young, Wong, Mizuguchi, Campbell, O'Connor and Soares.

By unanimous consent, S.R. No. 82 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 83), entitled: "SENATE RESOLUTION RELATING TO FURTHER IMPROVEMENT OF THE PUBLIC UTILITIES", was jointly offered by Senators Chong, Kuroda, Yamasaki, Carpenter, Ajifu, Cayetano, Young, Wong, Mizuguchi, Campbell and Soares.

By unanimous consent, S.R. No. 83 was referred to the Committee on Public Utilities.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 2, 1979:

Senate Bills

No. 376 "A Bill for an Act Relating to Capital Crimes."

Introduced by: Senators Kawasaki, Ajifu, Campbell, Carpenter, Kuroda, Soares, Toyofuku and Yim.

No. 377 "A Bill for an Act Relating to Collective Bargaining in Public Employment and Amending Chapter 89, Hawaii Revised Statutes."

Introduced by: Senator Kawasaki, by request.

No. 378 "A Bill for an Act Relating to Decision-Making by Employers in Collective Bargaining in Public Employment."

Introduced by: Senator Kawasaki, by request.

No. 379 "A Bill for an Act Making an Appropriation to Provide for Campus Aides at Maui High School, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 380 "A Bill for an Act Making an Appropriation to Provide for the Continuation of the Children's Librarian Program at Wailuku Library."

Introduced by: Senators Yamasaki and Takitani.

No. 381 "A Bill for an Act Making an Appropriation to Provide for a Vegetable Research Scientist at

the Kula Branch Station, Hawaii Agricultural Experiment Station."

Introduced by: Senators Yamasaki and Takitani.

- No. 382 "A Bill for an Act Making an Appropriation for Chore Services for the Elderly and Handicapped at Maui Rehabilitation Center."

Introduced by: Senators Yamasaki and Takitani.

- No. 383 "A Bill for an Act Making an Appropriation for the Continued Operation of Maui Hui Malama, Inc."

Introduced by: Senators Yamasaki and Takitani.

- No. 384 "A Bill for an Act Making an Appropriation for Grants-in-Aid to Molokai General Hospital."

Introduced by: Senators Yamasaki and Takitani.

- No. 385 "A Bill for an Act Making an Appropriation for the Pre-Vocational Program of the Maui Association for Retarded Citizens."

Introduced by: Senators Yamasaki and Takitani.

- No. 386 "A Bill for an Act Making an Appropriation for Infant Stimulation and Child Development Programs, Maui Easter Seal Society."

Introduced by: Senators Yamasaki and Takitani.

- No. 387 "A Bill for an Act Making an Appropriation for Social Rehabilitation Programs and Projects for the Handicapped and Disabled at the Molokai Rehabilitation Facility at Kaunakakai, Molokai."

Introduced by: Senators Yamasaki and Takitani.

- No. 388 "A Bill for an Act Making an Appropriation for Plans and Construction of an Office Complex for the Department of Agriculture, at Kahului, Maui."

Introduced by: Senators Yamasaki and Takitani.

- No. 389 "A Bill for an Act Making an Appropriation for Iao School, Maui."

Introduced by: Senators Yamasaki and Takitani.

- No. 390 "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 Carpenter, Chong, Abercrombie, George, Cayetano, Soares, Campbell, Cobb, Kawasaki and O'Connor.

- No. 391 "A Bill for an Act Relating to the Expenditure of Public Money and Public Contracts."

Introduced by: Senator Wong, by request.

- No. 392 "A Bill for an Act Relating to Criminal History Record Information."

Introduced by: Senator Wong, by request.

- No. 393 "A Bill for an Act Relating to Criminal Procedure: Deferred Acceptance of Guilty Plea."

Introduced by: Senator Wong, by request.

- No. 394 "A Bill for an Act Relating to Emergency Examination and Hospitalization."

Introduced by: Senator Wong, by request.

- No. 395 "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. 396 "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. 397 "A Bill for an Act Relating to the State Budget."

Introduced by: Senator Wong, by request.

- No. 398 "A Bill for an Act Relating to the Sale of Prophylactics in Vending Machines."

Introduced by: Senator Wong, by request.

- No. 399 "A Bill for an Act Relating to Adult Care Homes, Family Boarding Homes, and Other Similar Institutions."

Introduced by: Senator Wong, by request.

- No. 400 "A Bill for an Act Relating to Vital Statistics Registration."

Introduced by: Senator Wong, by request.

No. 401 "A Bill for an Act Relating to Vital Statistics."

Introduced by: Senator Wong, by request.

No. 402 "A Bill for an Act Relating to Reimbursement to the City and County of Honolulu under Section 70-111, Hawaii Revised Statutes, for Advances made by it for the State's Share of the Cost of Improvements Assessed Against Public and Exempt Lands in the Various Improvement Districts within the City and County of Honolulu and making Appropriation therefor."

Introduced by: Senator Kawasaki, by request.

No. 403 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu for Improvements to Kuhio Avenue, Waikiki, Oahu."

Introduced by: Senator Kawasaki, by request.

No. 404 "A Bill for an Act Relating to the Furnishing of Facilities and Services by Counties to the Hawaii Housing Authority and Tenants."

Introduced by: Senator Kawasaki, by request.

No. 405 "A Bill for an Act to Amend Chapters 237 and 238, Hawaii Revised Statutes, Relating to General Excise Tax and Use Tax Law."

Introduced by: Senator Kawasaki, by request.

No. 406 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu to provide Transportation for certain Mobility Handicapped Clients of the Department of Social Services and Housing, State of Hawaii."

Introduced by: Senator Kawasaki, by request.

No. 407 "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: Senator Kawasaki, by request.

No. 408 "A Bill for an Act Making an Appropriation for the Aquarium."

Introduced by: Senator Abercrombie.

No. 409 "A Bill for an Act Relating to Elections."

Introduced by: Senator Abercrombie.

No. 412 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 413 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 414 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 415 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 416 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 417 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 418 "A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senators Cobb and Chong.

No. 419 "A Bill for an Act Relating to Environmental and Litter Control."

Introduced by: Senators Hara, Carpenter, Cayetano, Soares, Mizuguchi, George, Ajifu, Carroll, Young and Yee.

No. 420 "A Bill for an Act Making an Appropriation for the Farm Laboratory at the University of Hawaii, Hilo College."

Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Saiki, Campbell, Mizuguchi, Cayetano, Carroll, Yamasaki, Kuroda, Chong, Toyofuku, George, Ajifu, Abercrombie, Young, Soares,

O'Connor and Yee.

- No. 421 "A Bill for an Act Relating to the General Excise Tax Law."

Introduced by: Senators Hara, Carpenter, Takitani, Saiki, Carroll, Kawasaki, Yamasaki, Soares, Kuroda, Cobb, Toyofuku, George, Ajifu, Abercrombie, O'Connor and Yee.

- No. 422 "A Bill for an Act Making an Appropriation for Site Development Plans, Construction, and Equipment for Water Development Projects, County of Hawaii."

Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Yamasaki, Kuroda, Campbell, Chong, Soares, O'Connor, Mizuguchi, Toyofuku, George, Saiki, Ajifu, Carroll, Young and Yee.

- No. 423 "A Bill for an Act Making an Appropriation for the Farm Laboratory at the University of Hawaii, Hilo College."

Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Saiki, Campbell, Mizuguchi, Chong, Cayetano, Carroll, Yamasaki, Soares, Ajifu, Kuroda, Toyofuku, George, Young, Abercrombie, O'Connor and Yee.

- No. 424 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Abercrombie.

- No. 425 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Waiālae Elementary School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

- No. 426 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaiser High School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

- No. 427 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kahala Elementary School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

- No. 428 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki Intermediate School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb, O'Connor and Soares.

- No. 429 "A Bill for an Act Establishing Standards for Purchase of Services, Grants, and Subsidies."

Introduced by: Senator Wong, by request.

- No. 430 "A Bill for an Act Relating to the Judiciary Budget."

Introduced by: Senator Wong, by request.

- No. 431 "A Bill for an Act Relating to Non-Competitive Promotions of Public Officers and Employees."

Introduced by: Senator Wong, by request.

- No. 432 "A Bill for an Act Relating to Compensation of Public Officers and Employees."

Introduced by: Senator Wong, by request.

- No. 433 "A Bill for an Act Relating to Initial Appointments."

Introduced by: Senator Wong, by request.

- No. 434 "A Bill for an Act Relating to Leaves of Absence of Public Officers and Employees."

Introduced by: Senator Wong, by request.

- No. 435 "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. 436 "A Bill for an Act Relating to Deferred Compensation Plans."

Introduced by: Senator Wong, by request.

- No. 437 "A Bill for an Act Relating to Purchasing Credits for Military Service under the Employees' Retirement System."

Introduced by: Senator Wong, by request.

- No. 438 "A Bill for an Act Relating to the Classification and Compensation of Public Officers and Employees, and Amending Chapters 76 and 77, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 439 "A Bill for an Act Relating to Employer Violations of a Collective Bargaining Agreement."

Introduced by: Senator Wong, by request.

No. 440 "A Bill for an Act Relating to the Compensation of Public Officers and Employees and Amending Chapters 76, 77 and 89, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 441 "A Bill for an Act Relating to Accidental Injury Leave."

Introduced by: Senator Wong, by request.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Friday, February 2, 1979:

Senate Bills

No. 410 "A Bill for an Act Relating to Retail Credit, Insurance Applications and Checking Accounts Information."

Introduced by: Senator Abercrombie.

No. 411 "A Bill for an Act Relating to the Distribution of Overhead Costs in University of Hawaii Grants."

Introduced by: Senator Abercrombie.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 4) informing the Senate that Senate Concurrent Resolution No. 8, Senate Resolution Nos. 74 to 76 and Senate Bill Nos. 339 to 375 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

REFERRAL OF SENATE BILLS

The President made the following committee assignments of senate bills that were introduced on Wednesday, January 31, 1979:

Senate Bills Referred to:

No. 339 Committee on Health, then to the Committee on Human Resources, then to the Committee on Ways and Means

No. 340 Committee on Human Resources, then to the Committee on Ways and Means

No. 341 Committee on Public Utilities, then to the Committee on Consumer Protection and Commerce

No. 342 Committee on Higher Education, then to the Committee on Ways and Means

No. 343 Committee on Higher Education, then to the Committee on Ways and Means

No. 344 Committee on Higher Education, then to the Committee on Ways and Means

No. 345 Committee on Ways and Means

No. 346 Committee on Ways and Means

No. 347 Committee on Ways and Means

No. 348 Committee on Ways and Means

No. 349 Committee on Ways and Means

No. 350 Committee on Ways and Means

No. 351 Committee on Ways and Means

No. 352 Committee on Ways and Means

No. 353 Committee on Ways and Means

No. 354 Committee on Ways and Means

No. 355 Committee on Ways and Means

No. 356 Committee on Ways and Means

No. 357 Committee on Ways and Means

No. 358 Committee on Ways and Means

No. 359 Committee on Ways and Means

No. 360 Committee on Ways and Means

No. 361 Committee on Ways and Means

No. 362 Committee on Ways and Means

No. 363 Committee on Ways and Means

No. 364 Committee on Ways and Means

No. 365 Committee on Ways and Means

No. 366 Committee on Ways and Means

No. 367 Committee on Ways and Means

No. 368 Committee on Ways and Means

No. 369 Committee on Ways and Means

No. 370 Committee on Ways and Means

No. 371 Committee on Ways and Means

No. 372 Committee on Ways and Means

No. 373 Committee on Ways and Means

No. 374 Committee on Ways and Means

No. 375 Committee on Human Resources,
then to the Committee on Ways and Means

RE-REFERRAL OF A
SENATE RESOLUTION

The President made the following re-
referral of a senate resolution that was
offered on Monday, January 29, 1979:

Senate
Resolution Referred to:

No. 27 Jointly to the Committee on Education
and the Committee on Higher Education

RE-REFERRAL OF
SENATE BILLS

The President made the following re-
referral of bills that were introduced
on Friday, January 26, 1979:

Senate Bills Referred to:

No. 62 Jointly to the Committee on
Agriculture and the Committee on
Economic Development, then to the
Committee on Ways and Means

No. 72 Jointly to the Committee on
Agriculture and the Committee on
Economic Development, then to the
Committee on Ways and Means

ADJOURNMENT

At 11:39 o'clock a.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate adjourned
until 11:30 o'clock a.m., Friday, February
2, 1979.

THIRTEENTH DAY

Friday, February 2, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Raymond N. Stumpf of the Kapahulu Bible Church, after which the Roll was called showing all Senators present with the exception of Senators Saiki and Yim, who were excused.

The President announced that he had read and approved the Journal of the Twelfth Day.

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

Senator Yee introduced a group of twenty-six students from the first grade at Kuhio School with their teacher, Mrs. Barbara Matsukawa, and a parent, Mrs. Hong.

Senator Kawasaki introduced twenty-one students from Maemae School with their teacher, Mrs. Milli Asari, and a parent, Mrs. Fanny Miyamura.

Senator Kawasaki then introduced a group of forty-four students from Hongwanji School, with their principal, Mrs. Kimura, and a teacher, Mrs. Lindo.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 64 and 65) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 64), transmitting a report entitled, "Hawaii's Environment 1978", prepared by the Environmental Council in compliance with Chapter 341-6, Hawaii Revised Statutes, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 65), transmitting the Annual Report of the Department of Personnel Services for fiscal year 1977-78, was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 11 to 13) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 11), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE UNITED STATES TO ALLOW THE USE OF HEROIN FOR MEDICAL PURPOSES", was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 11 was referred jointly to the Committee on Health and the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 12), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO STATE OWNED DRY DOCKS", was offered by Senator Abercrombie.

By unanimous consent, S.C.R. No. 12 was referred jointly to the Committee on Transportation and the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 13), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INVESTIGATION OF THE CLOSING OF THE EIGHT NATIONAL WEATHER SERVICE STATIONS IN THE PACIFIC REGION", was jointly offered by Senators Ajifu, Toyofuku, George, Carroll, Cobb, O'Connor, Campbell, Soares, Kuroda, Yamasaki, Abercrombie and Carpenter.

By unanimous consent, S.C.R. No. 13 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 84 to 88) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 84), entitled: "SENATE RESOLUTION RELATING TO STATE OWNED DRY DOCKS", was offered by Senator Abercrombie.

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

A resolution (S.R. No. 85), entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE UNITED STATES TO ALLOW THE USE OF HEROIN FOR MEDICAL PURPOSES", was offered by Senator Abercrombie.

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

A resolution (S.R. No. 86), entitled: "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF ESTABLISHING

A SYSTEM FOR IDENTIFYING AND MONITORING FACTORS WHICH CONTRIBUTE TO THE HIGH COST OF DOING BUSINESS", was jointly offered by Senators Carpenter, Cobb, Yim, Yee, Ushijima and Chong.

By unanimous consent, S.R. No. 86 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 87), entitled: "SENATE RESOLUTION CONGRATULATING SHARYN Y. HIRATA FOR HER SELECTION AS HAWAII DISTRICT'S 1979 OUTSTANDING TEACHER OF THE YEAR", was jointly offered by Senators Hara, Ushijima, Carpenter, Kuroda, Takitani, Chong, Mizuguchi, Cobb, Toyofuku, George, Saiki, Ajifu, Anderson, Carroll, Young, Yamasaki, Cayetano, Kawasaki and Yee.

Senator Hara moved that S.R. No. 87 be adopted, seconded by Senator Ushijima.

Senator Kawasaki then rose to speak in favor of the resolution as follows:

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

"I know that everybody will vote for it, but many times, oftentimes, we here in this Body don't get to read the contents of the resolution. I think it behooves us to read this one, because it gives me great pleasure sometimes to commend the outstanding teachers we have.

"I have had the reputation of being very harsh on teachers who are 'deadwood' in the system, but when good teachers like these do come to our attention, I think we should read the resolution at least to know who they are and what they have done.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 87 was adopted.

A resolution (S.R. No. 88), entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE CLOSING OF THE EIGHT NATIONAL WEATHER SERVICE STATIONS IN THE PACIFIC REGION", was jointly offered by Senator Ajifu, Toyofuku, George, Carroll, Cobb, O'Connor, Campbell, Soares, Kuroda, Yamasaki, Abercrombie and Carpenter.

By unanimous consent, S.R. No. 88 was referred to the Committee on Ecology, Environment and Recreation.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 5, 1979:

Senate Bills

No. 442 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators Kawasaki, Ajifu, Campbell, Carpenter, Chong, Cobb, Kuroda, Saiki, Soares, Takitani, Toyofuku, Yamasaki, Yee, Yim and Wong.

No. 443 "A Bill for an Act Relating to Public Contracts."

Introduced by: Senator Chong.

No. 444 "A Bill for an Act Relating to Community Colleges."

Introduced by: Senator Abercrombie.

No. 445 "A Bill for an Act Relating to Community Colleges."

Introduced by: Senator Abercrombie.

No. 446 "A Bill for an Act Relating to Minors."

Introduced by: Senators Carpenter, Chong, Campbell, Ajifu, Carroll, Abercrombie, O'Connor, Wong, Cayetano, Kuroda, Kawasaki and Toyofuku.

No. 447 "A Bill for an Act Making an Appropriation for a Keaukaha-Panaewa Gymnasium Complex, Hilo, Hawaii."

Introduced by: Senators Carpenter, Hara, Ushijima, Toyofuku, Ajifu, George, Chong, Abercrombie, Soares, Campbell, Carroll, Saiki, O'Connor, Wong, Young, Kuroda and Yamasaki.

No. 448 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for the County of Hawaii."

Introduced by: Senators Carpenter, Hara, Ushijima, Ajifu, George, Carroll, Chong, Saiki, Campbell, Abercrombie, O'Connor, Wong, Young, Soares, Kuroda, Yamasaki and Toyofuku.

No. 449 "A Bill for an Act Relating to Welfare."

Introduced by: Senators George, Carroll, Yee, Soares, Ajifu, Kuroda, Takitani, Hara, Saiki, Carpenter, Anderson, Cobb, O'Connor and Campbell.

- No. 450 "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 George, Chong, Anderson, Carpenter, Carroll, Soares and Cayetano.

- No. 451 "A Bill for an Act Relating to Vital Statistics."

Introduced by: Senators George, Anderson, Carpenter, Mizuguchi, Chong, Ajifu, Soares, Cayetano, Yee and Carroll.

- No. 452 "A Bill for an Act Relating to Fish Aggregation Buoys and Making an Appropriation Therefor."

Introduced by: Senators Carpenter, Hara, Ushijima, Wong, Toyofuku, Yamasaki, Young, Soares, Kuroda, Campbell, George and Abercrombie.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 5), informing the Senate that Senate Concurrent Resolution Nos. 9 and 10, Senate Resolution Nos. 77 to 83 and Senate Bill Nos. 376 to 441 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 6), recommending that Senate Concurrent Resolution No. 8 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and, Roll Call vote having been requested, S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Saiki and Yim).

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 7), recommending that Senate Resolution No. 76 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and, Roll Call vote having been requested, S.R. No. 76, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS TO EXCEPT FRESH AND PROCESSED PINEAPPLE PRODUCTS FROM TARIFF REDUCTION IN THE CURRENT MULTILATERAL TRADE NEGOTIATIONS", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Saiki and Yim).

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 1, 1979:

- | Senate Bills | Referred to: |
|--------------|--|
| No. 376 | Committee on Judiciary |
| No. 377 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 378 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 379 | Committee on Education, then to the Committee on Ways and Means |
| No. 380 | Committee on Education, then to the Committee on Ways and Means |
| No. 381 | Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means |
| No. 382 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 383 | Committee on Education, then to the Committee on Ways and Means |
| No. 384 | Committee on Health, then to the Committee on Ways and Means |

- No. 385 Committee on Health, then to the Committee on Ways and Means
- No. 386 Committee on Health, then to the Committee on Ways and Means
- No. 387 Committee on Human Resources, then to the Committee on Ways and Means
- No. 388 Committee on Agriculture, then to the Committee on Ways and Means
- No. 389 Committee on Education, then to the Committee on Ways and Means
- No. 390 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 391 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 392 Committee on Judiciary, then to the Committee on Ways and Means
- No. 393 Committee on Judiciary
- No. 394 Committee on Health, then to the Committee on Judiciary
- No. 395 Committee on Judiciary, then to the Committee on Ways and Means
- No. 396 Committee on Judiciary, then to the Committee on Ways and Means
- No. 397 Committee on Ways and Means
- No. 398 Committee on Health, then to the Committee on Human Resources, then to the Committee on Judiciary
- No. 399 Committee on Human Resources, then to the Committee on Ways and Means
- No. 400 Committee on Health, then to the Committee on Ways and Means
- No. 401 Committee on Health, then to the Committee on Judiciary
- No. 402 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 403 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 404 Jointly to the Committee on Intergovernmental Relations and the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 405 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 406 Jointly to the Committee on Intergovernmental Relations and the Committee on Human Resources, then to the Committee on Ways and Means
- No. 407 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 408 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 409 Committee on Judiciary
- No. 410 Committee on Consumer Protection and Commerce
- No. 411 Committee on Higher Education, then to the Committee on Ways and Means
- No. 412 Committee on Consumer Protection and Commerce
- No. 413 Committee on Consumer Protection and Commerce
- No. 414 Committee on Consumer Protection and Commerce
- No. 415 Committee on Consumer Protection and Commerce
- No. 416 Committee on Consumer Protection and Commerce
- No. 417 Committee on Consumer Protection and Commerce
- No. 418 Committee on Consumer Protection and Commerce
- No. 419 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 420 Committee on Higher Education, then to the Committee on Ways and Means
- No. 421 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 422 Jointly to the Committee on Economic Development and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 423 Committee on Higher Education,
then to the Committee on Ways
and Means

No. 424 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 425 Committee on Education,
then to the Committee on Ways
and Means

No. 426 Committee on Education,
then to the Committee on Ways
and Means

No. 427 Committee on Education,
then to the Committee on Ways
and Means

No. 428 Committee on Education,
then to the Committee on Ways
and Means

No. 429 Committee on Government
Operations and Efficiency, then
to the Committee on Ways and Means

No. 430 Committee on Judiciary,
then to the Committee on Ways
and Means

No. 431 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 432 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 433 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 434 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 435 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 436 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 437 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 438 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 439 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 440 Committee on Human Resources,

then to the Committee on Ways and
Means

No. 441 Committee on Human Resources,
then to the Committee on Ways and
Means

RE-REFERRAL OF A SENATE BILL

The President made the following
re-referral of a Senate Bill which
had been introduced on Friday, January
26, 1979:

Senate Bill Referred to:

No. 48 Committee on Judiciary

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following
re-referral of a Senate Concurrent Resolution
which had been offered on Thursday,
February 1, 1979:

Senate
Concurrent
Resolution Referred to:

No. 9 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following
re-referral of a Senate Resolution which
had been offered on Thursday, February
1, 1979:

Senate
Resolution Referred to:

No. 79 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means

At this time, the President commented
as follows:

"I wish to take this opportunity
to thank the members of the Senate for
their long hours in their deliberation
on the various budget requests and
for the attendance of the Majority and
Minority members in the 'catching-up'
process. I am most pleased."

ADJOURNMENT

At 11:41 o'clock a.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Monday, February 5, 1979.

FOURTEENTH DAY

Monday, February 5, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Vincent O'Neill, St. Andrew's Cathedral, after which the Roll was called showing all Senators present, with the exception of Senators Hara, Saiki and Ushijima, who were excused.

The President announced that he had read and approved the Journal of the Thirteenth Day.

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

Senator Carroll introduced a dear friend Mr. Edmund Yee and daughter Annette.

Senator Kuroda, on behalf of the Senators from the Fourth Senatorial District, then introduced 60 students from the fifth grade of Kaala Elementary School in Wahiawa, accompanied by their teachers Mrs. Dorothy Abe and Mrs. Carol Matsuda.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 14), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was jointly offered by Senators Carpenter, Chong, Anderson, Wong, Young, Cayetano, Kuroda, George, Campbell, Yamasaki, Ushijima, Kawasaki, Hara, Toyofuku and Abercrombie, and was read by the Clerk.

By unanimous consent, S.C.R. No. 14 was referred to the Committee on Health, then to the Committee on Judiciary.

SENATE RESOLUTION

A resolution (S.R. No. 89), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was jointly offered by Senators Carpenter, Chong, Kuroda, Campbell, Wong, Young, Cayetano, George, Yamasaki, Ushijima, Kawasaki, Hara, Toyofuku and Abercrombie, and was read by the Clerk.

By unanimous consent, S.R. No. 89 was referred to the Committee on Health, then to the Committee on Judiciary.

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

The Senate reconvened at 11:40 o'clock a.m.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 6, 1979:

Senate Bills

No. 453 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid to the Policy Advisory Board for Elderly Affairs."

Introduced by: Senators Toyofuku, Chong, Cobb, Takitani, Kuroda, Mizuguchi, Abercrombie, Campbell, Hara, O'Connor, Yamasaki, Cayetano and Ushijima.

No. 454 "A Bill for an Act Making an Appropriation to the Kauai Easter Seal Society to Continue their Child Care and Development Program."

Introduced by: Senators Toyofuku, Takitani, Chong, O'Connor, Ushijima, Abercrombie, Campbell, Kuroda and Hara.

No. 455 "A Bill for an Act Relating to Rent Control."

Introduced by: Senator Abercrombie.

No. 456 "A Bill for an Act Making an Appropriation for Operating Expenses at Hale Mohalu Hospital, Pearl City, Oahu."

Introduced by: Senator Abercrombie.

No. 457 "A Bill for an Act Making an Appropriation for Capital Improvements at Hale Mohalu Hospital, Pearl City, Oahu."

Introduced by: Senator Abercrombie.

No. 458 "A Bill for an Act Relating to the State Health Planning and Development Agency."

Introduced by: Senator Abercrombie.

No. 459 "A Bill for an Act Relating to Antitrust Exemption for Newspapers."

Introduced by: Senators Abercrombie, Kawasaki, Yim, Carpenter, Wong and Campbell.

No. 462 "A Bill for an Act Relating to Aquaculture."

Introduced by: Senator Yim.

No. 463 "A Bill for an Act Making an Appropriation to Provide for a Dental Hygienist for Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 464 "A Bill for an Act Making an Appropriation for Additional Security Fencing at Kahului School, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 465 "A Bill for an Act Making Supplemental Appropriation for Improvements to Extend Driveway at Kula Elementary School, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 466 "A Bill for an Act Making Supplemental Appropriation for Restoration of Hale Pa'I (Printing House) at Lahaina, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 467 "A Bill for an Act Making an Appropriation to Provide for Grants-in-Aid to the Welfare Recipient Advisory Council for their Neighbor Island Programs."

Introduced by: Senators Yamasaki, Takitani, Toyofuku, Ushijima, Kuroda, Young, Campbell and Hara.

No. 468 "A Bill for an Act Making an Appropriation to Provide Funds to the Hawaii Family Stress Center for their Neighbor Island Operations."

Introduced by: Senators Yamasaki, Takitani, Toyofuku, Ushijima, Carroll, Kuroda, Young, Campbell and Hara.

No. 469 "A Bill for an Act Making an Appropriation for the Continuation of the Arthritis Center of Hawaii."

Introduced by: Senators Yamasaki, Takitani, Toyofuku, Ushijima, Kuroda, Young, George, Campbell and Hara.

No. 470 "A Bill for an Act Making an Appropriation for Expansion, Renovation and Improvements of Buildings at J. W. Cameron Center, Wailuku, Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 471 "A Bill for an Act Making an Appropriation for Improvements to Nu'u Wailua Water System at Keanae, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 472 "A Bill for an Act Relating to Emergency Medical Services."

Introduced by: Senators Yamasaki, Takitani, Toyofuku, Ushijima, Carroll, Kuroda, Young, Campbell and Hara.

No. 473 "A Bill for an Act Relating to Names."

Introduced by: Senators Yamasaki, Ushijima, Toyofuku, Kuroda, Young, George, Campbell and Hara.

No. 474 "A Bill for an Act Relating to Retirement."

Introduced by: Senators Yamasaki, Kuroda, Takitani, Chong, Soares, Carroll, Ushijima, Young and Campbell.

No. 475 "A Bill for an Act Relating to the Board of Dental Examiners."

Introduced by: Senator Cobb, by request.

No. 476 "A Bill for an Act Relating to Attorneys' Fees."

Introduced by: Senators Yee, Anderson, Takitani, Soares, Campbell, Mizuguchi, Ajifu, George, Cayetano and Yamasaki.

No. 477 "A Bill for an Act Relating to Attorneys' Fees, Costs, and Witness Fees."

Introduced by: Senators Yee, Anderson, Carroll, George, Campbell, Takitani, Soares, Mizuguchi, Ajifu, Cayetano and Yamasaki.

No. 478 "A Bill for an Act Relating to the Uniform State Code of Military Justice."

Introduced by: Senators Carroll, Kuroda and Cobb.

No. 479 "A Bill for an Act Relating to Construction Sites."

Introduced by: Senator Carroll.

No. 480 "A Bill for an Act Relating to the Environment."

Introduced by: Senator Carroll.

No. 481 "A Bill for an Act Relating to Criminal Injuries Compensation."

Introduced by: Senators George, Anderson, Yee, Carroll, Soares, Ajifu, Mizuguchi, Cayetano, O'Connor and Takitani.

No. 482 "A Bill for an Act Relating to Criminal Injuries Compensation."

Introduced by: Senators George, Anderson, Carroll, Soares, Ajifu, Mizuguchi, O'Connor and Takitani.

No. 483 "A Bill for an Act Relating to Holidays."

Introduced by: Senators George, Anderson, Yee, Carroll, Soares, Ajifu, Mizuguchi, Cayetano, Young, Takitani and Yamasaki.

No. 484 "A Bill for an Act Relating to Elections."

Introduced by: Senator Carroll.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Tuesday, February 6, 1979:

Senate Bills

No. 460 "A Bill for an Act Relating to Telephone Companies."

Introduced by: Senator Chong.

No. 461 "A Bill for an Act Relating to Electric Companies."

Introduced by: Senator Chong.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 8) informing the Senate that Senate Concurrent Resolution Nos. 11 to 13, Senate Resolution Nos. 84 to 88, Senate Bill Nos. 442 to 452 and Standing Committee Report Nos. 5 to 7 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 2, 1979:

Senate Bills Referred to:

No. 442 Committee on Judiciary

No. 443 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 444 Committee on Higher Education, then to the Committee on Ways and Means

No. 445 Committee on Higher Education, then to the Committee on Ways and Means

No. 446 Committee on Health, then to the Committee on Judiciary

No. 447 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 448 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 449 Committee on Human Resources, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 450 Committee on Government Operations and Efficiency, then to the Committee on Judiciary

No. 451 Committee on Health, then to the Committee on Judiciary

No. 452 Committee on Economic Development, then to the Committee on Ways and Means

RE-REFERRAL OF A SENATE RESOLUTION

The President then made the following re-referral of a resolution which was offered on Monday, January 29, 1979:

Senate Resolution Referred to:

No. 17 Committee on Consumer Protection and Commerce

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of bills that were introduced on Friday, January 26, 1979:

Senate Bills Referred to:

No. 8 Committee on Judiciary, then to the Committee on Ways and Means

No. 27 Committee on Education, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 117 Committee on Education, then to the Committee on Judiciary, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications

(Misc. Com. Nos. 5 and 6) were read by the Clerk and were disposed of as follows:

A communication from the Department of General Planning, City and County of Honolulu (Misc. Com. No. 5), transmitting for information the "Notifications of Intent" for federal grant to develop the Sunflower Apartments and the Waimaha Housing projects, was referred to the Committee on Housing and Hawaiian Homes.

A communication from the Office of the Legislative Auditor, State of Hawaii (Misc. Com. No. 6), transmitting a report entitled: "Financial Audit of the Department of Land and Natural Resources", (Audit Report No. 79-1), January 1979, conducted pursuant to Hawaii Revised Statutes, section 23-4, was referred jointly to the Committee on Economic Development and the 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: 56 o'clock a.m.

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 measure:

S.B. No. 449, entitled: "A BILL
FOR AN ACT RELATING TO WELFARE",

and the President granted the waiver.

ADJOURNMENT

At 11: 57 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11: 30 o'clock a.m., Tuesday, February 6, 1979.

FIFTEENTH DAY

Tuesday, February 6, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Robert Hicks, Faith Baptist Church, after which the Roll was called showing all Senators present, with the exception of Senators Saiki and Ushijima, who were excused.

The President announced that he had read and approved the Journal of the Fourteenth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 66 to 68) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 66), transmitting the Annual Report for Fiscal Year 1977-78 of the Public Utilities Commission in response to Act 165, Session Laws of Hawaii 1976, was referred to the Committee on Public Utilities.

A message from the Governor (Gov. Msg. No. 67), transmitting Volumes I and II, December, 1978, of the Statewide Transportation Plan prepared by the Statewide Transportation Council and the Department of Transportation in response to Chapter 279-A, HRS, was referred jointly to the Committee on Transportation and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 68), transmitting a report on the Capital Infusion Promotion Program prepared by the Economic Development Division of the Department of Planning and Economic Development in response to H.R. No. 25, H.D. 1 (1978) and H.C.R. No. 10, H.D. 1 (1978), was referred to the Committee on Economic Development.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 7), transmitting House Bill No. 11, H.D. 1, which passed Third Reading in the House of Representatives on February 6, 1979, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 11, 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 placed on the calendar for further consideration on Wednesday, February 7, 1979.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 15), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO EXAMINE THE FINANCIAL STATEMENTS AND OPERATIONS AND ASCERTAIN THE RETURN ON CAPITAL OF THE HAWAII NEWSPAPER AGENCY, HONOLULU ADVERTISER, AND HONOLULU STAR-BULLETIN", was jointly offered by Senators Kawasaki, Abercrombie, Kuroda, Young, Yim, Cayetano, Chong, Ajifu, Campbell, Toyofuku, Carpenter, Mizuguchi and Wong, and was read by the Clerk.

By unanimous consent, S.C.R. No. 15 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 90 to 93) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 90), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO EXAMINE THE FINANCIAL STATEMENTS AND OPERATIONS AND ASCERTAIN THE RETURN ON CAPITAL OF THE HAWAII NEWSPAPER AGENCY, HONOLULU ADVERTISER, AND HONOLULU STAR-BULLETIN", was jointly offered by Senators Kawasaki, Abercrombie, Young, Yim, Cayetano, Chong, Mizuguchi, Carpenter, Toyofuku, Campbell, Kuroda, Wong and Ajifu.

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

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

The Senate reconvened at 11:45 o'clock a.m.

At this time, Senator Anderson rose to state as follows:

"Mr. President, if I may on your referral, I believe these two resolutions (S.C.R. No. 15 and S.R. No. 90)—well, the intent is proper because I believe it is the responsibility of the legislature to make sure that the taxpayer and the citizens of Hawaii are being protected.

"I happen to believe that the intent of these two resolutions asking the Legislative Auditor to do this audit is not the vehicle to use. Our reading of the statute--responsibilities of the Legislative Auditor are somewhat confining..."

Senator O'Connor then remarked: "Mr. President, the matter the speaker is referring to should properly be taken up in the committees to which these matters are referred, not here at this time on a referral. If the argument is over the referral or question of the referral, that may be proper, but not the argument that is being made by the speaker."

Senator Anderson then requested a ruling on his point of order.

Senator O'Connor then said: "The point of information, Mr. President, is the introduction of the bills (offering of resolutions), and not the referrals."

The President then replied as follows:

"Senator Anderson, I think the point made by Senator O'Connor is correct--that the referral process is merely a process by which legislation is put before a committee. That committee will determine whether or not the passage of such a particular piece of legislation is to be put in its final form, and I am sure that any kind of interpretation as to whether or not this is proper will be made at the time in which the hearing is held."

Senator Anderson then added to his concern as follows:

"Mr. President, I do not believe that these two resolutions are the purview of the committee, I do not believe they are going to be the responsibility of this committee, and I would not like to see two resolutions with good intent to be misused and not be done constructively. I think the Attorney General is the proper agency since they are the enforcing agency and if these two titles had directed the Attorney General to do this study, I would not be in disagreement."

"It's not the referral, Mr. President, it's the intent and the title and the studying agency, rather than the intent of the merit of the resolutions itself."

Senator Abercrombie then added and questioned as follows:

"Mr. President, this is not a point of information, but I believe it's in order, inasmuch as my name appears as one of the cointroducers of the resolutions, to state that if there is a question as to the intent, it can be settled by the process of negotiation, by the process of discussion

and public hearing. I don't think it's anybody's business to tell me what my intent is or where I want to go with these resolutions. I'm perfectly willing to have it discussed as a public matter and whether it's appropriate or not can be discussed at that time.

"Now, if we're going to do this on every resolution, let alone any bill that comes up, to decide whether or not titles are correct before we even have referrals, then the business of this Body is going to be delayed immeasurably. And I would like to have a clear understanding of your ruling to Senator O'Connor--I suppose then it is a point of information.

"Did you contend in your ruling that when resolutions and/or bills come before this Body that you will refer them under the system that you have outlined and that their appropriateness, whether as to title or intent, will be decided by the committee and not on the floor of this house at the time of referral? Is that a correct interpretation?"

The President replied as follows:

"Senator Abercrombie, my ruling to Senator O'Connor was that his point is well taken.

"I allowed Senator Anderson to complete his remarks and I'm allowing you to do that. The Chair has referred the matter to committee--it is now in the committees. If there is any discussion here on the floor, it should be an objection to appeal the ruling of the Chair.

"The Chair has now assigned those two resolutions to the Consumer Protection and Commerce Committee and the Legislative Management Committee."

Senator Abercrombie then asked: "And this will be the procedure henceforth?"

The President replied as follows:

"I would hope so--I would hope that if someone disagrees with the ruling of the Chair, that we take a recess and discuss the matter. There is always the procedure of re-referral of a bill and if a member of this Body tells the President that he feels strongly about an issue and argues his case, I for one will listen, and if the merits' won, I will re-refer the bill."

Senator Abercrombie then added:

"Mr. President, the reason I bring this up is that I don't think the argument is about the referral. The argument being brought up was about the appropriateness of the resolutions, and I don't

think that the appropriateness of a bill or resolution, if I understand Senator O'Connor's remarks correctly and your answer correctly, the appropriateness of a bill or resolution is not to be discussed at the time of referral. Is that correct?"

The President answered: "However, Senator Abercrombie, people can appeal the ruling of the Chair."

Senator Abercrombie then remarked: "Okay, I'll do the same if I think I need to, but I just think that it's important that we understand what it is we're doing here if we're going to have proper conduct of business, then whatever a member feels is pertinent to the public purpose, and has put it in resolution or bill form, needs to be referred to committees."

"Now, if we want to have an open debate on the intent and appropriateness of bills and resolutions as opposed to whether or not the referral is correct or not with every bill or resolution that comes in, it's fine with me. I get paid every day and we can stay here for twelve months."

Senator Kawasaki then rose to state: "Mr. President, rising on a point of information and to buttress support of your ruling, may I just read one line of an Attorney General's Opinion requested by the ..."

The President then said: "Senator Kawasaki, excuse the Chair for interrupting. The resolutions will be discussed in the committee. Thank you very much."

A resolution (S.R. No. 91), entitled: "SENATE RESOLUTION EXPRESSING BELIEF THAT THE MAJOR MINING CONSORTIA SHOULD FUND ALL STUDIES AND RESEARCH RELATING TO THE ESTABLISHMENT OF MANGANESE PROCESSING PLANTS IN HAWAII AND REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO WITHHOLD ALL STATE FUNDS FOR SUCH PURPOSES", was offered by Senator Carroll.

By unanimous consent, S.R. No. 91 was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A resolution (S.R. No. 92), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO HONOLULU YOUNG BUDDHIST ASSOCIATION AND TO ITS NEWLY ELECTED OFFICERS", was jointly offered by Senators Toyofuku, Chong, Mizuguchi, Kuroda, Takitani, Abercrombie, Cayetano, O'Connor, Campbell, Hara, Carroll, Anderson, Ajifu and Cobb.

On motion by Senator Toyofuku, seconded by Senator Chong and carried, S.R. No. 92 was adopted.

A resolution (S.R. No. 93), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE SUBJECT OF TELECOMMUNICATIONS", was offered by Senator Chong.

By unanimous consent, S.R. No. 93 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 7, 1979:

Senate Bills

No. 485 "A Bill for an Act Relating to Firearms."

Introduced by: Senators Kawasaki, Cobb, Yamasaki, Takitani, Chong, Kuroda, Wong, Abercrombie and Carpenter.

No. 486 "A Bill for an Act Relating to Taxation for the Beautification and Improvement of Waikiki and Other Resort Areas."

Introduced by: Senator Carroll.

No. 487 "A Bill for an Act Relating to Limited and Temporary Licensing of Physicians and Surgeons."

Introduced by: Senators Carpenter, Chong, Campbell, Takitani and Abercrombie.

No. 488 "A Bill for an Act Relating to Physicians and Surgeons."

Introduced by: Senators Carpenter, Chong, Campbell, Mizuguchi, Takitani and Abercrombie.

No. 489 "A Bill for an Act Relating to Support of Mental Health-Related Programs."

Introduced by: Senators Carpenter, Campbell, Chong, Mizuguchi, Takitani and Abercrombie.

No. 490 "A Bill for an Act Relating to Developmentally Disabled Children."

Introduced by: Senators Carpenter, Campbell, Takitani, Chong and Abercrombie.

No. 491 "A Bill for an Act Relating to Biofeedback Therapy."

Introduced by: Senators Carpenter,

- Chong, Campbell, Mizuguchi, Takitani and Abercrombie.
- No. 492 "A Bill for an Act Relating to Hemophilia."
- Introduced by: Senators Carpenter, Campbell, Takitani, Chong and Abercrombie.
- No. 493 "A Bill for an Act Relating to Horizontal Property Regimes."
- Introduced by: Senator Abercrombie.
- No. 494 "A Bill for an Act Relating to the Landlord-Tenant Code."
- Introduced by: Senator Abercrombie.
- No. 496 "A Bill for an Act Making an Appropriation for a Nursing Continuing Education Fund."
- Introduced by: Senator Abercrombie.
- No. 497 "A Bill for an Act Making an Appropriation for Capital Improvements at Campus Radio Station KTUH at the University of Hawaii, Manoa."
- Introduced by: Senator Abercrombie.
- No. 498 "A Bill for an Act Relating to Facilities for the Elderly."
- Introduced by: Senators Chong, Abercrombie, Carroll and Yee.
- No. 499 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for Roosevelt High School, Oahu."
- Introduced by: Senators Chong, Carroll and Yee.
- No. 500 "A Bill for an Act Relating to Minors."
- Introduced by: Senator Chong, by request.
- No. 501 "A Bill for an Act Relating to Labor Disputes, Stevedoring Industry."
- Introduced by: Senator Carroll.
- No. 502 "A Bill for an Act Relating to the Creation of the Labor Dispute Commission."
- Introduced by: Senator Carroll.
- No. 503 "A Bill for an Act Relating to Spouse Abuse."
- Introduced by: Senator Carroll.
- No. 504 "A Bill for an Act Relating to Computer Crimes."
- Introduced by: Senator Carroll.
- No. 505 "A Bill for an Act Relating to Use of Dangerous Weapons in Certain Offenses."
- Introduced by: Senator Carroll.
- No. 506 "A Bill for an Act Relating to Arrests."
- Introduced by: Senator Carroll.
- No. 507 "A Bill for an Act Relating to Bail."
- Introduced by: Senator Carroll.
- No. 508 "A Bill for an Act Relating to the Penal Code."
- Introduced by: Senator Carroll.
- No. 509 "A Bill for an Act Relating to Evidence."
- Introduced by: Senators Carroll and George.
- No. 510 "A Bill for an Act Relating to Bail."
- Introduced by: Senator Carroll.
- No. 511 "A Bill for an Act Relating to Murder."
- Introduced by: Senator Carroll.
- No. 512 "A Bill for an Act Relating to Use of Dangerous Weapons in Certain Offenses."
- Introduced by: Senator Carroll.
- No. 513 "A Bill for an Act Proposing Amendments to Article V of the Hawaii Constitution to Provide for an Elective Office of Attorney General."
- Introduced by: Senators Carroll and George.
- No. 514 "A Bill for an Act Relating to Health Insurance."
- Introduced by: Senators Kuroda, Chong, Kawasaki, Young, Mizuguchi, Yamasaki, Cobb, Takitani, Campbell and Carroll.
- No. 515 "A Bill for an Act Making an Appropriation for a Librarian Position for Pearl City High School, Oahu."
- Introduced by: Senators Kuroda, Mizuguchi, Cayetano, Chong, Young, Yamasaki, Campbell, Takitani, Toyofuku, Carpenter, Abercrombie, George, Carroll and Ajifu.
- No. 516 "A Bill for an Act Making

an Appropriation to Ensure Continued Operation of the Infant and Child Development Centers on Oahu and the Neighbor Islands."

Introduced by: Senators Kuroda, Carpenter, Chong, O'Connor, Toyofuku, Cobb, Young, Mizuguchi, Yamasaki, Carroll, Cayetano, Kawasaki, Takitani, Ajifu and George.

No. 517 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senators Young, Campbell, Cayetano, Hara, Ajifu, Carpenter, Yim, Toyofuku, Kuroda, Takitani, Soares, Chong and Abercrombie.

No. 518 "A Bill for an Act Relating to the Limitation of Actions."

Introduced by: Senators Kawasaki, Abercrombie, Carpenter, Kuroda, Takitani and Cayetano.

No. 519 "A Bill for an Act Relating to the Public Utilities Commission."

Introduced by: Senators Kawasaki, Wong, Abercrombie, Carpenter, Kuroda, Takitani and Cayetano.

No. 520 "A Bill for an Act Relating to Agricultural Loans and Fishing Vessel Loans."

Introduced by: Senators Kawasaki, Abercrombie, Carpenter, Kuroda, Takitani and Cayetano.

No. 521 "A Bill for an Act Making an Appropriation of \$739,000 to the State Department of Transportation to Implement the Transfer of Wilson Tunnel and Kahekili Highway from the City and County of Honolulu to the State of Hawaii."

Introduced by: Senators Kawasaki, Abercrombie, Carpenter, Kuroda and Takitani.

No. 522 "A Bill for an Act Relating to Firearms."

Introduced by: Senators Kawasaki, Cobb, Wong, Abercrombie, Takitani and Cayetano.

No. 523 "A Bill for an Act Relating to Night Hunting."

Introduced by: Senators Kawasaki, Cobb, Wong, Abercrombie, Carpenter and Cayetano.

No. 524 "A Bill for an Act Relating to Agricultural Development."

Introduced by: Senators Carpenter,

Toyofuku, Young, Takitani, Chong, Hara, Kuroda and Cayetano.

No. 525 "A Bill for an Act Making an Appropriation for Water Development Projects, Hawaii County."

Introduced by: Senators Carpenter, Hara, Kuroda and Cayetano.

No. 526 "A Bill for an Act Making an Appropriation for Alcoholism Programs."

Introduced by: Senators Carpenter, Chong, Cayetano, Hara and Kuroda.

No. 527 "A Bill for an Act Making an Appropriation for the Developmentally Disabled."

Introduced by: Senators Carpenter, Cayetano, Chong, Hara and Kuroda.

No. 528 "A Bill for an Act Relating to the State Agricultural Loan Program."

Introduced by: Senators Carpenter, Toyofuku, Young, Takitani, Chong, Hara, Kuroda and Cayetano.

No. 529 "A Bill for an Act Making an Appropriation for Fish Aggregating Buoy Program."

Introduced by: Senators Carpenter, Toyofuku, Hara, Kuroda, Chong, Takitani, Young and Cayetano.

No. 530 "A Bill for an Act Making an Appropriation for an East Hawaii Art and Cultural Center, Hawaii."

Introduced by: Senators Carpenter, Toyofuku, Hara, Chong, Takitani, Young, Kuroda and Cayetano.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Wednesday, February 7, 1979:

Senate Bill

No. 495 "A Bill for an Act Relating to the Creation of a Nursing Continuing Education Fund."

Introduced by: Senator Abercrombie.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 9) informing the Senate that Senate Concurrent Resolution No. 14, Senate Resolution No. 89 and Senate Bill Nos. 453 to

484 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Monday, February 5, 1979:

Senate Bills Referred to:

- No. 453 Committee on Human Resources, then to the Committee on Ways and Means
- No. 454 Committee on Human Resources, then to the Committee on Ways and Means
- No. 455 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 456 Committee on Health, then to the Committee on Ways and Means
- No. 457 Committee on Health, then to the Committee on Ways and Means
- No. 458 Committee on Health, then jointly to the Committee on Legislative Management and the Committee on Ways and Means
- No. 459 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 460 Committee on Public Utilities, then to the Committee on Ways and Means
- No. 461 Committee on Public Utilities, then to the Committee on Ways and Means
- No. 462 Committee on Economic Development, then to the Committee on Ways and Means
- No. 463 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means
- No. 464 Committee on Education, then to the Committee on Ways and Means
- No. 465 Committee on Education, then to the Committee on Ways and Means
- No. 466 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 467 Committee on Human Resources, then to the Committee on Ways and Means
- No. 468 Committee on Health, then to the Committee on Ways and Means
- No. 469 Committee on Health, then to the Committee on Ways and Means
- No. 470 Committee on Health, then to the Committee on Ways and Means
- No. 471 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 472 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Judiciary
- No. 473 Committee on Health, then to the Committee on Judiciary
- No. 474 Committee on Human Resources, then to the Committee on Ways and Means
- No. 475 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 476 Committee on Judiciary
- No. 477 Committee on Judiciary, then to the Committee on Ways and Means
- No. 478 Committee on Intergovernmental Relations, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 479 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 480 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 481 Committee on Judiciary, then to the Committee on Ways and Means
- No. 482 Committee on Judiciary, then to the Committee on Ways and Means
- No. 483 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 484 Committee on Judiciary, then to the Committee on Ways and Means

At this time, Senator Carpenter introduced to the members of the Senate Miss Carol Lee Devito of Wayne State University and Mr. Peter Holmes of the Federal Trade Commission, who are here to participate in the Senate Health Committee hearing on generic drug substitution.

At 11:56 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.

ADJOURNMENT

At 12:00 o'clock noon, on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 7, 1979.

SIXTEENTH DAY

Wednesday, February 7, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Rubin P. Creel of the First Baptist Church, Ewa Branch, after which the Roll was called showing all Senators present with the exception of Senators Saiki and Ushijima who were excused.

The President announced that he had read and approved the Journal of the Fifteenth Day.

Senator Campbell introduced to the members of the Senate a group of sixty students from Farrington High School, with their teacher, Mrs. Luz Abcede, their counselor, Mr. E. Arenas and the Project Instructor, Mrs. Alma Balatico.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 69 to 73) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 69), transmitting the State's C.I.P. Status Report - Construction Summary, which was prepared by the Department of Planning and Economic Development, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 70), transmitting a report prepared by the University of Hawaii in response to House Bill No. 3039-78, H.D. 1, S.D. 1, C.D. 1, (Act 243) (1978), Program Appropriations Provisions on Educational Improvement Fund, was referred jointly to the Committee on Higher Education and the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 71), transmitting a report prepared by the Department of Health in response to House Resolution No. 271 (1978) which related to a pilot project on health counseling in public high schools and the submittal of a report thereof, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 72), transmitting the 1977-78 Annual Report for the Progressive Neighborhoods Programs pursuant

to Act 145, SLH 1969, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 73), transmitting the 1978 Annual Report of the Office of Collective Bargaining, pursuant to Chapter 89, Hawaii Revised Statutes, as amended, was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATION

A communication from the Executive Office on Aging (Dept. Com. No. 7), transmitting a copy of the Executive Office on Aging Resolution No. 55 which was adopted by the Policy Advisory Board for Elderly Affairs on January 17, 1979, honoring Mr. Winfred E. Suiso on his retirement from State Civil Service, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 16 to 20) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 16), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT LEGISLATION RELATING TO LABOR DISPUTES TO PERMIT STATE ACTION", was offered by Senator Carroll.

By unanimous consent, S.C.R. No. 16 was referred to the Committee on Human Resources, then to the Committee on Economic Development, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 17), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT, THE CONGRESS, AND THE FEDERAL MARITIME COMMISSION TO EXEMPT THE STATE OF HAWAII FROM THE MERCHANT MARINE ACT, 1920, DURING TRANSPORTATION EMERGENCIES", was offered by Senator Carroll.

By unanimous consent, S.C.R. No. 17 was referred to the Committee on Transportation, then to the Committee on Economic Development, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 18), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF AMENDING THE UNITED STATES CONSTITUTION TO PROVIDE THAT INTERSTATE COMMERCE MAY BE AFFECTED BY STATE ACTION

IN CASES OF EMERGENCY", was offered by Senator Carroll.

By unanimous consent, S.C.R. No. 18 was referred to the Committee on Intergovernmental Relations, then to the Committee on Economic Development, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 19), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO INTRODUCE AND PASS LEGISLATION AMENDING THE TAFT-HARTLEY ACT", was offered by Senator Carroll.

By unanimous consent, S.C.R. No. 19 was referred to the Committee on Intergovernmental Relations, then to the Committee on Human Resources, then to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 20), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING HAWAIIAN HOMESTEADS ON LANDS PRESENTLY NOT WITHIN THE JURISDICTION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS", was jointly offered by Senators Carpenter, Hara, Chong, Takitani, Toyofuku, Kuroda and Cayetano.

By unanimous consent, S.C.R. No. 20 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 94 to 101) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 94), entitled: "SENATE RESOLUTION ENCOURAGING EMPLOYERS TO CONSIDER EPILEPTICS FOR EMPLOYMENT", was offered by Senator Carroll.

By unanimous consent, S.R. No. 94 was referred to the Committee on Health, then to the Committee on Human Resources.

A resolution (S.R. No. 95), entitled: "SENATE RESOLUTION REQUESTING PUBLIC EDUCATION RELATING TO EPILEPSY", was offered by Senator Carroll.

By unanimous consent, S.R. No. 95 was referred to the Committee on Health, then to the Committee on Ways and Means.

A resolution (S.R. No. 96), entitled:

"SENATE RESOLUTION REQUESTING INCLUSION OF CURRICULA RELATING TO EPILEPSY IN HEALTH EDUCATION PROGRAMS IN THE PUBLIC SCHOOL SYSTEM", was offered by Senator Carroll.

By unanimous consent, S.R. No. 96 was referred jointly to the Committee on Education and the Committee on Health, then to the Committee on Ways and Means.

A resolution (S.R. No. 97), entitled: "SENATE RESOLUTION REQUESTING A REDUCTION OF VIOLENCE AS ENTERTAINMENT IN THE MEDIA", was offered by Senator Carroll.

By unanimous consent, S.R. No. 97 was referred to the Committee on Education, then to the Committee on Judiciary.

A resolution (S.R. No. 98), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING HAWAIIAN HOMESTEADS ON LANDS PRESENTLY NOT WITHIN THE JURISDICTION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS", was jointly offered by Senators Carpenter, Campbell, Hara, Yamasaki, Chong and Carroll.

By unanimous consent, S.R. No. 98 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development.

A resolution (S.R. No. 99), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO KEEP THE WAIPIO RIVERBED CLEAR", was jointly offered by Senators Carpenter, Toyofuku, Chong, Hara, Takitani, Young and Cayetano.

By unanimous consent, S.R. No. 99 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A resolution (S.R. No. 100), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK FUNDS FOR THE DEVELOPMENT OF A SEWAGE TREATMENT FACILITY IN THE HONOKAA AREA", was jointly offered by Senators Carpenter, Hara, Chong, Abercrombie, Takitani, Toyofuku, Young, Kuroda and Cayetano.

By unanimous consent, S.R. No. 100 was referred to the Committee on Health, then to the Committee on Ways and Means.

A resolution (S.R. No. 101), entitled: "SENATE RESOLUTION URGING THE ESTABLISHMENT OF AN AGRICULTURAL

PARK IN KOHALA, HAWAII", was jointly offered by Senators Carpenter, Chong, Takitani, Toyofuku, Young, Hara, Kuroda and Cayetano.

By unanimous consent, S.R. No. 101 was referred jointly to the Committee on Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 8, 1979:

Senate Bills

No. 531 "A Bill for an Act Relating to Counties."

Introduced by: Senator Carroll.

No. 532 "A Bill for an Act Relating to Sentencing of Repeat Offenders."

Introduced by: Senator Carroll.

No. 533 "A Bill for an Act Relating to Justifiable Homicide."

Introduced by: Senator Carroll.

No. 534 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senators Carroll and George.

No. 535 "A Bill for an Act Relating to Convicted Felons."

Introduced by: Senator Carroll.

No. 536 "A Bill for an Act Relating to Sentencing."

Introduced by: Senator Carroll.

No. 537 "A Bill for an Act Relating to Harbors."

Introduced by: Senator Carroll.

No. 538 "A Bill for an Act Relating to Civil Air Patrol."

Introduced by: Senators Mizuguchi, Wong, Cobb, Young, Yee, Yamasaki, Kuroda, Takitani and Toyofuku.

No. 539 "A Bill for an Act Making an Appropriation for the Continuation of Lanakila Rehabilitation Center's Wahiawa Day Activity Program for Severely Disabled Adults."

Introduced by: Senators Mizuguchi, Kuroda, Young, Cayetano, Yamasaki, Takitani, Toyofuku, Wong and Yee.

No. 540 "A Bill for an Act Making an Appropriation for the Hawaii Large Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Revolving Fund."

Introduced by: Senators Mizuguchi, Yee, Yamasaki, Kuroda, Takitani, Toyofuku, Wong and Young.

No. 541 "A Bill for an Act Making an Appropriation for the Hawaii Small Fishing Vessel Purchase, Construction, Renovation, Maintenance and Repair Loan Revolving Fund."

Introduced by: Senators Mizuguchi, Yee, Yamasaki, Kuroda, Takitani, Toyofuku, Wong and Young.

No. 542 "A Bill for an Act Making an Appropriation to Provide for Clerical Positions in the Department of Education."

Introduced by: Senators Mizuguchi, Kuroda, Takitani, Wong, Young, Yee and Yamasaki.

No. 543 "A Bill for an Act Relating to Horizontal Property Regime."

Introduced by: Senator Young.

No. 544 "A Bill for an Act Relating to Horizontal Property Regime."

Introduced by: Senator Young.

No. 546 "A Bill for an Act Relating to Sexual Abuse in the First Degree."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Hara, Mizuguchi and Young.

No. 547 "A Bill for an Act Relating to Theft."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Hara, Mizuguchi and Young.

No. 548 "A Bill for an Act Relating to Tort Liability and Proper Standard of Care."

Introduced by: Senators Kawasaki, Kuroda and Campbell.

No. 549 "A Bill for an Act Relating to Offenses Affecting Occupations."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Hara, Mizuguchi and Young.

No. 550 "A Bill for an Act Relating

- to the Hawaii Penal Code."
- Introduced by: Senators Kawasaki, Wong and Kuroda.
- No. 551 "A Bill for an Act Relating to Motor Vehicle Registration."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell and Kuroda.
- No. 552 "A Bill for an Act Relating to Concessions on Public Property."
- Introduced by: Senators Kawasaki, Mizuguchi, Campbell, Kuroda, Takitani, Hara, Young, Wong and Cayetano.
- No. 553 "A Bill for an Act Relating to Obstruction of Public Safety Communications."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Hara, Mizuguchi and Young.
- No. 554 "A Bill for an Act Relating to Sexual Offenses."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell and Kuroda.
- No. 555 "A Bill for an Act Relating to Number Plates."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell and Kuroda.
- No. 556 "A Bill for an Act Relating to Tax Incentives for Water Conservation Devices."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell and Kuroda.
- No. 557 "A Bill for an Act Relating to the Vehicle Industry Licensing Act."
- Introduced by: Senator Cobb, by request.
- No. 558 "A Bill for an Act Making an Appropriation for Permanent Spectator Bleachers at Waipahu High School Athletic Field."
- Introduced by: Senators Young, Mizuguchi, Kuroda and Cayetano.
- No. 559 "A Bill for an Act Making an Appropriation for Hawaiian Islands Public Radio."
- Introduced by: Senators Campbell,
- Chong, Young, Yamasaki, Kuroda, Takitani and Hara.
- No. 560 "A Bill for an Act Relating to Taxes on Certain Food and Drugs."
- Introduced by: Senators Campbell, Carpenter, Takitani, Young, Chong, Cobb and Toyofuku.
- No. 561 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act Open Rating Period."
- Introduced by: Senators Campbell and Chong.
- No. 562 "A Bill for an Act Relating to the Public Library System."
- Introduced by: Senators Campbell, Takitani, Kuroda and Hara.
- No. 563 "A Bill for an Act Relating to the Handicapped."
- Introduced by: Senators Campbell, Kuroda, Yamasaki, Ajifu, Young, Toyofuku, Takitani and Chong.
- No. 564 "A Bill for an Act Relating to Public Accountancy."
- Introduced by: Senators Carpenter, Yamasaki, Takitani and Cobb.
- No. 565 "A Bill for an Act Relating to Pensions and Retirement."
- Introduced by: Senators Carpenter, Yamasaki, Takitani, Hara and Cobb.
- No. 566 "A Bill for an Act Relating to Pensions and Retirement."
- Introduced by: Senators Carpenter, Yamasaki, Takitani and Hara.
- No. 567 "A Bill for an Act Relating to Exceptional Children."
- Introduced by: Senators Carpenter, Takitani, Chong, Hara and Cobb.
- No. 568 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for the Hawaii Medical Library, Oahu."
- Introduced by: Senators Carpenter, Takitani, Chong, Hara and Cobb.
- No. 569 "A Bill for an Act Relating to Child Abuse and Spouse Abuse."
- Introduced by: Senators Carpenter, Takitani, Chong, Hara and Cobb.
- No. 570 "A Bill for an Act Relating to Taxation."
- Introduced by: Senators Yamasaki,

Takitani, Hara, Young, Ajifu, Cobb and Carpenter.

No. 571 "A Bill for an Act Relating to Employment Security."

Introduced by: Senators Toyofuku, Kuroda, Chong, Takitani, O'Connor, Campbell, Yee, Anderson and Ajifu.

No. 572 "A Bill for an Act Relating to Mental Health."

Introduced by: Senators Carpenter, Chong, Campbell, Yee, Takitani, Young and Kuroda.

No. 573 "A Bill for an Act Relating to Prepaid Health Care Coverage."

Introduced by: Senators Chong, Cobb, Kawasaki, Campbell, Takitani and Young.

No. 574 "A Bill for an Act Relating to Sunlight Protection."

Introduced by: Senators Carroll and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bill was referred to print and was placed on the calendar for further consideration on Thursday, February 8, 1979:

Senate Bill

No. 545 "A Bill for an Act Relating to Public Utility Special Purpose Revenue Bonds."

Introduced by: Senator Chong.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 10), informing the Senate that Senate Concurrent Resolution No. 15, Senate Resolution Nos. 90 to 93 and Senate Bill Nos. 485 to 530 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Tuesday, February 6, 1978:

Senate Bills Referred to:

No. 485 Committee on Judiciary

No. 486 Committee on Tourism, then to the Committee on Ways and Means

No. 487 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 488 Committee on Health, then to the Committee on Consumer Protection and Commerce

No. 489 Committee on Health, then to the Committee on Ways and Means

No. 490 Committee on Health, then to the Committee on Ways and Means

No. 491 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means

No. 492 Committee on Health, then to the Committee on Ways and Means

No. 493 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce

No. 494 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary

No. 495 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 496 Committee on Health, then to the Committee on Higher Education, then to the Committee on Ways and Means

No. 497 Committee on Higher Education, then to the Committee on Ways and Means

No. 498 Jointly to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means

No. 499 Committee on Education, then to the Committee on Ways and Means

No. 500 Committee on Health, then to the Committee on Judiciary

No. 501 Committee on Human Resources, then to the Committee on Legislative Management

No. 502 Committee on Human Resources, then to the Committee on Ways and Means

No. 503 Committee on Judiciary

No. 504 Committee on Judiciary

No. 505 Committee on Judiciary

No. 506 Committee on Judiciary

No. 507 Committee on Judiciary

No. 508 Committee on Judiciary

No. 509 Committee on Judiciary

No. 510 Committee on Judiciary

No. 511 Committee on Judiciary

No. 512 Committee on Judiciary

No. 513 Committee on Government
Operations and Efficiency, then
to the Committee on Judiciary

No. 514 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 515 Committee on Education,
then to the Committee on Ways
and Means

No. 516 Committee on Health,
then to the Committee on Ways
and Means

No. 517 Committee on Housing
and Hawaiian Homes, then to the
Committee on Legislative Management,
then to the Committee on Ways
and Means

No. 518 Committee on Consumer
Protection and Commerce, then
to the Committee on Judiciary

No. 519 Committee on Public Utilities,
then to the Committee on Judiciary

No. 520 Jointly to the Committee
on Agriculture and the Committee
on Economic Development, then
to the Committee on Judiciary

No. 521 Jointly to the Committee
on Transportation and the Committee
on Intergovernmental Relations,
then to the Committee on Ways
and Means

No. 522 Committee on Judiciary

No. 523 Committee on Judiciary

No. 524 Jointly to the Committee
on Agriculture and the Committee
on Economic Development, then
to the Committee on Ways and
Means

No. 525 Committee on Intergovern-

mental Relations, then to the Committee
on Ways and Means

No. 526 Committee on Health, then
to the Committee on Ways and Means

No. 527 Committee on Health, then
to the Committee on Ways and Means

No. 528 Committee on Agriculture,
then to the Committee on Ways and
Means

No. 529 Committee on Economic Develop-
ment, then to the Committee on Ways
and Means

No. 530 Committee on Education,
then to the Committee on Ways and
Means

REFERRAL OF A HOUSE BILL

The President made the following
committee assignment of a bill that was
received on Tuesday, February 6, 1979:

House Bill Referred to:

No. 11,
H.D. 1 Committee on Ways and Means

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following
re-referral of a concurrent resolution
which had been offered on Monday,
February 5, 1979:

Senate
Concurrent
Resolution Referred to:

No. 14 Committee on Health, then
to the Committee on Judiciary, then
to the Committee on Legislative Manage-
ment

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following
re-referral of a resolution which had
been offered on Monday, February 5,
1979:

Senate
Resolution Referred to:

No. 89 Committee on Health, then
to the Committee on Judiciary, then
to the Committee on Legislative Management

ADJOURNMENT

At 11:45 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11:30 o'clock
a.m., Thursday, February 8, 1979.

SEVENTEENTH DAY

Thursday, February 8, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ruth Senter of the Waialua United Church of Christ, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Sixteenth Day.

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

Senator Kuroda introduced a group of student leaders from the third, fifth and sixth grade at Iroquois Point School, with their teachers, Miss Norma Izumi and Mrs. Stephanie Hazama.

Senator Carroll introduced Mrs. Dodie Kerbox, mother of one of Hawaii's top surfers and internationally known and rated young man, Buzzy Kerbox, and a friend from San Francisco.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 74), transmitting the Annual Descriptive Report for Vocational Education for Fiscal Year 1978 mandated by Act 71, SLH 1968, which was prepared by the Office of the State Director for Vocational Education, was read by the Clerk and was referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 21), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING SINCERE APPRECIATION TO FRED W. BENNION FOR HIS TWENTY YEARS OF SERVICE AS THE EXECUTIVE DIRECTOR OF THE TAX FOUNDATION OF HAWAII", was jointly offered by Senators Anderson, Yee, Saiki, Toyofuku, George, Carpenter, Soares, Mizuguchi, Young, O'Connor, Cayetano, Kawasaki, Takitani, Campbell, Kuroda, Cobb, Ajifu and Abercrombie and was read by the Clerk.

On motion by Senator Anderson, seconded by Senator Yee and carried, S.C.R. No. 21 was adopted.

At 11:36 o'clock a.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 11:41 o'clock a.m.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 102 to 106) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 102), entitled: "SENATE RESOLUTION URGING THE GOVERNOR OF THE STATE OF HAWAII TO ENCOURAGE THE USE OF LESS EXPENSIVE, NONBRAND NAME DRUG PRODUCTS WHICH ARE THERAPEUTICALLY EQUIVALENT TO THE MORE POPULAR BRAND NAME DRUG PRODUCTS IN THE STATE GOVERNMENT'S HEALTH CARE SYSTEM", was jointly offered by Senators Campbell, Carpenter, Abercrombie, Toyofuku, Mizuguchi, Cayetano, Chong, Kawasaki, Ushijima, Ajifu, Kuroda, George, Yamasaki, Takitani and Hara.

By unanimous consent, S.R. No. 102 was referred to the Committee on Health.

A resolution (S.R. No. 103), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MR. AND MRS. KENNETH F.C. CHAR", was jointly offered by Senators Yee, Yamasaki, Takitani, Chong, Carpenter, Carroll, Soares, Hara, Young, Toyofuku, Anderson, Campbell, Kuroda, George, Mizuguchi and Ajifu.

On motion by Senator Yee, seconded by Senator Yamasaki and carried, S.R. No. 103 was adopted.

Senator Yee, in introducing Mr. and Mrs. Kenneth F.C. Char, spoke as follows:

"Mr. President, we are indeed honored to have one of our own people at this great dinner given by President Carter for Vice Premier Teng Hsiao-Ping on January 29, 1979. It's my understanding that there were only two persons of American Chinese ancestry who were invited to this dinner, and to have one of them from the State of Hawaii, is a great honor.

"Furthermore, it's a great personal honor of mine because he is my very, very close friend of 35 years, ever since we started school together at the University of Hawaii.

"Many of you may have seen his wife, Aileen, who for the past ten years, has voluntarily conducted tours for

the school children here at the State Capitol.

"Now it is my pleasure to introduce Kenneth and Aileen Char."

Senator Yee presented certified copies of the resolution to Mr. and Mrs. Char.

The President appointed Senator Saiki to escort Mr. Char to the rostrum where he addressed the members of the Senate as follows:

"Mr. President and members of this honorable Senate. Mrs. Char and I were honored by an invitation to attend the White House dinner on January 29, 1979.

"The visit of Vice Premier Teng Hsiao-Ping marked the beginning of a new relation with the People's Republic of China and established a relationship which will bring great benefits to the people of the United States and China. There is new hope for peace and stability in Asia.

"President Carter in commenting upon the visit of Vice Premier Teng said, 'We consider the visit one of the most historic events in our nation's history, and we are grateful for the progress that has been made already and for the prospects of even greater benefits in the future.'

"For Mrs. Char and myself, we were pleased and honored to be present at this historic occasion. By the sheer skill and personality of one man, Vice Premier Teng Hsiao-Ping, one quarter of the world's mankind was given an insight into America.

"Vice Premier Teng's visit was hailed in Washington as a major political and social event. I will not dwell upon the political implications of his visit, since I am sure that you will get a better perspective from the reading of Time or Newsweek magazines. But, let me share some of the social flavors that we experienced.

"If we were infatuated by the White House Dinner and related activities, we were not alone. In Washington, celebrities jostled each other for a glimpse of the 74-year old Chinese leader. The Washington Post reported that it was the most sought-after dinner invitation yet given by Jimmy Carter at the White House.

"One hundred and forty guests sat down to dinner...twenty-four ranking members of the PRC government, members of Carter's Cabinet, fourteen

United States Senators and seven members of the House. Others included a dozen U.S. corporation representatives--Coca Cola, General Motors, General Electric, Douglas Corporation, were a few.

"At the reception, just prior to dinner, there was definitely an air of electricity among the guests, as we awaited the arrival of the President and the Vice Premier. There was a noticeable hush over the room when 'the Honorable Richard Nixon' was announced. Mrs. Char and I introduced ourselves to (former) President Nixon and he responded by saying, 'Oh, yes, Aloha Airlines.' Shortly, thereafter, President and Mrs. Carter and their guests were announced.

"A receiving line was quickly formed, and we had an opportunity to have a brief visit with the President and Mrs. Carter and, of course, Vice Premier Teng and his wife, Cho Lin. It was very pleasant.

"In my brief conversation with the Vice Premier, I advised him that we were from Hawaii and extended an invitation on behalf of the State of Hawaii to visit us soon.

"In a hopeful note, the world situation is at a new turning point. China and the United States are great countries. Friendly cooperation between our countries is bound to exert a positive and far-reaching influence on the way the world situation evolves. We, in Hawaii, can play a major role, economically and culturally, as our two nations enter into this new era.

"I join in Governor Ariyoshi's hope that, 'Hawaii can continue to play, and to expand upon, its role as a bridge between our country and the nations and islands of Asia and the Pacific.'

"Thank you very much."

At 11:50 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.

A resolution (S.R. No. 104), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MR. TAKUJI FUJIMURA", was jointly offered by Senators Yee, Yamasaki, Takitani, Chong, Young, Carroll, Carpenter, Ajifu, Toyofuku, Anderson, Campbell, Kuroda, Mizuguchi and George.

On motion by Senator Yee, seconded by Senator Yamasaki and carried, S.R. No. 104 was adopted.

A resolution (S.R. No. 105), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF YOSHIO 'JACKSON' KOJIMA AND EXPRESSING CONDOLENCES AND DEEPEST SYMPATHY TO HIS FAMILY", was jointly offered by Senators Toyofuku, Mizuguchi, George, Carroll, Takitani, Yim, Soares, Yamasaki, Anderson, Ajifu, O'Connor, Young, Cobb, Campbell, Kuroda, Ushijima, Cayetano, Kawasaki, Chong, Carpenter, Hara, Abercrombie and Yee.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, S.R. No. 105 was adopted.

A resolution (S.R. No. 106), entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR OAHU GAS SERVICE, INC.'S REQUEST TO THE DEPARTMENT OF ENERGY FOR AN INCREASE IN ITS ALLOCATION OF DOMESTIC LIQUEFIED PETROLEUM GAS", was jointly offered by Senators Anderson, Soares, Chong, Mizuguchi and Yamasaki.

By unanimous consent, S.R. No. 106 was referred to the Committee on Economic Development.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 9, 1979:

Senate Bills

No. 575 "A Bill for an Act Relating to Airports."

Introduced by: Senator Carroll.

No. 576 "A Bill for an Act Making an Appropriation for Paauilo School."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 577 "A Bill for an Act Making an Appropriation for Honokaa High and Elementary School."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 578 "A Bill for an Act Proposing an Amendment to Article XVII, Section 2 of the Constitution of the State of Hawaii to Change Amendment Approval Requirement."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 579 "A Bill for an Act Making an Appropriation for Laupahoehoe High and Elementary School."

Introduced by: Senators Ushijima, Carpenter and Hara.

No. 580 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the Third Representative District, Hawaii."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 581 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Abercrombie.

No. 582 "A Bill for an Act Relating to the Residential Landlord-Tenant Code."

Introduced by: Senator Abercrombie.

No. 583 "A Bill for an Act Relating to Taxation of Payments to Multi-Unit Retirement Homes."

Introduced by: Senator Abercrombie.

No. 584 "A Bill for an Act Relating to Leprosy."

Introduced by: Senator Abercrombie.

No. 585 "A Bill for an Act Amending Section 663-11 of the Hawaii Revised Statutes, Relating to Joint Tortfeasors Liability."

Introduced by: Senators Kawasaki, Wong and Kuroda.

No. 586 "A Bill for an Act Relating to General Obligation Bonds of Counties of the State of Hawaii."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda and Takitani.

No. 587 "A Bill for an Act Relating to Nuisance Abatement."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani and Mizuguchi.

No. 588 "A Bill for an Act Relating to Criminal Procedure: Deferred Acceptance of Guilty Plea."

Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Mizuguchi and Cobb.

No. 589 "A Bill for an Act Relating to Criminal Tampering."

- Introduced by: Senators Kawasaki, Kuroda, Hara, Campbell, Takitani, Mizuguchi, Young, Cobb and Yamasaki.
- No. 590 "A Bill for an Act Relating to the Admissibility of Evidence of Prior Sexual Conduct."
- Introduced by: Senators Kawasaki, Wong, Campbell, Kuroda, Takitani, Young and Cobb.
- No. 591 "A Bill for an Act Relating to Sentencing of Repeat Offenders."
- Introduced by: Senators Kawasaki, Wong, Campbell, Kuroda, Takitani, Hara, Mizuguchi, Cobb and Yamasaki.
- No. 592 "A Bill for an Act Relating to the Establishment of Controls to Regulate Burglary and Holdup Alarm Systems."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Young and Cobb.
- No. 593 "A Bill for an Act Relating to Terroristic Threatening."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Kuroda, Takitani, Hara, Mizuguchi and Young.
- No. 594 "A Bill for an Act Relating to Promoting a Dangerous Drug."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Hara and Mizuguchi.
- No. 595 "A Bill for an Act Relating to Prostitution."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Mizuguchi and Young.
- No. 596 "A Bill for an Act Relating to Criminal Property Damage."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Mizuguchi and Young.
- No. 597 "A Bill for an Act Relating to Control of Users of Controlled Substances."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Kuroda, Takitani, Mizuguchi, Cobb and Yamasaki.
- No. 598 "A Bill for an Act Relating to Mopeds."
- Introduced by: Senators Kawasaki, Wong, Campbell, Kuroda and Takitani.
- No. 599 "A Bill for an Act Relating to the Penal Code."
- Introduced by: Senators Kawasaki, Wong, Cayetano, Campbell, Kuroda, Takitani, Mizuguchi and Cobb.
- No. 600 "A Bill for an Act Making an Appropriation for Water System Projects, County of Hawaii."
- Introduced by: Senators Hara, Ushijima, Carpenter, Chong, Takitani, Toyofuku, Yamasaki, Campbell, Mizuguchi, Abercrombie, George, Ajifu, Yee, Soares, Cayetano and Carroll.
- No. 601 "A Bill for an Act Relating to the Advisory Commission on Manpower and Full Employment."
- Introduced by: Senator Wong, by request.
- No. 602 "A Bill for an Act Relating to Services for Indigent Criminal Defendants."
- Introduced by: Senator Wong, by request.
- No. 603 "A Bill for an Act Relating to Planning."
- Introduced by: Senator Wong, by request.
- No. 604 "A Bill for an Act Relating to Agricultural Loans."
- Introduced by: Senator Wong, by request.
- No. 605 "A Bill for an Act Relating to Fraudulent Claims Submitted Against the State."
- Introduced by: Senator Wong, by request.
- No. 606 "A Bill for an Act Relating to Confidentiality of Medical Records."
- Introduced by: Senator Wong, by request.
- No. 607 "A Bill for an Act Relating to Agriculture Loans."
- Introduced by: Senator Wong, by request.
- No. 608 "A Bill for an Act Relating to the Compulsory Attendance of School Children."
- Introduced by: Senator Wong, by request.
- No. 609 "A Bill for an Act Relating to Adult Education Program."

Introduced by: Senator Wong,
by request.

No. 610 "A Bill for an Act Relating
to the State Librarian."

Introduced by: Senator Wong,
by request.

No. 611 "A Bill for an Act Relating
to the Hawaiian Homes Commission
Act, 1920, as Amended."

Introduced by: Senator Wong,
by request.

No. 612 "A Bill for an Act Relating
to Environmental Quality and Litter
Control."

Introduced by: Senator Wong,
by request.

No. 613 "A Bill for an Act Relating
to Mental Health Services for Children
and Youth."

Introduced by: Senator Wong,
by request.

No. 614 "A Bill for an Act Relating
to the Hawaii Penal Code."

Introduced by: Senator Wong,
by request.

No. 615 "A Bill for an Act Relating
to Reemployment of Retired Patient
Employees of the Department
of Health."

Introduced by: Senator Wong,
by request.

No. 616 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senator Wong,
by request.

No. 617 "A Bill for an Act Relating
to Wage and Hour Law."

Introduced by: Senator Wong,
by request.

No. 618 "A Bill for an Act Relating
to the Hawaii Employment Security
Law."

Introduced by: Senator Wong,
by request.

No. 619 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senator Wong,
by request.

No. 620 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senator Wong,
by request.

No. 621 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senator Wong, by
request.

No. 622 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senator Wong, by
request.

No. 623 "A Bill for an Act Relating
to Use of Public Lands for Agricultural
Purposes."

Introduced by: Senator Wong, by
request.

No. 624 "A Bill for an Act Relating
to Disclosure of Commercial Fish
Catch Reports."

Introduced by: Senator Wong, by
request.

No. 625 "A Bill for an Act Relating
to Commercial Fishing."

Introduced by: Senator Wong, by
request.

No. 626 "A Bill for an Act Relating
to Designation of Agents to Sell Freshwater
Game Fish Licenses."

Introduced by: Senator Wong, by
request.

No. 627 "A Bill for an Act Relating
to Minimum Sizes of Fish."

Introduced by: Senator Wong, by
request.

No. 628 "A Bill for an Act Relating
to Administrative Procedure."

Introduced by: Senator Wong, by
request.

No. 629 "A Bill for an Act Relating
to the Hawaii Capital Loan Program."

Introduced by: Senator Wong, by
request.

No. 630 "A Bill for an Act Relating
to Land Use."

Introduced by: Senator Wong, by
request.

No. 631 "A Bill for an Act Relating
to Regulation of Massage Practice."

Introduced by: Senators Chong, Carpenter,
Mizuguchi, Wong, Campbell, Takitani

and Abercrombie.

No. 632 "A Bill for an Act Relating to Adult Theaters, Bookstores, and Cabarets."

Introduced by: Senators Cobb, O'Connor, Soares and Saiki.

No. 633 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Carroll.

No. 634 "A Bill for an Act Making an Appropriation for the Design, Planning and Construction of Institutional Workshops at Oahu State Prison, Oahu."

Introduced by: Senator Carroll.

No. 635 "A Bill for an Act Relating to the Establishment of the Department of Corrections."

Introduced by: Senator Carroll.

No. 636 "A Bill for an Act Appropriating Funds for Training of Corrections Security Personnel."

Introduced by: Senator Carroll.

No. 637 "A Bill for an Act Making an Appropriation for Improvements at Roosevelt High School, Honolulu, Hawaii."

Introduced by: Senators Yee, Carroll, Soares, Cobb, Takitani, Kuroda, George, Yamasaki and Chong.

No. 638 "A Bill for an Act Relating to Criminal and Civil Liability."

Introduced by: Senators Cobb, Ajifu, Kawasaki, Young, Takitani, Mizuguchi, Chong and Campbell.

No. 639 "A Bill for an Act Relating to Highway Safety."

Introduced by: Senators George, Anderson, Soares, Ajifu, Saiki, Carroll, Takitani, Yamasaki, Chong and Carpenter.

No. 640 "A Bill for an Act Making Supplemental Appropriation for Plans and Construction of a Community Center at Kula, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 641 "A Bill for an Act Making an Appropriation for Plans and Construction of Kahoma Stream Flood Control Project, Lahaina, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 642 "A Bill for an Act Making an Appropriation for Plans and Construction of Sidewalk at Hana Highway, Lower Paia, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 643 "A Bill for an Act Making an Appropriation for Plans and Construction of Water Projects, County of Maui."

Introduced by: Senators Yamasaki and Takitani.

No. 644 "A Bill for an Act Making an Appropriation for Various School Projects, Maui School District."

Introduced by: Senators Yamasaki and Takitani.

No. 645 "A Bill for an Act Making an Appropriation for Poison Information."

Introduced by: Senator Saiki.

No. 646 "A Bill for an Act Relating to Juvenile Felonies."

Introduced by: Senators Saiki, Anderson, Carroll and Takitani.

No. 647 "A Bill for an Act Relating to Hawaii State Prison."

Introduced by: Senator Carroll.

No. 648 "A Bill for an Act Relating to Retirement Benefits for Refuse Workers."

Introduced by: Senators Toyofuku, Young, Abercrombie, Chong, Campbell, Hara, Kuroda, Carpenter, Takitani and Yamasaki.

No. 649 "A Bill for an Act Relating to Fish and Game."

Introduced by: Senator Carroll.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 11), informing the Senate that Senate Concurrent Resolution Nos. 16 to 20, Senate Resolution Nos. 94 to 101 and Senate Bill Nos. 531 to 574 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Wednesday, February 7, 1979:

Senate Bills Referred to:

No. 531 Jointly to the Committee on Transportation and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 532 Committee on Judiciary

No. 533 Committee on Judiciary

No. 534 Committee on Judiciary

No. 535 Committee on Judiciary

No. 536 Committee on Judiciary

No. 537 Committee on Transportation, then to the Committee on Ways and Means

No. 538 Committee on Transportation, then to the Committee on Ways and Means

No. 539 Committee on Human Resources, then to the Committee on Ways and Means

No. 540 Committee on Economic Development, then to the Committee on Ways and Means

No. 541 Committee on Economic Development, then to the Committee on Ways and Means

No. 542 Committee on Education, then to the Committee on Ways and Means

No. 543 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce

No. 544 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce

No. 545 Committee on Public Utilities, then to the Committee on Ways and Means

No. 546 Committee on Judiciary

No. 547 Committee on Judiciary

No. 548 Committee on Judiciary

No. 549 Committee on Judiciary

No. 550 Committee on Judiciary

No. 551 Jointly to the Committee on Intergovernmental Relations and the Committee on Transportation, then to the Committee on Ways and Means

No. 552 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means

No. 553 Committee on Judiciary

No. 554 Committee on Judiciary

No. 555 Jointly to the Committee on Intergovernmental Relations and the Committee on Transportation, then to the Committee on Judiciary

No. 556 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means

No. 557 Committee on Consumer Protection and Commerce

No. 558 Committee on Education, then to the Committee on Ways and Means

No. 559 Committee on Education, then to the Committee on Ways and Means

No. 560 Committee on Human Resources, then to the Committee on Ways and Means

No. 561 Committee on Consumer Protection and Commerce

No. 562 Committee on Education, then to the Committee on Ways and Means

No. 563 Committee on Education, then to the Committee on Ways and Means

No. 564 Committee on Consumer Protection and Commerce

No. 565 Committee on Human Resources, then to the Committee on Ways and Means

No. 566 Committee on Human Resources, then to the Committee on Ways and Means

No. 567, Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means

No. 568 Committee on Health, then
to the Committee on Ways and
Means

No. 569 Committee on Health, then
to the Committee on Ways and
Means

No. 570 Committee on Transportation,
then to the Committee on Ways
and Means

No. 571 Committee on Human Resources

No. 572 Committee on Health,
then to the Committee on Ways
and Means

No. 573 Committee on Health, then
to the Committee on Human Resources

No. 574 Jointly to the Committee
on Ecology, Environment and
Recreation and the Committee on
Economic Development, then to the
Committee on Intergovernmental
Relations

RE-REFERRAL OF A SENATE BILL

The President made the following
re-referral of a bill which had been
introduced on Friday, January 26,
1979:

Senate Bill Referred to:

No. 80 Jointly to the Committee
on Ecology, Environment and
Recreation and the Committee on
Consumer Protection and Commerce,
then to the Committee on Ways
and Means

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following
re-referral of a concurrent resolution
which had been offered on Monday,
January 29, 1979:

Senate
Concurrent Referred to:
Resolution

No. 2 Jointly to the Committee on
Ecology, Environment and Recreation
and the Committee on Consumer Protection
and Commerce

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following
re-referral of a resolution which had
been offered on Monday, January
29, 1979:

Senate
Resolution Referred to:

No. 17 Jointly to the Committee on
Ecology, Environment and Recreation
and the Committee on Consumer Protection
and Commerce

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.

ADJOURNMENT

At 11: 59 o'clock a.m., on motion
by Senator Mizuguchi, seconded by
Senator Anderson and carried, the
Senate adjourned until 11: 00 o'clock
a.m., Friday, February 9, 1979.

EIGHTEENTH DAY

Friday, February 9, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Robert Owens, Jr., First Presbyterian Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Ajifu, Campbell, Carpenter, Chong, Hara and Yee, who were excused.

The President 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 Carroll, on behalf of the Senators from the Sixth Senatorial District, introduced 85 students from the third grade of Ala Wai Elementary School, accompanied by their teachers Ms. Marianne Wise, Ms. Irene Bayne, Ms. Ruth Izawa and Ms. JoAnn Nakamatsu with Mrs. Medeiros, a parent.

Senator Mizuguchi, on behalf of the Senators from the Fourth Senatorial District, introduced 23 students from Mauka Lani Elementary School, accompanied by their teacher Mrs. Val Kurasaki and librarian Ms. Candice Henderson.

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:

A concurrent resolution (S.C.R. No. 22), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was jointly offered by Senators Hara, Takitani, Carpenter, Ushijima, Toyofuku, Yamasaki, Chong, Campbell, Mizuguchi, Abercrombie, George, Cobb, Ajifu, Yee, Soares, Cayetano and Carroll.

By unanimous consent, S.C.R. No. 22 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 23), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE EXAMINATION OF THE SCHOOL ATHLETIC ACTIVITIES OF THE DEPARTMENT OF EDUCATION", was jointly offered by Senators Campbell and Abercrombie.

By unanimous consent, S.C. R. No.

23 was referred to the Committee on Education, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 107 to 120) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 107), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUDGET AND FINANCE TO ACT EXPEDITIOUSLY IN THE TRANSFERRAL OF A ROAD MAINTENANCE CREW TO THE HONOKAA BASEYARD", was jointly offered by Senators Ushijima, Carpenter and Hara.

By unanimous consent, S.R. No. 107 was referred to the Committee on Transportation.

A resolution (S.R. No. 108), entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was jointly offered by Senators Hara, Takitani, Carpenter, Ushijima, Toyofuku, Yamasaki, Chong, Campbell, Mizuguchi, Abercrombie, George, Cobb, Ajifu, Yee, Soares, Cayetano and Carroll.

By unanimous consent, S.R. No. 108 was referred to the Committee on Agriculture.

A resolution (S.R. No. 109), entitled: "SENATE RESOLUTION REQUESTING THE EXECUTIVE BRANCH TO SUPPORT THE SUGAR INDUSTRY WITH ALL MEANS PRACTICABLE TO ENSURE ITS STABILITY AND CONTINUITY", was jointly offered by Senators Hara, Takitani, Carpenter, Ushijima, Toyofuku, Yamasaki, Campbell, Mizuguchi, Carroll, Abercrombie, George, Ajifu, Yee, Soares, Cayetano and Anderson.

By unanimous consent, S.R. No. 109 was referred to the Committee on Agriculture.

A resolution (S.R. No. 110), entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO TAKE WHATEVER ACTION POSSIBLE AT THE FEDERAL LEVEL TO ASSIST THE SUGAR INDUSTRY OF HAWAII", was jointly offered by Senators Hara, Takitani, Ushijima, Toyofuku, Yamasaki, Soares, Campbell, Ajifu, Mizuguchi, Anderson, Abercrombie, George, Yee, Cayetano and Carroll.

By unanimous consent, S.R. No. 110 was referred to the Committee on Agriculture.

A resolution (S.R. No. 111), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE PUBLIC UTILITIES COMMISSION", was offered by Senator Chong.

By unanimous consent, S.R. No. 111 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A resolution (S.R. No. 112), entitled: "SENATE RESOLUTION REQUESTING HOSPITALS AND OTHER MEDICAL FACILITIES IN HAWAII TO CEASE ACTING ON PROPOSED PLANS TO DESTROY MEDICAL RECORDS", was offered by Senator Chong.

By unanimous consent, S.R. No. 112 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 113), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE PUBLIC UTILITIES DIVISION", was offered by Senator Chong.

By unanimous consent, S.R. No. 113 was referred to the Committee on Public Utilities, then to the Committee on Legislative Management.

A resolution (S.R. No. 114), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A MASSAGE THERAPY CURRICULUM IN COMMUNITY COLLEGES IN COUNTIES WHERE NO MASSAGE SCHOOL EXISTS", was jointly offered by Senators Chong, Carpenter, Campbell, Wong, Abercrombie, Takitani, O'Connor and Cobb.

By unanimous consent, S.R. No. 114 was referred to the Committee on Higher Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 115), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF MASSAGE TO UPGRADE AND DIVERSIFY ITS TESTS FOR LICENSING", was jointly offered by Senators Chong, Carpenter, Mizuguchi, Wong, Campbell, Takitani and Abercrombie.

By unanimous consent, S.R. No. 115 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Health.

A resolution (S.R. No. 116), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO STUDY PRINTING COSTS OF THE STATE GOVERNMENT AND TO REPORT FINDINGS AND RECOMMENDATIONS TO THE LEGISLATURE IN 1980",

was jointly offered by Senators George, Anderson, Soares, Yee, Chong, Ushijima, Toyofuku, Takitani, Saiki, Young, Carpenter, Carroll, Ajifu, Cayetano and Campbell.

By unanimous consent, S.R. No. 116 was referred to the Committee on Government Operations and Efficiency, then to the Committee on Legislative Management.

A resolution (S.R. No. 117), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON HIGH SECURITY CORRECTIONAL FACILITIES AND VOCATIONAL TRAINING PROGRAMS AT THE SITE OF THE CURRENT HAWAII STATE PRISON", was offered by Senator Carroll.

By unanimous consent, S.R. No. 117 was referred to the Committee on Judiciary.

A resolution (S.R. No. 118), entitled: "SENATE RESOLUTION REQUESTING AN ACCOUNTING ON THE GRANT-IN-AID APPROPRIATED FOR THE CONTINUATION AND EXPANSION OF THE HAWAII MEDICAL ASSOCIATION'S EMERGENCY MEDICAL SERVICES PROGRAM", was jointly offered by Senators Saiki, Takitani, Yamasaki, Ushijima, George, Anderson and Carroll.

By unanimous consent, S.R. No. 118 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 119), entitled: "SENATE RESOLUTION REQUESTING REVITALIZATION OF CORRECTIONS SECURITY PERSONNEL", was offered by Senator Carroll.

By unanimous consent, S.R. No. 119 was referred jointly to the Committee on Judiciary and the Committee on Human Resources.

A resolution (S.R. No. 120), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF MABEL ISABEL WILCOX AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HER FAMILY", was jointly offered by Senators Toyofuku, Takitani, Yamasaki, Chong, Carpenter, Abercrombie, Mizuguchi, Campbell, Young, Hara and Cobb.

On motion by Senator Toyofuku, seconded by Senator Takitani and carried, S.R. No. 120 was adopted.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 12, 1979:

Senate Bills

No. 650 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senator Wong, by request.

No. 651 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Senator Wong, by request.

No. 652 "A Bill for an Act Relating to Motor Bikes."

Introduced by: Senator Wong, by request.

No. 653 "A Bill for an Act Relating to Trademarks, Prints, Labels, and Trade Names."

Introduced by: Senator Wong, by request.

No. 654 "A Bill for an Act Relating to the Uniform Securities Act (Modified)."

Introduced by: Senator Wong, by request.

No. 655 "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. 656 "A Bill for an Act Relating to Partnership Fees."

Introduced by: Senator Wong, by request.

No. 657 "A Bill for an Act Relating to Dispensing Opticians."

Introduced by: Senator Wong, by request.

No. 658 "A Bill for an Act Relating to Financial Institutions."

Introduced by: Senator Wong, by request.

No. 659 "A Bill for an Act Relating to the Board of Pharmacy."

Introduced by: Senator Wong, by request.

No. 660 "A Bill for an Act Relating to the Hawaii Medical Malpractice Underwriting Plan."

Introduced by: Senator Wong, by request.

No. 661 "A Bill for an Act Relating to Life and Disability Insurance."

Introduced by: Senator Wong, by request.

No. 662 "A Bill for an Act Relating to

Public Assistance."

Introduced by: Senator Wong, by request.

No. 663 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 664 "A Bill for an Act Relating to Assignment of Wages for Child Support."

Introduced by: Senator Wong, by request.

No. 665 "A Bill for an Act Relating to Investigators of the Department of Social Services and Housing."

Introduced by: Senator Wong, by request.

No. 666 "A Bill for an Act Relating to Recovery of Overpayments of Public Assistance."

Introduced by: Senator Wong, by request.

No. 667 "A Bill for an Act Relating to Veterans Rights and Benefits."

Introduced by: Senator Wong, by request.

No. 668 "A Bill for an Act Relating to Uniform Parentage Act."

Introduced by: Senator Wong, by request.

No. 669 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 670 "A Bill for an Act Relating to Procedures for Adoption, Amendment or Repeal of Rules."

Introduced by: Senator Wong, by request.

No. 671 "A Bill for an Act Relating to the State Information Agency."

Introduced by: Senator Wong, by request.

No. 672 "A Bill for an Act Relating to Child Abuse."

Introduced by: Senator Wong, by request.

No. 673 "A Bill for an Act Relating to General Excise Taxes."

- Introduced by: Senator Wong, by request.
- No. 674 "A Bill for an Act Relating to General Excise Taxes."
- Introduced by: Senator Wong, by request.
- No. 675 "A Bill for an Act Relating to the Confidentiality of Tax Returns and Information in Tax Returns."
- Introduced by: Senator Wong, by request.
- No. 676 "A Bill for an Act Relating to Inheritance and Estate Taxes."
- Introduced by: Senator Wong, by request.
- No. 677 "A Bill for an Act Relating to State Highway Clearing Accounts."
- Introduced by: Senator Wong, by request.
- No. 678 "A Bill for an Act Relating to State Highway Fund."
- Introduced by: Senator Wong, by request.
- No. 679 "A Bill for an Act Relating to Driver Licensing."
- Introduced by: Senator Wong, by request.
- No. 680 "A Bill for an Act Relating to Driver Licensing."
- Introduced by: Senator Wong, by request.
- No. 681 "A Bill for an Act Relating to the Highway Supplies and Equipment Account."
- Introduced by: Senator Wong, by request.
- No. 682 "A Bill for an Act Relating to the Removal of Sand."
- Introduced by: Senator Wong, by request.
- No. 683 "A Bill for an Act Relating to Duties of the Department of Transportation."
- Introduced by: Senator Wong, by request.
- No. 684 "A Bill for an Act Making an Appropriation for Honokaa Civic Center, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 685 "A Bill for an Act Relating to Solar Rights."
- Introduced by: Senator Carroll.
- No. 686 "A Bill for an Act Relating to Sentencing."
- Introduced by: Senator Carroll.
- No. 687 "A Bill for an Act Relating to Solar Rights."
- Introduced by: Senator Carroll.
- No. 688 "A Bill for an Act Making an Appropriation for Improvements to the Kilani Manor Housing Project, Wahiawa, Oahu."
- Introduced by: Senators Young, Mizuguchi, Kuroda, Cayetano, Chong, Ajifu, Takitani, Soares, Carroll, Hara, Ushijima, Saiki, Carpenter, O'Connor, Cobb and Yamasaki.
- No. 689 "A Bill for an Act Making an Appropriation for Two-Way Radio Communication Systems."
- Introduced by: Senators Kawasaki, Kuroda, Takitani, Campbell, Carpenter, Chong, O'Connor and Hara.
- No. 690 "A Bill for an Act Relating to the Creation of the Condominium Commission."
- Introduced by: Senators Kawasaki, Takitani, Campbell, Carpenter, Chong, O'Connor and Soares.
- No. 691 "A Bill for an Act Relating to the Motor Vehicle Industry Licensing Board."
- Introduced by: Senator Cobb.
- No. 692 "A Bill for an Act Relating to the Board of Massage."
- Introduced by: Senator Cobb.
- No. 693 "A Bill for an Act Relating to Rental Agencies."
- Introduced by: Senator Cobb.
- No. 694 "A Bill for an Act Relating to the Collection Agency Board."
- Introduced by: Senator Cobb.
- No. 695 "A Bill for an Act Relating to the Elevator Mechanics Licensing Board."
- Introduced by: Senator Cobb.
- No. 696 "A Bill for an Act Relating to Degree Granting Institutions."
- Introduced by: Senator Cobb.
- No. 697 "A Bill for an Act Relating to the Boxing Commission."
- Introduced by: Senator Cobb.
- No. 698 "A Bill for an Act Relating

to the Hawaii Regulatory Licensing Reform Act."

Introduced by: Senator Cobb.

No. 699 "A Bill for an Act Relating to Mopeds."

Introduced by: Senator Yim.

No. 700 "A Bill for an Act Relating to the Uses Permitted Within an Agricultural Park."

Introduced by: Senator Yim.

No. 701 "A Bill for an Act Relating to Uniform Act on Status of Convicted Persons."

Introduced by: Senator Abercrombie, by request.

No. 702 "A Bill for an Act Relating to Appropriate Bargaining Units."

Introduced by: Senator Abercrombie, by request.

No. 703 "A Bill for an Act Relating to the Payment of Bonds Issued for the Planning, Construction and Improvement of Public School Facilities."

Introduced by: Senator Abercrombie, by request.

No. 704 "A Bill for an Act Relating to Exempting a Government Service Company."

Introduced by: Senator Abercrombie, by request.

No. 705 "A Bill for an Act Relating to the Disbursement of Traffic Fines and Forfeitures."

Introduced by: Senator Abercrombie, by request.

No. 706 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the City and County of Honolulu for Improvements to Government Roads in Waianae."

Introduced by: Senator Abercrombie, by request.

No. 707 "A Bill for an Act Relating to Historic Sites and Historic Preservation."

Introduced by: Senator Abercrombie, by request.

No. 708 "A Bill for an Act Relating to Intergovernmental Procedures Affecting Land Use."

Introduced by: Senator Abercrombie, by request.

No. 709 "A Bill for an Act Relating to Special Permits."

Introduced by: Senator Abercrombie, by request.

No. 710 "A Bill for an Act Relating to Appeals from the Decisions of the Liquor Commission."

Introduced by: Senator Abercrombie, by request.

No. 711 "A Bill for an Act Relating to Exceptional Children."

Introduced by: Senators Campbell, Chong, Cobb, Yamasaki, Ajifu, Carpenter, Cayetano, Takitani, Young and Abercrombie

No. 712 "A Bill for an Act Proposing Amendments to the Constitution of the State of Hawaii Concerning Legislative Sessions."

Introduced by: Senators Campbell, Abercrombie and Chong.

No. 713 "A Bill for an Act Relating to Pensioners Bonus."

Introduced by: Senators Campbell, Chong, Yamasaki, Ajifu, Carpenter, Takitani and Abercrombie.

No. 714 "A Bill for an Act Relating to a Statewide Qualifying Examination for Students Seeking High School Certificates of Graduation."

Introduced by: Senators Campbell, Carpenter, Chong, Cayetano, Takitani and Abercrombie.

No. 715 "A Bill for an Act Relating to Special Permits."

Introduced by: Senator Abercrombie, by request.

No. 716 "A Bill for an Act Relating to General Excise Tax Exemption for Film Processors."

Introduced by: Senator Yim.

No. 717 "A Bill for an Act Relating to the Transfer of Adult Education to the System of Community Colleges."

Introduced by: Senator Abercrombie.

No. 718 "A Bill for an Act Relating to the Transfer of Adult Education to the College of Continuing Education and Community Service."

Introduced by: Senator Abercrombie.

No. 719 "A Bill for an Act Relating

to Duress."

Introduced by: Senators Takitani, Yamasaki, Toyofuku, Hara, Kawasaki, Ushijima, Carpenter and O'Connor.

No. 720 "A Bill for an Act Making an Appropriation to Control New Pests of Agriculture."

Introduced by: Senators Takitani, Toyofuku, Hara, Yamasaki, Chong, Young, Kawasaki, Ushijima, Carpenter and O'Connor.

No. 748 "A Bill for an Act Relating to Construction Sites."

Introduced by: Senator Carroll.

No. 749 "A Bill for an Act Relating to Towing Companies or Repair Businesses."

Introduced by: Senators Ajifu, Cobb, Carroll, Mizuguchi and Kuroda.

No. 750 "A Bill for an Act Making an Appropriation for the Transportation of the Elderly, Disabled, Handicapped, and other Disadvantaged Persons, Including Preschool Children on Kauai, Maui, and Hawaii."

Introduced by: Senators Toyofuku, Carpenter, Takitani, Yamasaki, Young, Chong, Abercrombie, Campbell, Hara and Mizuguchi.

No. 751 "A Bill for an Act Relating to Temporary Disability Insurance and Amending Chapter 392, Hawaii Revised Statutes."

Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Campbell, Young, Hara, Cobb and Kuroda.

No. 752 "A Bill for an Act Relating to Pension and Retirement Systems of Public Officers and Employees."

Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Hara, Mizuguchi, Campbell, Young and Kuroda.

No. 753 "A Bill for an Act Relating to Purchasing Credits for Military Service Under the Employees' Retirement System."

Introduced by: Senators Toyofuku, Takitani, Yamasaki, Chong, Carpenter, Abercrombie, Campbell, Hara, Cobb and Kuroda.

No. 754 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senators Toyofuku,

Takitani, Yamasaki, Carpenter, Abercrombie, Hara, Mizuguchi, Campbell, Young and Kuroda.

No. 755 "A Bill for an Act Relating to the Retirement System."

Introduced by: Senators Toyofuku, Carpenter, Takitani, Yamasaki, Young, Chong, Abercrombie, Campbell, Mizuguchi, Hara and Kuroda.

No. 756 "A Bill for an Act Relating to Allowance on Service Retirement."

Introduced by: Senators Toyofuku, Carpenter, Takitani, Yamasaki, Hara, Abercrombie, Young, Chong, Kuroda and Campbell.

No. 757 "A Bill for an Act Relating to Juvenile Records."

Introduced by: Senators Toyofuku, Cobb, Carpenter, Takitani, Cayetano, Young, Chong, Abercrombie, Campbell, Hara and Kuroda.

No. 758 "A Bill for an Act Relating to the Statewide Transportation Council."

Introduced by: Senators Ushijima, Hara, Carpenter, Yamasaki, Toyofuku, Kuroda, Takitani, Kawasaki, O'Connor and Ajifu.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Monday, February 12, 1979:

Senate Bills

No. 721 "A Bill for an Act Relating to the Department of Social Services and Housing."

Introduced by: Senator Toyofuku.

No. 722 "A Bill for an Act Relating to Excluded Employees."

Introduced by: Senator Toyofuku.

No. 723 "A Bill for an Act Relating to the Wage and Hour Law."

Introduced by: Senator Toyofuku.

No. 724 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senator Toyofuku.

No. 725 "A Bill for an Act Relating to Programs for the Developmentally Disabled."

Introduced by: Senator Toyofuku.

No. 726 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Toyofuku.

No. 727 "A Bill for an Act Relating to Employees Retirement System."

Introduced by: Senator Toyofuku.

No. 728 "A Bill for an Act Relating to Employment."

Introduced by: Senator Toyofuku.

No. 729 "A Bill for an Act Relating to Employment Security."

Introduced by: Senator Toyofuku.

No. 730 "A Bill for an Act Relating to Human Services."

Introduced by: Senator Toyofuku.

No. 731 "A Bill for an Act Relating to Child Labor."

Introduced by: Senator Toyofuku.

No. 732 "A Bill for an Act Relating to Equal Employment Opportunity."

Introduced by: Senator Toyofuku.

No. 733 "A Bill for an Act Relating to Employment Practices."

Introduced by: Senator Toyofuku.

No. 734 "A Bill for an Act Relating to Occupational Safety and Health."

Introduced by: Senator Toyofuku.

No. 735 "A Bill for an Act Relating to Prepaid Health Care."

Introduced by: Senator Toyofuku.

No. 736 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senator Toyofuku.

No. 737 "A Bill for an Act Relating to Temporary Disability Insurance."

Introduced by: Senator Toyofuku.

No. 738 "A Bill for an Act Relating to Public Employment."

Introduced by: Senator Toyofuku.

No. 739 "A Bill for an Act Relating to the Department of Personnel Services."

Introduced by: Senator Toyofuku.

No. 740 "A Bill for an Act Relating to

Labor Relations and Disputes."

Introduced by: Senator Toyofuku.

No. 741 "A Bill for an Act Relating to the Department of Labor and Industrial Relations."

Introduced by: Senator Toyofuku.

No. 742 "A Bill for an Act Relating to the Elderly."

Introduced by: Senator Toyofuku.

No. 743 "A Bill for an Act Relating to Rehabilitation."

Introduced by: Senator Toyofuku.

No. 744 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senator Toyofuku.

No. 745 "A Bill for an Act Relating to Public Officers and Employees."

Introduced by: Senator Toyofuku.

No. 746 "A Bill for an Act Relating to Integrating the State Employees Retirement System with the Federal Social Security System."

Introduced by: Senator Toyofuku.

No. 747 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Toyofuku.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 12), informing the Senate that Senate Concurrent Resolution No. 21, Senate Resolution Nos. 102 to 106, and Senate Bill Nos. 575 to 649 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 13) recommending that House Bill No. 11, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 11, H.D. 1, S.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 Second Reading and was placed on the calendar for Third Reading on Monday, February 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 11, H.D. 1, S.D. 1.

ORDER OF THE DAY

REFERRAL OF SENATE BILLS

The President made the following committee assignments of bills that were introduced on Thursday, February 8, 1979:

Senate Bills Referred to:

- | | | | |
|---------|---|---------|--|
| No. 575 | Committee on Transportation, then to the Committee on Ways and Means | No. 593 | Committee on Judiciary |
| No. 576 | Committee on Education, then to the Committee on Ways and Means | No. 594 | Committee on Judiciary |
| No. 577 | Committee on Education, then to the Committee on Ways and Means | No. 595 | Committee on Judiciary |
| No. 578 | Committee on Judiciary | No. 596 | Committee on Judiciary |
| No. 579 | Committee on Education, then to the Committee on Ways and Means | No. 597 | Committee on Health |
| No. 580 | Committee on Ways and Means | No. 598 | Committee on Transportation, then to the Committee on Judiciary |
| No. 581 | Committee on Intergovernmental Relations, then to the Committee on Consumer Protection and Commerce | No. 599 | Committee on Judiciary |
| No. 582 | Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary | No. 600 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means |
| No. 583 | Committee on Human Resources, then to the Committee on Ways and Means | No. 601 | Committee on Human Resources, then to the Committee on Ways and Means |
| No. 584 | Committee on Health, then to the Committee on Ways and Means | No. 602 | Committee on Judiciary, then to the Committee on Ways and Means |
| No. 585 | Committee on Judiciary | No. 603 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 586 | Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 604 | Committee on Agriculture, then to the Committee on Ways and Means |
| No. 587 | Committee on Judiciary | No. 605 | Committee on Judiciary |
| No. 588 | Committee on Judiciary | No. 606 | Committee on Health, then to the Committee on Judiciary |
| No. 589 | Committee on Judiciary | No. 607 | Committee on Agriculture, then to the Committee on Ways and Means |
| No. 590 | Committee on Judiciary | No. 608 | Committee on Education |
| No. 591 | Committee on Judiciary | No. 609 | Committee on Education |
| No. 592 | Committee on Intergovernmental Relations, then to the Committee on Consumer Protection and Commerce | No. 610 | Committee on Education |
| | | No. 611 | Committee on Housing and Hawaiian Homes |
| | | No. 612 | Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary |
| | | No. 613 | Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means |
| | | No. 614 | Committee on Judiciary |
| | | No. 615 | Committee on Human Resources, then to the Committee on Ways and Means |
| | | No. 616 | Committee on Human Resources, then to the Committee on Ways and Means |

- No. 617 Committee on Human Resources
- No. 618 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 619 Committee on Human Resources
- No. 620 Committee on Human Resources, then to the Committee on Ways and Means
- No. 621 Committee on Human Resources
- No. 622 Committee on Human Resources, then to the Committee on Ways and Means
- No. 623 Jointly to the Committee on Agriculture and the Committee on Economic Development
- No. 624 Committee on Economic Development
- No. 625 Committee on Economic Development
- No. 626 Committee on Economic Development
- No. 627 Committee on Economic Development
- No. 628 Committee on Judiciary
- No. 629 Committee on Economic Development, then to the Committee on Ways and Means
- No. 630 Jointly to the Committee on Economic Development and the Committee on Intergovernmental Relations
- No. 631 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Health, then to the Committee on Ways and Means
- No. 632 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 633 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 634 Committee on Judiciary, then to the Committee on Ways and Means
- No. 635 Committee on Judiciary, then to the Committee on Ways and Means
- No. 636 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 637 Committee on Education, then to the Committee on Ways and Means
- No. 638 Committee on Judiciary
- No. 639 Committee on Judiciary
- No. 640 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 641 Committee on Economic Development, then to the Committee on Ways and Means
- No. 642 Committee on Transportation, then to the Committee on Ways and Means
- No. 643 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 644 Committee on Education, then to the Committee on Ways and Means
- No. 645 Committee on Health, then to the Committee on Ways and Means
- No. 646 Committee on Judiciary
- No. 647 Committee on Judiciary
- No. 648 Committee on Human Resources, then to the Committee on Ways and Means
- No. 649 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development, then to the Committee on Judiciary

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following re-referral of a resolution which was offered on Thursday, February 8, 1979:

Senate Resolution Referred to:

No. 106 Committee on Public Utilities

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that was introduced on Tuesday, February 6, 1979:

Senate Bill Referred to:

No. 495 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

At 11:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:17 o'clock a.m.

ADJOURNMENT

At 11:18 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, February 12, 1979.

NINETEENTH DAY

Monday, February 12, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Jack Belton, Pastor of Ewa United Methodist Church, after which the Roll was called showing all Senators present with the exception of Senator Toyofuku, who was excused.

The President announced that he had read and approved the Journal of the Eighteenth Day.

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

Senator Cobb introduced four cub scouts from Wailupe Valley School with their cub leader, Mr. George De Conti.

Senator Cobb then introduced Charles and Eva Sanson and Bill and Mary Herzog from Topeka, Kansas.

Senator Young then introduced a group of girl scouts from Cadet Troop 318 from Wheeler Air Force Base, with their leader, Ms. Claudia Nichols.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 75 and 76) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 75), transmitting a report of the Governor's Agriculture Coordinating Committee in compliance with the provisions of Section 164-3, Hawaii Revised Statutes, covering the period from January 1, 1978 through December 31, 1978, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 76), transmitting a report prepared by the Department of Transportation Motor Vehicle Safety Office in response to House Resolution No. 274 (1971) which requested annual evaluation reports on driver education and training programs, was referred to the Committee on Transportation.

DEPARTMENTAL COMMUNICATION

A communication from the State Ethics Commission (Dept. Com. No. 8), transmitting their report on the

professional and vocational licensing boards in the Department of Regulatory Agencies pursuant to a request made for such report in Senate Resolution No. 247 (1978), was read by the Clerk and was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 8 to 10) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 8), returning Senate Concurrent Resolution No. 21 which was adopted by the House of Representatives on February 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 9), transmitting House Concurrent Resolution No. 5 which was adopted by the House of Representatives on February 9, 1979, was placed on file.

By unanimous consent, H.C.R. No. 5, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PREPARE AND SUBMIT A PROPOSED CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET", was referred to the Committee on Intergovernmental Relations, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 10), transmitting House Concurrent Resolution No. 46 which was adopted by the House of Representatives on February 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 'IOLANI LUAHINE FOR HER CONTRIBUTIONS TO THE STATE OF HAWAII AND EXTENDING CONDOLENCES TO HER FAMILY", was adopted.

THIRD READING

House Bill No. 11, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 11, H.D. 1, S.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, 24. Noes, none. Excused, 1 (Toyofuku).

At 11:41 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.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 121 to 123) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 121), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE FAMILY COURT TO SPONSOR AN EDUCATIONAL PROGRAM DESIGNED TO PREVENT SHOPLIFTING", was jointly offered by Senators Campbell, Chong, Cobb, Yamasaki, Ajifu, Abercrombie, Carroll, Carpenter, Takitani and Young.

By unanimous consent, S.R. No. 121 was referred to the Committee on Education, then to the Committee on Judiciary.

A resolution (S.R. No. 122), entitled: "SENATE RESOLUTION RECOGNIZING VOCATIONAL EDUCATION IN HAWAII", was jointly offered by Senators Abercrombie, Ushijima, Takitani, Chong, O'Connor, Yamasaki, Cayetano, Kawasaki, Yee, Cobb, Carroll, Campbell, Anderson, Soares, George, Mizuguchi, Wong, Kuroda and Carpenter.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.R. No. 122 was adopted.

A resolution (S.R. No. 123), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING 'PEOPLE AGAINST RAPE' FOR ITS OUTSTANDING COMMUNITY SERVICES OF JUDICIAL REVIEW, RAPE VICTIM ADVOCACY, AND PUBLIC EDUCATION BENEFITING THE PEOPLE OF HAWAII", was jointly offered by Senators Chong, Takitani, Young, Hara, Carpenter, George, Yamasaki, Cayetano, Kawasaki, Kuroda, Ajifu, Anderson, Abercrombie, Carroll, Soares, Campbell, O'Connor and Cobb.

On motion by Senator Chong, seconded by Senator Takitani and carried, S.R. No. 123 was adopted.

Senator Chong introduced to the members of the Senate the group representing "People Against Rape" as follows: in the balcony, Bunnie Panela and Romona Hussey, Court

Monitors; Ronald Anderson and Libby Ruch, volunteers, and Dennis Dunn, Grants and Research; and on the Senate floor, Mary Parmenter, the founder and first Chairperson of "People Against Rape" and Linda Spink, the present Chairperson of "People Against Rape". Senator Chong then presented certified copies of the resolution to Ms. Parmenter and Ms. Spink.

At 11:47 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.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 13, 1979:

Senate Bills

No. 759 "A Bill for an Act Making an Appropriation for the Importation of Eels of the Order Anguilliformes for Experimental or Other Scientific Purposes."

Introduced by: Senators Hara, Takitani, Ushijima, Carpenter, Kawasaki, Abercrombie, Carroll, Yamasaki and Kuroda.

No. 760 "A Bill for an Act Relating to the Uses Permitted Within an Agricultural Park."

Introduced by: Senators Hara, Takitani, Ushijima, Carpenter, Cayetano, Kawasaki, Chong, Abercrombie, Saiki, Carroll, Yamasaki, Ajifu, George and Soares.

No. 761 "A Bill for an Act Relating to the Acquisition of Historic Property."

Introduced by: Senators Hara, Takitani, Ushijima, Carpenter, Cayetano, Chong, Abercrombie, Saiki, Ajifu, Yamasaki, George and Soares.

No. 762 "A Bill for an Act Relating to the Wailoa River Park."

Introduced by: Senators Hara, Ushijima, Carpenter, Chong, Takitani, Yamasaki, Ajifu, Abercrombie, Saiki, Carroll, George, Soares and Kuroda.

No. 763 "A Bill for an Act Relating to a Grant-In-Aid for Pu'uhoanua, the Family Crisis Shelter in Hilo."

Introduced by: Senators Hara, Ushijima, Carpenter, Yamasaki, Ajifu, Carroll, Takitani, Chong, Abercrombie, George, Kuroda and Soares.

- No. 764 "A Bill for an Act Making an Appropriation for Capital Improvements in the County of Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Chong, Soares, Cayetano, Takitani, Abercrombie, Saiki, Yamasaki, Carroll, George and Ajifu.

- No. 765 "A Bill for an Act Making an Appropriation for Flood Damage on the Island of Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Chong, Soares, Cayetano, Takitani, Abercrombie, Saiki, Yamasaki, Carroll and George.

- No. 766 "A Bill for an Act Relating to Agriculture."

Introduced by: Senators Hara, Ushijima, Carpenter, Chong, Takitani, Soares, George, Kawasaki, Abercrombie, Saiki, Yamasaki and Ajifu.

- No. 767 "A Bill for an Act Relating to Noise Pollution."

Introduced by: Senators Hara, Takitani, Ushijima, Cayetano, Kawasaki, Chong, Abercrombie, Yamasaki, Ajifu, George, Soares and Kuroda.

- No. 768 "A Bill for an Act Relating to Human Experimentation."

Introduced by: Senator Chong, by request.

- No. 769 "A Bill for an Act Relating to a Compensation Plan for Excluded Employees."

Introduced by: Senator Toyofuku, by request.

- No. 770 "A Bill for an Act Making an Appropriation for Improvements at Kalani High School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb and Soares.

- No. 771 "A Bill for an Act Making an Appropriation for Improvements at Anuenue Elementary School, Honolulu, Hawaii."

Introduced by: Senators Saiki, Cobb and Soares.

- No. 772 "A Bill for an Act Relating to the Civil Air Patrol."

Introduced by: Senators Saiki, George, Hara, Kuroda, Soares and Takitani.

- No. 773 "A Bill for an Act Making an Appropriation for Adult Domiciliary Care and Boarding Home Operators."

Introduced by: Senator Cayetano, by request.

- No. 775 "A Bill for an Act Relating to Construction Sites."

Introduced by: Senator Carroll.

- No. 776 "A Bill for an Act Relating to the Establishment of a State Bureau of Investigation."

Introduced by: Senator Carroll, by request.

- No. 777 "A Bill for an Act Relating to State General Funds."

Introduced by: Senator Cayetano.

- No. 778 "A Bill for an Act Relating to State Mandates."

Introduced by: Senator Cayetano.

- No. 779 "A Bill for an Act Relating to the Budgetary Process."

Introduced by: Senator Cayetano.

- No. 780 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Carroll.

- No. 781 "A Bill for an Act Relating to Cable Television Companies."

Introduced by: Senator Carroll.

- No. 782 "A Bill for an Act Relating to the State Capitol Building."

Introduced by: Senator Carroll.

- No. 783 "A Bill for an Act Relating to Kilauea Forest Reserve, Hawaii."

Introduced by: Senator Carroll.

- No. 784 "A Bill for an Act Relating to Cosmetology."

Introduced by: Senator Cobb, by request.

- No. 788 "A Bill for an Act Relating to Narcotics and Dangerous Drugs Control."

Introduced by: Senators Toyofuku, Takitani, Abercrombie, Carpenter, Chong, Yamasaki, Campbell, Hara, Kawasaki and Cobb.

No. 789 "A Bill for an Act Relating to Allowances on Service Retirement."

Introduced by: Senators Toyofuku, Takitani, Carpenter, Mizuguchi, Abercrombie, Yamasaki, Kuroda, Hara and Campbell.

No. 790 "A Bill for an Act Relating to Corporate Mergers and Consolidations."

Introduced by: Senators Yee, Kuroda, Hara, Anderson, Takitani, Carroll, Soares, George, Yamasaki, Mizuguchi, Cayetano and Carpenter.

No. 791 "A Bill for an Act Making an Appropriation to Continue the Work Activity Program for Severely Disabled Adults at Lanakila Rehabilitation Center."

Introduced by: Senator Yim.

No. 792 "A Bill for an Act Relating to Gasohol Tax Incentive."

Introduced by: Senator Yim.

No. 793 "A Bill for an Act Relating to Deposits of Public Funds."

Introduced by: Senator Yim.

No. 794 "A Bill for an Act Relating to Hawaii Community Development Authority."

Introduced by: Senator Yim, by request.

No. 795 "A Bill for an Act Relating to Hawaii Community Development Authority."

Introduced by: Senator Yim, by request.

No. 796 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Jarrett Intermediate School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 797 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Aina Haina School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 798 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Aliiolani School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 799 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Hawaii School for Deaf and Blind, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 800 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Anuenue Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 801 "A Bill for an Act Making an Appropriation for Capital Improvement Project at Kaimuki High School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 802 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Palolo Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 803 "A Bill for an Act Making an Appropriation for Kalama Valley Park, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 804 "A Bill for an Act Making an Appropriation for a Capital Improvement Project at Niu Valley Intermediate School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 805 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Liholiho Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 806 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Liliuokalani Elementary School, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 807 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kalani High School, Oahu."

Introduced by: Senators O'Connor,

- Cobb, Saiki and Soares.
- No. 808 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaiser High School, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 809 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Kaimuki Intermediate School, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 810 "A Bill for an Act Making an Appropriation for Niu Valley Community Park, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 811 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for Koko Head District Park, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 812 "A Bill for an Act Making an Appropriation for Installation of 8-Inch Water Mains and Appurtenances in Kaimuki, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 813 "A Bill for an Act Making an Appropriation for Kaalakei Park, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 814 "A Bill for an Act Making an Appropriation for Palolo Playground, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 815 "A Bill for an Act Making an Appropriation for Planning and Construction of a Caretaker's Cottage at Waahila Ridge State Park, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 816 "A Bill for an Act Making an Appropriation for the Kapahulu Multipurpose Senior Center, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 817 "A Bill for an Act Making an Appropriation for the Installation of 8-Inch Water Mains and Appurtenances in Palolo, Oahu."
- Introduced by: Senators O'Connor, Cobb and Soares.
- No. 818 "A Bill for an Act Making an Appropriation for Capital Improvement Project at Kaiser High School, Oahu."
- Introduced by: Senators O'Connor, Cobb and Soares.
- No. 819 "A Bill for an Act Making an Appropriation for Capital Improvement Project at Kaiser High School, Oahu."
- Introduced by: Senators O'Connor, Cobb and Soares.
- No. 820 "A Bill for an Act Making an Appropriation for Nehu Park, Oahu."
- Introduced by: Senators O'Connor, Saiki, Soares and Cobb.
- No. 821 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Hawaii Kai Communities Council for the Establishment of a Human Services Center in Hawaii Kai, Oahu."
- Introduced by: Senators O'Connor, Saiki, Soares and Cobb.
- No. 822 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Hokulani Elementary School, Oahu."
- Introduced by: Senators O'Connor, Cobb and Soares.
- No. 823 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Waialae Elementary School, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 824 "A Bill for an Act Making an Appropriation for Capital Improvement Projects at Koko Head Elementary School, Oahu."
- Introduced by: Senators O'Connor, Saiki, Soares and Cobb.
- No. 825 "A Bill for an Act Making an Appropriation for Wailupe Community Park, Oahu."
- Introduced by: Senators O'Connor, Cobb, Saiki and Soares.
- No. 826 "A Bill for an Act Making

an Appropriation for Kapahulu Avenue Traffic Lights, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 827 "A Bill for an Act Making an Appropriation for Improvements to Kalaniana'ole Highway, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 828 "A Bill for an Act Making an Appropriation for Diamond Head Comfort Station and Site Improvements, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 829 "A Bill for an Act Making an Appropriation for Planning and Installation of Water Mains and Hydrants in Kaimuki, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 830 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for Kanewai Playground, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 831 "A Bill for an Act Making an Appropriation for Kapaolono Park, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 832 "A Bill for an Act Making an Appropriation for Paki Park, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 833 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Kuliouou Valley Park, Oahu."

Introduced by: Senators O'Connor, Cobb, Saiki and Soares.

No. 834 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to Kapiolani Children's Medical Center, Oahu."

Introduced by: Senators Yee, Carroll, Kuroda, Mizuguchi, Yamasaki, Takitani, Cayetano, George, Hara, Young, Ajifu, Carpenter, Abercrombie and Chong.

No. 835 "A Bill for an Act Relating to Revenue Bonds."

Introduced by: Senator Abercrombie, by request.

No. 836 "A Bill for an Act To Amend Section 26-18, Hawaii Revised Statutes, as Amended, Relating to the Department of Planning and Economic Development and Its Power to Establish Statistical Boundaries for Counties and Cities in this State."

Introduced by: Senator Abercrombie, by request.

No. 837 "A Bill for an Act Proposing an Amendment to Article X, Sections 3 and 6, to Require Senate Approval of Appointment of President of the University of Hawaii and Superintendent of Education."

Introduced by: Senator Abercrombie.

No. 838 "A Bill for an Act Relating to the State Board of Nursing."

Introduced by: Senator Abercrombie.

No. 839 "A Bill for an Act Relating to Leprosy."

Introduced by: Senator Abercrombie.

No. 840 "A Bill for an Act Relating to the Lapsing of Capital Improvement Funds."

Introduced by: Senator Abercrombie.

No. 841 "A Bill for an Act Making an Appropriation for Acquisition of Site, Buildings and Facilities, St. Francis School and Convent, Manoa, Oahu."

Introduced by: Senator Abercrombie.

No. 842 "A Bill for an Act Relating to Bail Sureties."

Introduced by: Senator Abercrombie.

No. 843 "A Bill for an Act Relating to Minimum Balances in Bank Accounts."

Introduced by: Senator Abercrombie.

No. 844 "A Bill for an Act Relating to Exclusive Rights at Air Navigation Facilities."

Introduced by: Senator Abercrombie.

No. 845 "A Bill for an Act Relating to Tobacco Taxation."

Introduced by: Senator Abercrombie.

No. 846 "A Bill for an Act Relating to State Law Enforcement Officers."

Introduced by: Senator Abercrombie.

No. 847 "A Bill for an Act Relating to Retirement."

Introduced by: Senator Abercrombie.

No. 848 "A Bill for an Act Relating to Establishing a System for Awarding Contracts to Professional Engineers, Architects, Landscape Architects, Land Surveyors and Planners for the Design of State Projects."

Introduced by: Senator Abercrombie.

No. 849 "A Bill for an Act Relating to the Tax on Gains from the Sale or Exchange of Real Property."

Introduced by: Senator Abercrombie.

No. 850 "A Bill for an Act Relating to Voting."

Introduced by: Senator Abercrombie.

No. 851 "A Bill for an Act Relating to Voting."

Introduced by: Senator Abercrombie.

No. 852 "A Bill for an Act Relating to Intake Service Centers."

Introduced by: Senators Abercrombie, Kawasaki and Cayetano.

No. 853 "A Bill for an Act To Amend Chapter 249, Hawaii Revised Statutes, Relating to County Vehicular Taxes."

Introduced by: Senator Abercrombie, by request.

No. 854 "A Bill for an Act Making an Appropriation for Waialae Elementary School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 855 "A Bill for an Act Making an Appropriation for Niu Valley Intermediate School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 856 "A Bill for an Act Making an Appropriation for Koko Head Elementary School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 857 "A Bill for an Act Making an Appropriation for Kalani High School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 858 "A Bill for an Act Making an Appropriation for Kaimuki Intermediate School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 859 "A Bill for an Act Making an Appropriation for Hokulani School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 860 "A Bill for an Act Making an Appropriation for Hawaii School for the Deaf and Blind."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 861 "A Bill for an Act Making an Appropriation for Anuenue Elementary School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 862 "A Bill for an Act Making an Appropriation for Aliiolani School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 863 "A Bill for an Act Making an Appropriation for Aina Haina School, Oahu."

Introduced by: Senators Soares, Saiki, Cobb and O'Connor.

No. 864 "A Bill for an Act Making an Appropriation for Special Needs Funds for Public Schools."

Introduced by: Senator Mizuguchi.

No. 873 "A Bill for an Act Relating to the Use of Standards of Competency in Public Schools."

Introduced by: Senator Mizuguchi.

No. 874 "A Bill for an Act Making an Appropriation to Community Based Services for the Mentally Retarded for Expansion of Day Activity Programs for Mentally Retarded Persons."

Introduced by: Senators Mizuguchi, Yamasaki, Hara, Cayetano, Toyofuku,

- Takitani and Young.
- No. 875 "A Bill for an Act Making an Appropriation to Relocate a Baseball Diamond at Campbell High School."
- Introduced by: Senators Mizuguchi, Kuroda, Young, Cayetano, Hara and Takitani.
- No. 876 "A Bill for an Act Making an Appropriation to Waimano Training School and Hospital for Expansion of Day Activity Programs for Mentally Retarded Persons."
- Introduced by: Senators Mizuguchi, Yamasaki, Cayetano, Toyofuku, Takitani, Hara and Young.
- No. 877 "A Bill for an Act Relating to the Transfer of Road Maintenance to the Counties."
- Introduced by: Senators Mizuguchi, Kuroda and Young.
- No. 878 "A Bill for an Act Relating to Deposits of Public Funds."
- Introduced by: Senators Mizuguchi and Kuroda.
- No. 879 "A Bill for an Act Relating to Meaningful Public Participation in the School System Through the Establishment of School Councils."
- Introduced by: Senators Mizuguchi, Hara, Toyofuku, Yamasaki and Takitani.
- No. 880 "A Bill for an Act Relating to Contractors."
- Introduced by: Senators Chong and Abercrombie.
- No. 881 "A Bill for an Act Relating to Contractors."
- Introduced by: Senators Chong and Abercrombie.
- No. 882 "A Bill for an Act Relating to Electricians and Plumbers."
- Introduced by: Senators Chong and Abercrombie.
- No. 883 "A Bill for an Act Relating to Zoning."
- Introduced by: Senators Chong, Carpenter and Abercrombie.
- No. 884 "A Bill for an Act Relating to Rape."
- Introduced by: Senators Chong, Carpenter and Abercrombie.
- No. 885 "A Bill for an Act Relating to Insurance."
- Introduced by: Senators Chong and Abercrombie.
- No. 886 "A Bill for an Act Relating to Contractors."
- Introduced by: Senators Chong and Abercrombie.
- No. 889 "A Bill for an Act Relating to the Standard Form Fire Insurance Policy."
- Introduced by: Senator Cobb.
- No. 890 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."
- Introduced by: Senator Cobb.
- No. 891 "A Bill for an Act Relating to Arson Investigation."
- Introduced by: Senator Cobb.
- No. 892 "A Bill for an Act Relating to Cost of Copying Public Documents."
- Introduced by: Senator Cobb.
- No. 893 "A Bill for an Act Relating to No-Fault Insurance."
- Introduced by: Senator Cobb, by request.
- No. 894 "A Bill for an Act Relating to Motor Carriers."
- Introduced by: Senator Cobb, by request.
- No. 904 "A Bill for an Act Relating to Manpower Planning."
- Introduced by: Senators Yamasaki, Ushijima and Takitani.
- No. 906 "A Bill for an Act Relating to the Registration of Vacant Positions in Employment."
- Introduced by: Senators Yamasaki, Ushijima, Takitani, Kawasaki, Chong and Saiki.
- No. 907 "A Bill for an Act Relating to Prepaid Health Care Coverage."
- Introduced by: Senators Yamasaki, Ushijima, Takitani and Chong.
- No. 909 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Yamasaki,
Ushijima, Takitani and Chong.

No. 910 "A Bill for an Act Relating
to Death Benefits Under the Workers'
Compensation Law."

Introduced by: Senators Yamasaki,
Ushijima, Takitani and Chong.

No. 911 "A Bill for an Act Relating
to Workers' Compensation."

Introduced by: Senators Yamasaki,
Ushijima, Takitani, Young and
Chong.

No. 912 "A Bill for an Act Relating
to Workers' Compensation Benefits
for Permanent Total Disability or
Dependency."

Introduced by: Senators Yamasaki,
Ushijima, Takitani, Young and Chong.

No. 913 "A Bill for an Act Increasing
Indemnity Benefits Payable Under
the Hawaii Workers' Compensation
Act."

Introduced by: Senators Yamasaki,
Ushijima, Takitani and Young.

No. 914 "A Bill for an Act Relating
to Industrial Carcinogens."

Introduced by: Senators Yamasaki,
Ushijima, Takitani, Young, Cobb,
Kawasaki, Chong and Saiki.

No. 915 "A Bill for an Act Relating
to Temporary Disability Insurance."

Introduced by: Senators Yamasaki,
Ushijima, Takitani, Young and Chong.

No. 916 "A Bill for an Act Relating
to Transient Accommodations."

Introduced by: Senator Wong.

No. 917 "A Bill for an Act Relating
to the Allocation of Funds."

Introduced by: Senator Wong.

No. 918 "A Bill for an Act Relating
to Statutory Revision; Amending
or Repealing 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.

No. 919 "A Bill for an Act Relating
to Criminal Injuries Compensation."

Introduced by: Senator Wong.

No. 920 "A Bill for an Act Relating
to Personal Records."

Introduced by: Senators Wong,
Takitani, Yamasaki, Kawasaki, Cobb,
Kuroda, Soares and George.

No. 921 "A Bill for an Act Relating
to Change of Name."

Introduced by: Senator Wong.

No. 922 "A Bill for an Act Relating
to Real Estate Brokers and Salesmen."

Introduced by: Senator Wong, by
request.

No. 923 "A Bill for an Act Relating
to No-Fault Insurance."

Introduced by: Senator Wong, by
request.

No. 924 "A Bill for an Act Relating
to Motor Vehicle Industry Licensing."

Introduced by: Senator Wong, by
request.

No. 925 "A Bill for an Act Relating
to the Administration of Taxes."

Introduced by: Senator Wong, by
request.

No. 926 "A Bill for an Act Relating
to the General Excise Tax."

Introduced by: Senator Wong, by
request.

No. 927 "A Bill for an Act Making
an Appropriation to Provide a Grant-
In-Aid to the Fetu Ao Organization."

Introduced by: Senators Campbell,
Abercrombie and Soares.

No. 928 "A Bill for an Act Making
an Appropriation for Hawaii Multi-
Cultural Center's Educational Exhibits
Program."

Introduced by: Senators Campbell,
Takitani, Young and Hara.

No. 929 "A Bill for an Act Making
an Appropriation for the Friends of
Waipahu Cultural Garden Park's Educational
Exhibits Program."

Introduced by: Senators Campbell,
Young, Takitani and Hara.

No. 930 "A Bill for an Act Relating
to Trained School Bus Aides."

Introduced by: Senators Campbell,
Hara, Takitani, Carroll, Abercrombie
and Soares.

No. 931 "A Bill for an Act Relating to Religious Holy Days."

Introduced by: Senators Campbell, Abercrombie, Carroll and Soares.

No. 932 "A Bill for an Act Relating to Student Activities."

Introduced by: Senators Campbell, Hara, Takitani and Abercrombie.

No. 933 "A Bill for an Act Relating to Physicians and Surgeons."

Introduced by: Senators Campbell, Abercrombie and Carroll.

No. 934 "A Bill for an Act Relating to Post Retirement Benefits."

Introduced by: Senators Campbell and Abercrombie.

No. 935 "A Bill for an Act Relating to Medicine and Surgery."

Introduced by: Senators Campbell and Abercrombie.

No. 937 "A Bill for an Act To Amend Section 46-6, Hawaii Revised Statutes, Relating to Parks and Playgrounds for Subdivisions."

Introduced by: Senator Kawasaki, by request.

No. 938 "A Bill for an Act Relating to Naturopathy."

Introduced by: Senators Kawasaki, Kuroda, Mizuguchi, Toyofuku, Takitani, Chong, Abercrombie, Carpenter and Hara.

No. 939 "A Bill for an Act Relating to Home Exemptions."

Introduced by: Senators Kawasaki, Cayetano, Kuroda, Cobb, Mizuguchi, Abercrombie, Campbell, Carpenter, Hara, Young, Toyofuku, Chong and Takitani.

No. 940 "A Bill for an Act Making a Supplemental Appropriation for the Development of Rainbow Bay Recreational Area and Park at Aiea Bay, Pearl Harbor; Oahu."

Introduced by: Senators Kuroda, Young, Mizuguchi, Cayetano, Carroll and Abercrombie.

No. 941 "A Bill for an Act Making an Appropriation for Capital Improvements in the Fourth Senatorial District."

Introduced by: Senators Kuroda,

Young, Mizuguchi, Cayetano, Carroll, Chong and Abercrombie.

No. 942 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Wahiawa General Hospital, Wahiawa, Oahu."

Introduced by: Senators Kuroda, Young, Mizuguchi, Cayetano, Carroll and Abercrombie.

No. 943 "A Bill for an Act Making an Appropriation for the Waiau District Park at Waiau, Oahu."

Introduced by: Senators Kuroda, Young, Mizuguchi, Cayetano, Carroll and Abercrombie.

No. 944 "A Bill for an Act Making an Appropriation for Planning and Construction of a By-Pass Route Around Haleiwa, Oahu."

Introduced by: Senators Kuroda, Young, Mizuguchi and Cayetano.

No. 946 "A Bill for an Act Relating to Regulation of Motor Vehicle Repairs."

Introduced by: Senators Kuroda, Chong, Takitani, Ajifu, Yamasaki, Cobb, Cayetano and Abercrombie.

No. 948 "A Bill for an Act Relating to Corporations."

Introduced by: Senators Kuroda, Takitani, Chong and Abercrombie.

No. 949 "A Bill for an Act Relating to Professions and Occupations."

Introduced by: Senators Kuroda, Takitani, Carroll and Abercrombie.

No. 950 "A Bill for an Act Making an Appropriation for Waikiki Improvements."

Introduced by: Senators Kuroda, Carroll, Anderson, Chong, Mizuguchi, Takitani, Saiki, Cayetano, Soares and Abercrombie.

No. 951 "A Bill for an Act Making an Appropriation for a Data Base and an Integrated Industrial Engineering and Power Machine Operator Training Program for the Garment Industry."

Introduced by: Senators Kuroda, Takitani, Chong, Abercrombie, Cayetano and Soares.

No. 952 "A Bill for an Act Relating to the Employees' Retirement System of the State of Hawaii."

Introduced by: Senators Kuroda,

- Takitani, Chong and Abercrombie.
- No. 953 "A Bill for an Act Relating to Public Employees Health Fund."
- Introduced by: Senators Carpenter, Chong and Takitani.
- No. 954 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Community Health Services."
- Introduced by: Senators Carpenter, Campbell, Chong, Takitani and Abercrombie.
- No. 955 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid to the Variety Club School."
- Introduced by: Senators Carpenter, Campbell, Chong, Takitani and Abercrombie.
- No. 956 "A Bill for an Act Relating to a Grant-In-Aid to the Arthritis Center of Hawaii."
- Introduced by: Senators Carpenter, Campbell, Chong, Takitani and Abercrombie.
- No. 957 "A Bill for an Act Relating to Physicians Cooperative."
- Introduced by: Senators Carpenter, Campbell, Chong, Takitani and Abercrombie.
- No. 958 "A Bill for an Act Making an Appropriation for an Assessment, Planning and Construction of a Boat Ramp at Honuapu, Ka'u, Hawaii."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Chong, Yamasaki and Ajifu.
- No. 959 "A Bill for an Act Making an Appropriation to the State Foundation for History and the Humanities."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Chong, Yamasaki and Ajifu.
- No. 960 "A Bill for an Act Relating to Real Property Mortgages."
- Introduced by: Senators Carpenter, Takitani and Chong.
- No. 961 "A Bill for an Act Relating to the Hawaiian Homes Commission Act, 1920, As Amended."
- Introduced by: Senators Carpenter, Chong and Ajifu.
- No. 962 "A Bill for an Act Making an Appropriation for the College of Agriculture University of Hawaii at Hilo."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Abercrombie and Chong.
- No. 963 "A Bill for an Act Making an Appropriation to Hawaii Community College."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Abercrombie and Chong.
- No. 964 "A Bill for an Act Relating to CIP Appropriation for the New Acute Care Facility at Hilo Hospital."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Abercrombie and Chong.
- No. 965 "A Bill for an Act Relating to Income Tax Exemptions."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Abercrombie, Cobb and Chong.
- No. 966 "A Bill for an Act Relating to Health."
- Introduced by: Senators Carpenter, Hara, Ushijima, Takitani, Abercrombie and Chong.
- No. 967 "A Bill for an Act Relating to Dental Diseases."
- Introduced by: Senators Carpenter, Chong, Hara and Abercrombie.
- No. 968 "A Bill for an Act Relating to Health Education."
- Introduced by: Senators Carpenter, Chong, Hara and Abercrombie.
- No. 969 "A Bill for an Act Relating to Public Health Nursing."
- Introduced by: Senators Carpenter, Chong, Hara and Abercrombie.
- No. 970 "A Bill for an Act Relating to Community Health Services."
- Introduced by: Senators Carpenter, Chong, Hara and Abercrombie.
- No. 971 "A Bill for an Act Relating to Communicable Diseases."
- Introduced by: Senators Carpenter, Chong, Hara and Abercrombie.
- No. 972 "A Bill for an Act Relating to Preventive Health Education."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 973 "A Bill for an Act Relating
to Emergency Medical Services."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 974 "A Bill for an Act Making
an Appropriation for Research and
Development of Geothermal Fluids
in Combination with Biomass Energy
Projects."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 975 "A Bill for an Act Relating
to Chronic Diseases."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 976 "A Bill for an Act Relating
to Teenage Alcoholism."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 977 "A Bill for an Act Relating
to Standards, Inspection and Licensing
Procedures of Health Care Facilities."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 978 "A Bill for an Act Relating
to Community-Based and Non-
Institutional Services for the Mentally
Retarded."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 979 "A Bill for an Act Making
an Appropriation for a Grant-
In-Aid for CIP Projects in the County
of Hawaii."

Introduced by: Senators Carpenter,
Ushijima and Hara.

No. 980 "A Bill for an Act Making
an Appropriation for the University
of Hawaii at Hilo College."

Introduced by: Senators Carpenter,
Hara, Ushijima, Takitani, Abercrombie
and Chong.

No. 981 "A Bill for an Act Making
an Appropriation for the University
of Hawaii at Hilo College."

Introduced by: Senators Carpenter,
Hara, Ushijima, Takitani, Abercrombie
and Chong.

No. 982 "A Bill for an Act Making

an Appropriation for the College
of Agriculture University of Hawaii
Hilo."

Introduced by: Senators Carpenter,
Hara, Ushijima, Takitani, Abercrombie
and Chong.

No. 983 "A Bill for an Act Relating
to Consumer Agreements."

Introduced by: Senators Carpenter,
Hara, Takitani, Abercrombie, Chong
and Cobb.

No. 984 "A Bill for an Act Relating
to Hilo Hospital."

Introduced by: Senators Carpenter,
Hara, Chong, Takitani and Abercrombie.

No. 985 "A Bill for an Act Making
an Appropriation to Provide a Grant-
In-Aid for the Infant and Child Develop-
ment Programs for FY 1979-80."

Introduced by: Senators Carpenter,
Chong, Hara and Abercrombie.

No. 986 "A Bill for an Act Relating
to Community Health."

Introduced by: Senators Carpenter,
Hara, Ushijima, Takitani, Abercrombie,
Chong and Cobb.

No. 987 "A Bill for an Act Making
an Appropriation to Initiate a Study
of the Feasibility of Obtaining Liquid
Fuel from Bioconversion."

Introduced by: Senators Carpenter,
Abercrombie, Cobb and Chong.

No. 988 "A Bill for an Act Relating
to Mental Retardation."

Introduced by: Senators Carpenter,
Hara, Ushijima, Takitani, Abercrombie,
Cobb and Chong.

No. 989 "A Bill for an Act Relating
to Collective Bargaining."

Introduced by: Senators Carpenter,
Chong and Takitani.

No. 990 "A Bill for an Act Relating
to Farm Loans."

Introduced by: Senators Carpenter,
Ushijima, Takitani, Chong and Ajifu.

No. 991 "A Bill for an Act Relating
to Public Employment."

Introduced by: Senators Carpenter
and Chong.

No. 992 "A Bill for an Act Relating

- to the Public Employees Health Fund."
- Introduced by: Senators Carpenter and Chong.
- No. 993 "A Bill for an Act Relating to Collective Bargaining in Public Employment."
- Introduced by: Senators Carpenter and Chong.
- No. 994 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senators Toyofuku, Takitani, Yamasaki, Chong, Carpenter, Abercrombie, Campbell, Young, Hara and Ushijima.
- No. 995 "A Bill for an Act Relating to Retirement Benefits of Public Officers and Employees."
- Introduced by: Senators Toyofuku, Takitani, Yamasaki, Chong, Carpenter, Abercrombie, Campbell, Young, Hara and Ushijima.
- No. 996 "A Bill for an Act Relating to the Employees Retirement System of the State of Hawaii."
- Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Campbell, Young, Hara, Ushijima and Mizuguchi.
- No. 997 "A Bill for an Act Relating to the State Higher Education Loan Fund."
- Introduced by: Senators Saiki, Anderson, George, Takitani, Ushijima and Yee.
- No. 998 "A Bill for an Act Making an Appropriation to Facilitate the Training of Neighbor Island Emergency Medical Personnel in Advanced Life Support Emergency Medical Care."
- Introduced by: Senators Saiki, Carpenter, George, Hara, Takitani, Toyofuku, Ushijima, Yamasaki and Yee.
- No. 999 "A Bill for an Act Relating to Nursing."
- Introduced by: Senators Saiki, Carpenter, Hara, Takitani, George, Ushijima and Yee.
- No. 1000 "A Bill for an Act Making an Appropriation for Security Services for the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1001 "A Bill for an Act Making an Appropriation for the Construction of General Utilities, Roads, and Site Improvements at the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1002 "A Bill for an Act Making an Appropriation for the Establishment of an Agriculture Farm Laboratory for the College of Agriculture of the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima and Carpenter.
- No. 1003 "A Bill for an Act Relating to County Zoning."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1004 "A Bill for an Act Making an Appropriation for the Development and Expansion of the College of Agriculture of the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1005 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to the Hilo Association to Help Retarded Citizens for Group-Home Treatment of Deaf-Blind Multi-Handicapped Children at Hilo, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1006 "A Bill for an Act Making an Appropriation to Provide a Grant-In-Aid for an Organized Crime-Selected Offender Unit Within the County of Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1007 "A Bill for an Act Making an Appropriation for a Grant-In-Aid to Hilo Interim Home, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1008 "A Bill for an Act Making an Appropriation to Improve and Expand Land Surface Transportation Programs and Services for the Low Income Disadvantaged and Handicapped Persons Residing in the County of Hawaii."
- Introduced by: Senators Ushijima,

- Hara and Carpenter.
- No. 1009 "A Bill for an Act Making an Appropriation for the Old Kona Airport State Park."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1010 "A Bill for an Act Relating to Land Acquisition Adjacent to Hapuna Beach State Park."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1011 "A Bill for an Act Making an Appropriation for the Kehena Ditch Water Project."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1012 "A Bill for an Act Relating to Kailua Park, North Kona, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1013 "A Bill for an Act Relating to Hoolulu Park, Hilo, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1014 "A Bill for an Act Relating to Pahoia Park, Puna, Hawaii."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1015 "A Bill for an Act Making an Appropriation for General Repairs, Maintenance, Renovation and Modernization of Existing Buildings and Structures of the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1016 "A Bill for an Act Making an Appropriation for Security Services for the University of Hawaii-Hilo."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- No. 1017 "A Bill for an Act Making an Appropriation for the Justice for Victims Program in Hawaii County."
- Introduced by: Senators Ushijima, Hara and Carpenter.
- On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar
- for further consideration on Tuesday, February 13, 1979:
- Senate Bill
- No. 774 "A Bill for an Act Relating to Linked Deposits of State Funds."
- Introduced by: Senator Cayetano.
- No. 785 "A Bill for an Act Relating to the Cost of Doing Business."
- Introduced by: Senator Cobb.
- No. 786 "A Bill for an Act Relating to Industrial Loan Companies."
- Introduced by: Senator Cobb.
- No. 787 "A Bill for an Act Relating to Time-Sharing."
- Introduced by: Senator Cobb.
- No. 865 "A Bill for an Act Relating to Vehicle Weights."
- Introduced by: Senator Mizuguchi.
- No. 866 "A Bill for an Act Relating to Air Transportation."
- Introduced by: Senator Mizuguchi.
- No. 867 "A Bill for an Act Relating to Water Transportation."
- Introduced by: Senator Mizuguchi.
- No. 868 "A Bill for an Act Relating to General Aviation."
- Introduced by: Senator Mizuguchi.
- No. 869 "A Bill for an Act Relating to Mass Transit."
- Introduced by: Senator Mizuguchi.
- No. 870 "A Bill for an Act Relating to Inter-Island Transportation System."
- Introduced by: Senator Mizuguchi.
- No. 871 "A Bill for an Act Relating to Land Transportation."
- Introduced by: Senator Mizuguchi.
- No. 872 "A Bill for an Act Relating to the Student Transportation Service Program."
- Introduced by: Senator Mizuguchi.
- No. 887 "A Bill for an Act Relating to Adult Day Activity for the Developmentally Disabled."
- Introduced by: Senators Chong, Carpenter,

Abercrombie and Hara.

No. 888 "A Bill for an Act Relating to Down's Syndrome."

Introduced by: Senators Chong, Carpenter, Abercrombie and Hara.

No. 895 "A Bill for an Act Relating to Motor Vehicle Industry."

Introduced by: Senator Cobb.

No. 896 "A Bill for an Act Relating to Boxing."

Introduced by: Senator Cobb.

No. 897 "A Bill for an Act Relating to Degree Granting Institutions."

Introduced by: Senator Cobb.

No. 898 "A Bill for an Act Relating to Elevator Mechanics."

Introduced by: Senator Cobb.

No. 899 "A Bill for an Act Relating to Rental Agencies."

Introduced by: Senator Cobb.

No. 900 "A Bill for an Act Relating to Massage and Hawaiian Lomilomi."

Introduced by: Senator Cobb.

No. 901 "A Bill for an Act Relating to Collection Agencies."

Introduced by: Senator Cobb.

No. 902 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senators Yamasaki, Ushijima, Takitani and Chong.

No. 903 "A Bill for an Act Amending Section 431-704, Hawaii Revised Statutes."

Introduced by: Senators Yamasaki, Ushijima, Takitani, Kawasaki and Chong.

No. 905 "A Bill for an Act Relating to Employment."

Introduced by: Senators Yamasaki, Ushijima, Takitani and Chong.

No. 908 "A Bill for an Act Relating to Workers' Compensation Insurance."

Introduced by: Senators Yamasaki, Ushijima, Takitani and Chong.

No. 936 "A Bill for an Act Relating

to Libraries."

Introduced by: Senators Campbell, Abercrombie and Carroll.

No. 945 "A Bill for an Act Relating to the Hawaii Visitors Bureau."

Introduced by: Senators Kuroda, Cobb, Ajifu, Chong, Kawasaki, Abercrombie and Cayetano.

No. 947 "A Bill for an Act Relating to the State Office of Tourism."

Introduced by: Senators Kuroda, Cobb, Ajifu, Kawasaki, Takitani, Chong, Cayetano and Abercrombie.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 14), informing the Senate that Senate Concurrent Resolution Nos. 22 and 23, Senate Resolution Nos. 107 to 120, Senate Bill Nos. 650 to 758 and Standing Committee Report No. 13, have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 9, 1979:

Senate Bills Referred to:

No. 650 Committee on Consumer Protection and Commerce

No. 651 Committee on Consumer Protection and Commerce

No. 652 Committee on Consumer Protection and Commerce

No. 653 Committee on Consumer Protection and Commerce

No. 654 Committee on Consumer Protection and Commerce

No. 655 Committee on Consumer Protection and Commerce

No. 656 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 657 Committee on Consumer Protection and Commerce

- No. 658 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 659 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 660 Committee on Consumer Protection and Commerce
- No. 661 Committee on Consumer Protection and Commerce
- No. 662 Committee on Human Resources, then to the Committee on Ways and Means
- No. 663 Committee on Human Resources, then to the Committee on Ways and Means
- No. 664 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 665 Committee on Human Resources, then to the Committee on Judiciary
- No. 666 Committee on Human Resources, then to the Committee on Ways and Means
- No. 667 Jointly to the Committee on Human Resources and the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 668 Committee on Judiciary
- No. 669 Committee on Human Resources
- No. 670 Jointly to the Committee on Intergovernmental Relations and the Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 671 Committee on Human Resources
- No. 672 Committee on Human Resources, then to the Committee on Judiciary
- No. 673 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 674 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 675 Committee on Ways and Means
- No. 676 Committee on Ways and Means
- No. 677 Committee on Transportation, then to the Committee on Ways and Means
- No. 678 Committee on Transportation, then to the Committee on Ways and Means
- No. 679 Committee on Judiciary
- No. 680 Committee on Transportation, then to the Committee on Judiciary
- No. 681 Committee on Transportation, then to the Committee on Ways and Means
- No. 682 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development
- No. 683 Committee on Transportation
- No. 684 Committee on Ways and Means
- No. 685 Committee on Economic Development, then to the Committee on Judiciary
- No. 686 Committee on Judiciary
- No. 687 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 688 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 689 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 690 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 691 Committee on Consumer Protection and Commerce
- No. 692 Committee on Consumer Protection and Commerce
- No. 693 Committee on Consumer Protection and Commerce
- No. 694 Committee on Consumer Protection and Commerce
- No. 695 Committee on Consumer Protection and Commerce
- No. 696 Committee on Consumer Protection and Commerce
- No. 697 Committee on Consumer Protection and Commerce
- No. 698 Committee on Consumer Protection and Commerce

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| No. 699 Committee on Transportation,
then to the Committee on Judiciary | No. 717 Jointly to the Committee on
Education and the Committee on Higher
Education, then to the Committee
on Ways and Means |
| No. 700 Committee on Agriculture,
then to the Committee on Economic
Development | No. 718 Jointly to the Committee on
Education and the Committee on Higher
Education, then to the Committee
on Ways and Means |
| No. 701 Committee on Judiciary | No. 719 Committee on Judiciary |
| No. 702 Committee on Human Resources,
then to the Committee on Judiciary | No. 720 Committee on Agriculture,
then to the Committee on Ways and
Means |
| No. 703 Jointly to the Committee
on Intergovernmental Relations
and the Committee on Education,
then to the Committee on Ways
and Means | No. 721 Committee on Human Resources |
| No. 704 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means | No. 722 Committee on Human Resources |
| No. 705 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means | No. 723 Committee on Human Resources |
| No. 706 Committee on Transportation,
then to the Committee on Ways
and Means | No. 724 Committee on Human Resources |
| No. 707 Committee on Ecology,
Environment and Recreation, then
to the Committee on Intergovernmental
Relations | No. 725 Committee on Human Resources |
| No. 708 Committee on Intergovernmental
Relations, then to the Committee
on Economic Development | No. 726 Committee on Health |
| No. 709 Committee on Intergovernmental
Relations, then to the Committee
on Economic Development | No. 727 Committee on Human Resources |
| No. 710 Committee on Intergovernmental
Relations, then to the Committee
on Judiciary | No. 728 Committee on Human Resources |
| No. 711 Jointly to the Committee
on Health and the Committee on Education,
then to the Committee on Ways
and Means | No. 729 Committee on Human Resources |
| No. 712 Committee on Judiciary | No. 730 Committee on Human Resources |
| No. 713 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 731 Committee on Human Resources |
| No. 714 Committee on Education,
then to the Committee on Ways
and Means | No. 732 Committee on Human Resources |
| No. 715 Committee on Intergovernmental
Relations, then to the Committee
on Economic Development | No. 733 Committee on Human Resources |
| No. 716 Committee on Economic
Development, then to the Committee
on Ways and Means | No. 734 Committee on Human Resources |
| | No. 735 Committee on Human Resources |
| | No. 736 Committee on Human Resources |
| | No. 737 Committee on Human Resources |
| | No. 738 Committee on Human Resources |
| | No. 739 Committee on Human Resources |
| | No. 740 Committee on Human Resources |
| | No. 741 Committee on Human Resources |
| | No. 742 Committee on Human Resources |
| | No. 743 Committee on Human Resources |
| | No. 744 Committee on Human Resources |
| | No. 745 Committee on Human Resources |
| | No. 746 Committee on Human Resources |
| | No. 747 Committee on Human Resources |

No. 748 Committee on Consumer
Protection and Commerce, then
to the Committee on Judiciary

No. 749 Committee on Consumer
Protection and Commerce

No. 750 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 751 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 752 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 753 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 754 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 755 Committee on Human Resources,
then to the Committee on Ways and
Means

No. 756 Committee on Human Resources,
then to the Committee on Ways and
Means

No. 757 Committee on Judiciary

No. 758 Committee on Transportation

At 11:50 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.

ADJOURNMENT

At 11:53 o'clock a.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate
adjourned until 11:30 o'clock a.m.,
Tuesday, February 13, 1979.

TWENTIETH DAY

Tuesday, February 13, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Doctor Edmond Walker, Hawaii Baptist Convention, after which the Roll was called showing all Senators present, with the exception of Senators Mizuguchi and Young, who were excused.

The President announced that he had read and approved the Journal of the Nineteenth Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 77 and 78) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 77), transmitting a report prepared by the Department of Land and Natural Resources, entitled: "A Statewide Fish Aggregating System," was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 78), transmitting a report prepared by the Department of Health on the Implementation of the State Uniform Controlled Substances Act, pursuant to Section 329-11, Hawaii Revised Statutes, was referred to the Committee on Health.

HOUSE COMMUNICATIONS

A communication from the House (Hse. Com. No. 11), transmitting House Concurrent Resolution No. 50, which was adopted by the House of Representatives on February 12, 1979, was read by the Clerk and was placed on file.

Senator Kuroda then moved that H.C.R. No. 50, calling for the mandatory recess for said Regular Session of 1979, from February 20 through February 26, 1979, be adopted, seconded by Senator O'Connor.

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

Ayes, 22. Noes, 1 (Anderson). Excused, 2 (Young and Mizuguchi).

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. No. 24 to 27) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 24), entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING IMMEDIATE CESSATION OF TIMBER HARVESTING IN KILAUEA FOREST RESERVE, HAWAII," was offered by Senator Carroll.

By unanimous consent, S.C.R. No. 24 was referred to the Committee on Economic Development, then to the Committee on Ecology, Environment and Recreation.

A concurrent resolution (S.C.R. No. 25), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE FUND FOR WORKERS' COMPENSATION," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young and Chong.

By unanimous consent, S.C.R. No. 25 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 26), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE FUND FOR WORKERS' COMPENSATION," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young and Chong.

By unanimous consent, S.C.R. No. 26 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 27), 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 jointly offered by Senators Yee, Yamasaki, Takitani, Kuroda, Young, Ajifu, Carpenter, Toyofuku, Anderson and Hara.

By unanimous consent, S.C.R. No. 27 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 124 to 138) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 124), entitled: "SENATE RESOLUTION REQUESTING REPAIR, MAINTENANCE, AND UPKEEP OF THE KAMEHAMEHA WATER TUNNELS," was jointly offered by Senators Hara, Ushijima, Carpenter, Cayetano, Ajifu, Chong, Abercrombie, Carroll, Yamasaki, Soares, George, Takitani and Saiki.

By unanimous consent, S.R. No. 124 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A resolution (S.R. No. 125), entitled: "SENATE RESOLUTION URGING COOPERATION AND JOINT EFFORTS IN THE REFORESTATION/ENERGY PROGRAM DEVELOPMENT," was jointly offered by Senators Hara, Ushijima, Carpenter, Soares, George, Takitani, Cayetano, Kawasaki, Chong, Abercrombie, Saiki, Carroll, Yamasaki and Ajifu.

By unanimous consent, S.R. No. 125 was referred to the Committee on Economic Development.

A resolution (S.R. No. 126), entitled: "SENATE RESOLUTION CONGRATULATING MR. ROBERT HOLDEN UPON HIS SELECTION AS HAWAII'S SALESMAN OF THE YEAR," was jointly offered by Senators Soares, Saiki, Carroll, Young, Wong, George, Carpenter, Yamasaki, Takitani, Cobb, Ajifu, Hara, Chong and Yee.

On motion by Senator Soares, seconded by Senator Saiki and carried, S.R. No. 126 was adopted.

A resolution (S.R. No. 127), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND APPRECIATION TO LYLE L. "GUSS" GUSLANDER," was jointly offered by Senators Soares, Saiki, Kuroda, Young, Takitani, George, Mizuguchi, Ajifu, Wong, Carroll, Yamasaki, Yee, Hara, Carpenter, Cobb and Chong.

On motion by Senator Soares, seconded by Senator Saiki and carried, S.R. No. 127 was adopted.

A resolution (S.R. No. 128), entitled: "SENATE RESOLUTION REQUESTING A PROGRESS REPORT ON THE IMPLEMENTATION OF THE DEVELOPMENTAL DISABILITIES PLAN," was jointly offered by Senators Chong, Carpenter and Abercrombie.

By unanimous consent, S.R. No. 128 was referred to the Committee on Health.

A resolution (S.R. No. 129), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF ADULT DAY ACTIVITY FOR THE DEVELOPMENTALLY DISABLED," was jointly offered by Senators Chong, Carpenter and Abercrombie.

By unanimous consent, S.R. No. 129 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 130), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF TREATMENT OPTION FOR DOWN'S SYNDROME," was jointly offered by Senators

Chong, Carpenter, Abercrombie and Hara.

By unanimous consent, S.R. No. 130 was referred to the Committee on Health.

A resolution (S.R. No. 131), entitled: "SENATE RESOLUTION RESPECTFULLY URGING HAWAII'S DELEGATION TO THE CONGRESS OF THE UNITED STATES TO SPONSOR AND ACTIVELY SUPPORT THE PASSAGE OF LEGISLATION RELATING TO EDIBLE FRESH GINGER-SPICE ROOTS, ZINGIBER OFFICIANALE," was jointly offered by Senators Carpenter, Hara, Ushijima, Yamasaki, Ajifu, Takitani, Abercrombie, Cobb and Chong.

By unanimous consent, S.R. No. 131 was referred to the Committee on Agriculture.

A resolution (S.R. No. 132), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF ALTERNATIVE CAPITAL EXPANSION POLICY OPTIONS OF THE FARM LOAN PROGRAM," was jointly offered by Senators Carpenter, Hara, Ushijima, Takitani, Chong, Yamasaki and Ajifu.

By unanimous consent, S.R. No. 132 was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A resolution (S.R. No. 133), 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 jointly offered by Senators Yee, Yamasaki, Takitani, Kuroda, Young, Ajifu, Carpenter, Toyofuku, Anderson and Hara.

By unanimous consent, S.R. No. 133 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 134), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO RAISE SOCIAL SECURITY LUMP-SUM DEATH BENEFITS," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young, Chong, Saiki and Mizuguchi.

By unanimous consent, S.R. No. 134 was referred to the Committee on Human Resources.

At 11:43 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.

A resolution (S.R. No. 135), entitled: "SENATE RESOLUTION REQUESTING

CONGRESS TO PROVIDE FINANCIAL ASSISTANCE TO STATES DISPROPORTIONATELY AFFECTED BY IMMIGRATION," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young, Cobb, Ajifu, Kawasaki, Chong, Mizuguchi and Saiki.

By unanimous consent, S.R. No. 135 was referred to the Committee on Human Resources.

A resolution (S.R. No. 136), entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF THE FEASIBILITY OF ASSISTING THE PHYSICAL MOBILITY OF THE UNEMPLOYED AND THOSE ENTERING THE LABOR FORCE FOR THE FIRST TIME," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young and Chong.

By unanimous consent, S.R. No. 136 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 137), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE FUND FOR WORKERS' COMPENSATION," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young and Chong.

By unanimous consent, S.R. No. 137 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 138), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A STATE FUND FOR WORKERS' COMPENSATION," was jointly offered by Senators Yamasaki, Ushijima, Takitani, Young and Chong.

By unanimous consent, S.R. No. 138 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

INTRODUCTION OF SENATE BILLS

On motion by Senator Mizuguchi, seconded by Senator Anderson 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 14, 1979:

Senate Bills

No. 1018 "A Bill for an Act Relating to Patient's Rights."

Introduced by: Senators Carpenter, Abercrombie, Takitani and Campbell.

No. 1019 "A Bill for an Act Relating to Hemophilia."

Introduced by: Senators Carpenter, Cobb and Takitani.

No. 1020 "A Bill for an Act Relating to Adult Care Foster Homes."

Introduced by: Senators Carpenter and Takitani.

No. 1021 "A Bill for an Act Relating to Community Health Care Services."

Introduced by: Senators Carpenter, Abercrombie, Soares and Takitani.

No. 1022 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senators Carpenter, Abercrombie, Hara and Ushijima.

No. 1023 "A Bill for an Act Relating to the Renovation of the Old Kona Hospital."

Introduced by: Senators Carpenter, Hara, Ushijima and Takitani.

No. 1024 "A Bill for an Act Making an Appropriation for Safety Improvements to the Hawaii Belt Highway Between Milolii and Honaunau, Kona."

Introduced by: Senators Carpenter, Hara, Ushijima and Takitani.

No. 1026 "A Bill for an Act Relating to Deregulation of CATV."

Introduced by: Senator Chong.

No. 1027 "A Bill for an Act Relating to Public Documents and Public Records."

Introduced by: Senator Chong.

No. 1028 "A Bill for an Act Relating to a Hemophilia Program."

Introduced by: Senators Carpenter, Cobb and Takitani.

No. 1029 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senator Chong, by request.

No. 1030 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senator Chong, by request.

No. 1031 "A Bill for an Act Relating to Rates, Fares and Charges of Common Carriers by Motor Vehicles."

Introduced by: Senator Chong, by request.

No. 1032 "A Bill for an Act Relating to Leasehold Condominiums."

Introduced by: Senator Chong.

No. 1033 "A Bill for an Act Relating to the Bank Examiner."

Introduced by: Senator Cobb, by request.

No. 1034 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senators Cobb and Chong.

No. 1035 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Cobb, by request.

No. 1036 "A Bill for an Act Relating to Appropriations to Alu Like, Inc., for Native Hawaiians Under Native American Programs."

Introduced by: Senator Yim.

No. 1037 "A Bill for an Act Relating to the Removal of Sand."

Introduced by: Senators Hara, Takitani, Carpenter, Abercrombie, Saiki, Carroll, George, Kawasaki, Soares, Kuroda and Toyofuku.

No. 1038 "A Bill for an Act Relating to the Importation of Animals."

Introduced by: Senators Hara, Carroll, Yamasaki, Carpenter, Takitani, Kawasaki, Soares, Kuroda and Abercrombie.

No. 1039 "A Bill for an Act Relating to Kailua Park - North Kona, Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Carroll, Yamasaki, Takitani, George, Saiki, Soares, Kuroda, Abercrombie, Ajifu and Chong.

No. 1040 "A Bill for an Act Relating to Hoolulu Park - Hilo, Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Carroll, Yamasaki, Takitani, George, Saiki, Soares, Kuroda, Chong, Abercrombie and Ajifu.

No. 1041 "A Bill for an Act Relating to Pahoehoe Park - Puna, Hawaii."

Introduced by: Senators Hara, Carpenter, Ushijima, Takitani, Chong, Yamasaki, Carroll, George, Saiki, Ajifu, Soares, Kuroda and Abercrombie.

No. 1042 "A Bill for an Act Relating to Court Costs."

Introduced by: Senators O'Connor, Kuroda, Hara, Cobb, Campbell, Wong,

Mizuguchi, Yamasaki and Takitani.

No. 1043 "A Bill for an Act Relating to Awarding of Interest in Civil Cases."

Introduced by: Senators O'Connor, Kuroda, Cobb, Mizuguchi, Yamasaki, Takitani and Wong.

No. 1044 "A Bill for an Act Relating to Burglar Alarms in Public Schools."

Introduced by: Senators O'Connor, Kuroda, Cobb, Mizuguchi, Yamasaki, Takitani and Wong.

No. 1045 "A Bill for an Act Relating to Jury Instructions."

Introduced by: Senators O'Connor, Kuroda, Hara, Cobb, Campbell, Mizuguchi, Yamasaki, Takitani and Wong.

No. 1046 "A Bill for an Act Making an Appropriation Relating to a Study Concerning Guardianship, Civil Commitment, and Protective Services, Including Formulation of Alternative Approaches for Reform."

Introduced by: Senators O'Connor, Kuroda, Hara, Cobb, Mizuguchi, Yamasaki, Takitani and Wong.

No. 1047 "A Bill for an Act Relating to Special Purpose Revenue Bonds (Constitutional Amendments of Article VII, Section 12, Counties)."

Introduced by: Senators O'Connor, Kuroda, Hara, Cobb, Campbell, Mizuguchi, Yamasaki, Takitani and Wong.

No. 1048 "A Bill for an Act Making an Appropriation Relating to a Study of the Juvenile Justice System."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Ajifu, Carpenter and Kuroda.

No. 1049 "A Bill for an Act Relating to Noise."

Introduced by: Senators O'Connor, Takitani, Cobb, Wong, Ajifu, Carpenter and Kuroda.

No. 1050 "A Bill for an Act Relating to Discrimination."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Carpenter and Kuroda.

No. 1051 "A Bill for an Act Relating to Personnel of the Disciplinary Board of the Supreme Court."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Ajifu,

- Carpenter and Kuroda.
- No. 1052 "A Bill for an Act Relating to an Office of Drama and the Arts."
- Introduced by: Senators O'Connor, Takitani, Wong, Ajifu, Carpenter and Kuroda.
- No. 1053 "A Bill for an Act Relating to Discrimination."
- Introduced by: Senators O'Connor, Takitani, Hara, Kuroda, Wong and Carpenter.
- No. 1054 "A Bill for an Act Relating to District Family Judges."
- Introduced by: Senators Kawasaki, Cobb, Takitani, Abercrombie, Ajifu and Yim.
- No. 1055 "A Bill for an Act Relating to Compensation."
- Introduced by: Senators Kawasaki, Takitani, Abercrombie, Ajifu, Wong and Yim.
- No. 1056 "A Bill for an Act Relating to Highway Safety."
- Introduced by: Senators Kawasaki, Wong, Yim, Cobb, Takitani, Abercrombie and Ajifu.
- No. 1057 "A Bill for an Act Relating to General Excise Tax on Retirement Residences."
- Introduced by: Senators Kawasaki, Takitani, Chong, Campbell, Abercrombie, Carpenter and Cobb.
- No. 1058 "A Bill for an Act Relating to State Officers."
- Introduced by: Senators Kawasaki, Chong, Cayetano, Abercrombie, Carpenter, Ajifu, Wong and Yim.
- No. 1059 "A Bill for an Act Relating to Pau Hana Years."
- Introduced by: Senators Cayetano, Chong, Kawasaki, Kuroda, Mizuguchi, Takitani, Abercrombie, Carpenter, Ajifu, Wong and Yim.
- No. 1060 "A Bill for an Act Relating to Boards and Commissions."
- Introduced by: Senators Kawasaki, Cayetano, Takitani, Hara, Abercrombie, Wong and Yim.
- No. 1061 "A Bill for an Act Relating to Public Employees Labor Organizations."
- Introduced by: Senators Kawasaki,
- Abercrombie, Ajifu and Yim.
- No. 1062 "A Bill for an Act Making an Appropriation for the Additional Staffing of the Public Utilities Division."
- Introduced by: Senator Chong.
- No. 1063 "A Bill for an Act Relating to the Inheritance Tax."
- Introduced by: Senator Chong, by request.
- No. 1064 "A Bill for an Act Relating to Destruction of Certain Domestic Animals."
- Introduced by: Senator Chong, by request.
- No. 1065 "A Bill for an Act Making an Appropriation for Pet Population Control."
- Introduced by: Senator Chong, by request.
- No. 1066 "A Bill for an Act Relating to Marijuana."
- Introduced by: Senator Chong.
- No. 1067 "A Bill for an Act Relating to Tax Credit for Private Employment Agencies."
- Introduced by: Senator Chong.
- No. 1068 "A Bill for an Act Relating to Wine Tasting Licenses."
- Introduced by: Senator Chong, by request.
- No. 1069 "A Bill for an Act Making an Appropriation to Improve the Servicing Activities of the Public Utilities Division."
- Introduced by: Senator Chong.
- No. 1070 "A Bill for an Act Making an Appropriation for the Development and Implementation of a Computerized System for the Public Utilities Commission."
- Introduced by: Senator Chong.
- No. 1071 "A Bill for an Act Making an Appropriation for Staffing of the Public Utilities Commission."
- Introduced by: Senator Chong.
- No. 1084 "A Bill for an Act Relating to Leprosy."
- Introduced by: Senators Carpenter, Abercrombie and Chong.
- No. 1085 "A Bill for an Act Relating

to Gasohol."

Introduced by: Senators Carpenter,
Hara and Chong.

No. 1086 "A Bill for an Act Relating to
Gasohol."

Introduced by: Senators Carpenter,
Hara and Chong.

No. 1087 "A Bill for an Act Making an
Appropriation for Plans and Construction
of a Coastal Highway Between Puna and
Hilo."

Introduced by: Senators Carpenter,
Hara and Ushijima.

No. 1088 "A Bill for an Act Relating to
the Creation of a Hawaii State Department
of Energy."

Introduced by: Senators Carpenter,
Chong, Abercrombie and Yim.

No. 1089 "A Bill for an Act Relating to
the Department of Health."

Introduced by: Senators Carpenter,
Takitani and Chong.

No. 1090 "A Bill for an Act Relating to
the Lapsing of Certain Funds."

Introduced by: Senator Cayetano.

No. 1091 "A Bill for an Act Relating to
the Lapsing of Capital Improvement
Funds."

Introduced by: Senator Cayetano.

No. 1092 "A Bill for an Act Authorizing
the Repair and Maintenance of Public
Facilities and Making Appropriations
Therefor."

Introduced by: Senator Cayetano.

No. 1093 "A Bill for an Act Relating to
New Programs and Making Appropriations
Therefor."

Introduced by: Senator Cayetano.

No. 1094 "A Bill for an Act Relating to
the Issuance of General Obligation Bonds
of the State During the Fiscal Year Beginning
July 1, 1979 and Ending June 30, 1980."

Introduced by: Senator Cayetano.

No. 1095 "A Bill for an Act Relating to
Impoundment Control."

Introduced by: Senator Cayetano.

No. 1096 "A Bill for an Act Making an
Appropriation for Collective Bargaining."

Introduced by: Senator Cayetano.

No. 1097 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1098 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1099 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1100 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1101 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1102 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1103 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1104 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1105 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1106 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1107 "A Bill for an Act Making
an Appropriation for Collective
Bargaining."

Introduced by: Senator Cayetano.

No. 1108 "A Bill for an Act Making
an Appropriation for Collective

- Bargaining."
- Introduced by: Senator Cayetano.
- No. 1109 "A Bill for an Act Making an Appropriation for Employees Excluded from Collective Bargaining."
- Introduced by: Senator Cayetano.
- No. 1110 "A Bill for an Act Relating to Small Boat Harbors."
- Introduced by: Senator Cayetano.
- No. 1111 "A Bill for an Act Relating to Small Boat Harbors."
- Introduced by: Senator Cayetano.
- No. 1112 "A Bill for an Act Relating to the Labor and Industrial Relations Appeals Board."
- Introduced by: Senator Cayetano.
- No. 1113 "A Bill for an Act Relating to Medicine and Surgery."
- Introduced by: Senator Cayetano.
- No. 1114 "A Bill for an Act Relating to Dentistry."
- Introduced by: Senator Cayetano.
- No. 1115 "A Bill for an Act Relating to Motor Vehicle Insurance Rates."
- Introduced by: Senator Cayetano.
- No. 1116 "A Bill for an Act Relating to Boxing Contests."
- Introduced by: Senator Cayetano.
- No. 1117 "A Bill for an Act Relating to the Statewide Transportation Council."
- Introduced by: Senator Cayetano.
- No. 1118 "A Bill for an Act Relating to Ferries."
- Introduced by: Senator Cayetano.
- No. 1119 "A Bill for an Act Relating to the Civil Service Law."
- Introduced by: Senator Cayetano.
- No. 1152 "A Bill for an Act Relating to the Purchase by a Public Utility of Biomass Energy."
- Introduced by: Senators Yim, Hara and Ushijima.
- No. 1153 "A Bill for an Act Relating to Tax Exemptions for Biomass Energy Production."
- Introduced by: Senators Yim, Hara and Ushijima.
- No. 1154 "A Bill for an Act Relating to Public Utility Tax Exemption for Biomass Energy."
- Introduced by: Senators Yim, Hara and Ushijima.
- No. 1155 "A Bill for an Act Making an Appropriation for a Feasibility Study for a State Facility to Transport and Use Agricultural Waste in Land Reclamation."
- Introduced by: Senators Yim, Hara and Ushijima.
- No. 1156 "A Bill for an Act Relating to a State Subsidy for Biomass Energy Production, and Making an Appropriation Therefor."
- Introduced by: Senators Yim, Hara and Ushijima.
- No. 1157 "A Bill for an Act Relating to Public Officers and Employees."
- Introduced by: Senators Toyofuku, Carpenter, Takitani, Yamasaki, Chong, Hara, Kuroda, Abercrombie and Ushijima.
- No. 1158 "A Bill for an Act Relating to Post Retirement Benefits."
- Introduced by: Senators Toyofuku, Carpenter, Takitani, Yamasaki, Hara, Young, Campbell, Ushijima and Abercrombie.
- No. 1159 "A Bill for an Act Relating to Ordinary Disability Retirement Under the Employees' Retirement System."
- Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Campbell, Young, Hara and Ushijima.
- No. 1160 "A Bill for an Act Relating to Additional Airports on Oahu."
- Introduced by: Senators O'Connor, Takitani, Wong, Kuroda and Carpenter.
- No. 1161 "A Bill for an Act Relating to Attorneys' Fees and Costs and Expenses of Litigation."
- Introduced by: Senators O'Connor, Takitani, Wong, Kuroda and Carpenter.
- No. 1162 "A Bill for an Act Relating to Traveling Expenses of State Officials."
- Introduced by: Senators O'Connor, Takitani, Wong, Kuroda and Carpenter.
- No. 1163 "A Bill for an Act Relating to Unserviceable Machine Guns."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Chong, Kuroda and Carpenter.

- No. 1164 "A Bill for an Act Relating to the Establishment and Transfer of Development Rights."

Introduced by: Senators O'Connor, Takitani, Hara and Kuroda.

- No. 1165 "A Bill for an Act Relating to Awards of Attorney's Fees."

Introduced by: Senators O'Connor, Takitani, Hara, Wong and Chong.

- No. 1166 "A Bill for an Act Relating to Banks."

Introduced by: Senator Kawasaki, by request.

- No. 1167 "A Bill for an Act Relating to Savings and Loan Associations."

Introduced by: Senator Kawasaki, by request.

- No. 1168 "A Bill for an Act Relating to Privacy."

Introduced by: Senators Yim, Abercrombie, Kawasaki and Wong.

- No. 1169 "A Bill for an Act Relating to Registration of Vehicles."

Introduced by: Senator Cobb, by request.

- No. 1179 "A Bill for an Act Relating to Renovation of the State Capitol."

Introduced by: Senator Cayetano.

- No. 1180 "A Bill for an Act Making an Appropriation for the Commission on Legislative Salaries."

Introduced by: Senator Cayetano.

- No. 1181 "A Bill for an Act Relating to the Employees Retirement System."

Introduced by: Senators Ushijima, Hara and Carpenter.

- No. 1182 "A Bill for an Act Making an appropriation to the Hawaii Housing Authority."

Introduced by: Senators Ushijima, Hara, Carpenter and Carroll.

- No. 1183 "A Bill for an Act Making an Appropriation for Grants-in-Aid to the County of Hawaii."

Introduced by: Senators Ushijima, Hara and Carpenter.

- No. 1184 "A Bill for an Act Relating to State Court Receiverships."

Introduced by: Senators Ushijima, Takitani, Hara and Carpenter.

- No. 1185 "A Bill for an Act Relating to Public Agency Meetings and Records."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Chong, Kuroda and Carpenter.

- No. 1186 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Kuroda and Carpenter.

- No. 1187 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Senators O'Connor, Takitani, Wong and Kuroda.

- No. 1188 "A Bill for an Act Relating to the Hawaii Motor Vehicle Accident Reparations Act."

Introduced by: Senators O'Connor, Takitani, Kuroda and Carpenter.

- No. 1189 "A Bill for an Act Relating to Insurance."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Kuroda and Carpenter.

- No. 1190 "A Bill for an Act Relating to Welfare."

Introduced by: Senators O'Connor, Takitani, Cobb, Kuroda and Carpenter.

- No. 1191 "A Bill for an Act Relating to Arrests."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Chong and Kuroda.

- No. 1192 "A Bill for an Act Relating to Special Purpose Revenue Bonds (Constitutional Amendments of Article VII, Section 12, State)."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Chong and Kuroda.

- No. 1193 "A Bill for an Act Relating to Cost of Living Increases for State Retirees."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Chong,

- Kuroda and Carpenter.
- No. 1194 "A Bill for an Act Relating to Public Employee Retirement Benefits."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Chong, Kuroda and Carpenter.
- No. 1195 "A Bill for an Act Relating to Theft."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Chong and Carpenter.
- No. 1196 "A Bill for an Act Relating to Traffic Violations."
- Introduced by: Senators O'Connor, Takitani, Chong, Kuroda and Carpenter.
- No. 1197 "A Bill for an Act Relating to Shoplifting."
- Introduced by: Senator Ajifu.
- No. 1198 "A Bill for an Act Relating to a Research Park."
- Introduced by: Senator Ajifu.
- No. 1199 "A Bill for an Act Relating to Small Boat Harbors."
- Introduced by: Senator Ajifu.
- No. 1200 "A Bill for an Act Relating to Taxation of Agricultural Cooperatives and Members."
- Introduced by: Senator Ajifu.
- No. 1201 "A Bill for an Act Making an Appropriation for Improvements at Blanche Pope Elementary School, Oahu."
- Introduced by: Senator Ajifu.
- No. 1202 "A Bill for an Act Making an Appropriation for the Installment of Street Lighting Along the Pali and Likelike Highways."
- Introduced by: Senator Ajifu.
- No. 1203 "A Bill for an Act Relating to Loans to Finance Compliance Costs of Federal Requirements."
- Introduced by: Senator Ajifu.
- No. 1204 "A Bill for an Act Relating to Compulsory School Attendance."
- Introduced by: Senator Ajifu.
- No. 1205 "A Bill for an Act Relating to the School Activities Pilot Project."
- Introduced by: Senator Ajifu.
- No. 1206 "A Bill for an Act Relating to Retirement Contributions and Allowances."
- Introduced by: Senator Anderson.
- No. 1207 "A Bill for an Act Making an Appropriation for the Drug Rehabilitation Program at Oahu Prison."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Chong and Kuroda.
- No. 1208 "A Bill for an Act Relating to Juvenile Justice."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Wong, Chong and Kuroda.
- No. 1209 "A Bill for an Act Relating to an Appropriation for the Honolulu Symphony Society."
- Introduced by: Senators O'Connor, Takitani, Hara, Yamasaki, Chong and Kuroda.
- No. 1210 "A Bill for an Act Relating to Exception to Liability for Volunteers."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Wong, Kuroda and Carpenter.
- No. 1211 "A Bill for an Act Relating to County Committees on the Status of Women."
- Introduced by: Senators O'Connor, Takitani, Hara, Wong, Kuroda, Carpenter and Chong.
- No. 1212 "A Bill for an Act Relating to Product Liability."
- Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Wong, Chong and Kuroda.
- No. 1213 "A Bill for an Act Relating to Safety Inspection of Mopeds."
- Introduced by: Senators O'Connor, Takitani, Hara, Yamasaki, Wong and Kuroda.
- No. 1214 "A Bill for an Act Relating to Mopeds."
- Introduced by: Senators O'Connor, Takitani, Hara, Yamasaki, Wong, Chong and Kuroda.
- No. 1215 "A Bill for an Act Relating to Reapportionment."
- Introduced by: Senators O'Connor, by request, Takitani, Wong, Chong and Kuroda.

No. 1216 "A Bill for an Act Relating to the Board of Education."

Introduced by: Senators O'Connor, Takitani, Cobb, Yamasaki, Wong, Chong and Kuroda.

No. 1217 "A Bill for an Act Relating to Elections (Constitutional Amendments of Article II, Sections 4 and 8)."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Chong and Kuroda.

No. 1218 "A Bill for an Act Relating to Elections."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Chong and Kuroda.

No. 1219 "A Bill for an Act Relating to Fiscal Notes."

Introduced by: Senators Yee, Takitani, Chong, Carroll, Hara, Saiki, Soares and George.

No. 1220 "A Bill for an Act Relating to Transportation."

Introduced by: Senators Yee, Takitani, Carroll, Saiki and Soares.

No. 1221 "A Bill for an Act Relating to Corporate Income Taxation."

Introduced by: Senators Yee, Takitani, Hara, Saiki, George and Soares.

No. 1222 "A Bill for an Act Making an Appropriation for a Feasibility Study of Commercial Fishing Operations in the Leeward Islands."

Introduced by: Senators Yee, Takitani, Chong, Hara, Saiki, Soares and George.

No. 1223 "A Bill for an Act Making an Appropriation for Administrative Services for the Midway Fishery Base."

Introduced by: Senators Yee, George, Takitani, Chong, Carroll, Hara, Saiki and Soares.

No. 1224 "A Bill for an Act Making an Appropriation for the Planning, Construction and Purchase of Equipment for a State Flash Fishery Freezing and Cooling Facility."

Introduced by: Senators Yee, Yim, Mizuguchi, Kuroda, Takitani, George, Young, Ajifu and Carpenter.

No. 1225 "A Bill for an Act Making an Appropriation for a Grant-In-Aid for Planning and Designing a Meeting-General Purpose Room at the McCully Recreation Center, Oahu."

Introduced by: Senators Yee, Takitani, Chong, Carroll, Hara, Saiki and Soares.

No. 1226 "A Bill for an Act Relating to Real Property."

Introduced by: Senators Yee, Takitani, Carroll, Saiki, George and Soares.

No. 1227 "A Bill for an Act Making an Appropriation for the Eradication of Marijuana Cultivation in the State of Hawaii."

Introduced by: Senators Yee and Takitani.

No. 1228 "A Bill for an Act Making an Appropriation for the Operation of a Statewide Fish Aggregating System."

Introduced by: Senators Yee, Takitani, Chong, Carroll, Soares, Hara and Saiki.

No. 1229 "A Bill for an Act Relating to Subsidies to Existing Interisland Surface Carriers to Reduce the High Cost of Food, Agricultural Products and Other Essential Goods Transported Between the Islands."

Introduced by: Senators Yee, Takitani, Carroll, Saiki, Hara and Soares.

No. 1230 "A Bill for an Act Relating to Sentencing."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Wong, Chong, Kuroda and Carpenter.

No. 1231 "A Bill for an Act Relating to Interest on Judgment."

Introduced by: Senators O'Connor, Chong, Takitani, Hara, Cobb, Yamasaki, Wong and Kuroda.

No. 1232 "A Bill for an Act Relating to Unemployment Compensation Fraud."

Introduced by: Senators O'Connor, Takitani, Cobb, Wong, Chong, Kuroda and Carpenter.

No. 1233 "A Bill for an Act Relating to Unemployment Compensation Fraud."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Wong, Chong, Kuroda and Carpenter.

No. 1234 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senators Chong, Abercrombie, Campbell, Yamasaki and Ushijima.

No. 1235 "A Bill for an Act Making

an Appropriation for the General Improvements of the Six Senatorial District."

Introduced by: Senators Chong, Abercrombie, Campbell, Carroll and Yee.

No. 1236 "A Bill for an Act Relating to Gains from the Sale of a Residence."

Introduced by: Senators Chong, Abercrombie, Campbell and Yamasaki.

No. 1237 "A Bill for an Act Relating to Premarital Examination for Rubella and an Appropriation Therefor."

Introduced by: Senators Chong and Abercrombie.

No. 1238 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senators O'Connor, Takitani, Cobb, Wong, Kuroda and Carpenter.

No. 1239 "A Bill for an Act Relating to a Health Services Rate Review Commission."

Introduced by: Senators O'Connor, Takitani, Wong, Chong, Kuroda and Carpenter.

No. 1240 "A Bill for an Act Relating to Natural Death."

Introduced by: Senators O'Connor, Takitani, Wong, Chong, Kuroda and Carpenter.

No. 1241 "A Bill for an Act Relating to Quietening Title."

Introduced by: Senators O'Connor, Takitani, Hara, Wong, Kuroda and Carpenter.

No. 1242 "A Bill for an Act Relating to Criminal Injuries Compensation."

Introduced by: Senators O'Connor, Takitani, Hara, Cobb, Yamasaki, Wong, Chong, Kuroda and Carpenter.

No. 1243 "A Bill for an Act Relating to the State Comprehensive Emergency Medical Services System."

Introduced by: Senator Saiki.

No. 1244 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for the Hawaii Medical Association-Emergency Medical Services Program for the Period July 1, 1979 - June 30, 1980."

Introduced by: Senators Saiki, Carpenter and Takitani.

No. 1245 "A Bill for an Act Relating to the State Comprehensive Medical Services

System."

Introduced by: Senators Saiki, Carpenter and Takitani.

No. 1246 "A Bill for an Act Relating to the Implementation of the State Comprehensive Emergency Medical Services System."

Introduced by: Senators Saiki, Carpenter and Takitani.

No. 1256 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the County of Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1257 "A Bill for an Act Making an Appropriation for a Grant-in-Aid For Capital Improvement Projects in the County of Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1258 "A Bill for an Act Making an Appropriation for Services and Programs Related to the Elderly, Hawaii County."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1259 "A Bill for an Act Making an Appropriation for Panaewa Community Center."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1260 "A Bill for an Act Making an Appropriation for a Boat Ramp in Laupahoehoe, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1261 "A Bill for an Act Making an Appropriation to the Hilo Vocational Rehabilitation Center."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1262 "A Bill for an Act Making an Appropriation for Ka'u Hospital."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1263 "A Bill for an Act Making an Appropriation for Highway Construction, Pahoa, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1264 "A Bill for an Act Making

an Appropriation for Park Improvements, Pahoa School, Pahoa, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1265 "A Bill for an Act Making an Appropriation for the Study and Planning of a West Hawaii Community College."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1266 "A Bill for an Act Making an Appropriation for a Community School at Volcano, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1267 "A Bill for an Act Making an Appropriation for Highway Construction, Kona, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1268 "A Bill for an Act Making an Appropriation for the Design and Construction of Park Facilities at Ka'u Parks."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1269 "A Bill for an Act Making an Appropriation for the Resource, Conservation and Development Program."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1270 "A Bill for an Act Making an Appropriation for Ka'u Hospital, Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1271 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Toyofuku, by request.

No. 1272 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senator Toyofuku, by request.

No. 1273 "A Bill for an Act Relating to the Office of the Public Defender."

Introduced by: Senator Toyofuku, by request.

No. 1274 "A Bill for an Act Relating to Public Employees' Health Fund."

Introduced by: Senator Toyofuku, by request.

No. 1275 "A Bill for an Act Making an Appropriation for the Resurfacing of Kaneohe Bay Drive."

Introduced by: Senators Ajifu and Carpenter.

No. 1276 "A Bill for an Act Relating to Residential Leaseholds."

Introduced by: Senators Cobb, Ajifu and Kuroda.

No. 1277 "A Bill for an Act Relating to the Public Contracts for Design Professional Services Act."

Introduced by: Senators Cobb, O'Connor, Ajifu and Kuroda.

No. 1278 "A Bill for an Act Relating to Roofing Contractor Guarantee Bonds."

Introduced by: Senator Cobb, by request.

No. 1279 "A Bill for an Act Making an Appropriation for Emergency Medical Services, County of Hawaii."

Introduced by: Senators Carpenter, Ushijima and Hara.

No. 1280 "A Bill for an Act Relating to Court Partition Actions for Land."

Introduced by: Senators O'Connor and Carpenter.

No. 1281 "A Bill for an Act Relating to Correctional Legal Services."

Introduced by: Senators O'Connor and Carpenter.

No. 1282 "A Bill for an Act Relating to Penalties for False Statements and Representations in Regard to Unemployment Compensation."

Introduced by: Senators O'Connor, Ajifu and Carpenter.

No. 1283 "A Bill for an Act Relating to Sick Leave."

Introduced by: Senators O'Connor, Hara and Carpenter.

No. 1284 "A Bill for an Act Relating to the Uniform Probate Code and Trusts."

Introduced by: Senators O'Connor, Hara, Ajifu and Carpenter.

No. 1285 "A Bill for an Act Relating to Time-Sharing Disclosure."

Introduced by: Senators O'Connor and Carpenter.

No. 1286 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senators O'Connor, Kuroda, Chong, Takitani and Carpenter.

No. 1287 "A Bill for an Act Relating to Political Contribution Designation from Income Tax Liability."

Introduced by: Senators O'Connor, Takitani, Kuroda and Carpenter.

No. 1288 "A Bill for an Act Relating to the Compensation of Certain Persons Under the Criminal Injuries Compensation Act and Providing Appropriations Therefor."

Introduced by: Senators O'Connor, Takitani, Kuroda, Carpenter and Chong.

No. 1289 "A Bill for an Act Relating to General Excise Licenses."

Introduced by: Senators O'Connor, Kuroda, Carpenter, Chong and Takitani.

No. 1298 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Abercrombie.

No. 1299 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Abercrombie.

No. 1300 "A Bill for an Act Relating to Retirement."

Introduced by: Senator Abercrombie.

No. 1301 "A Bill for an Act Making an Appropriation for the Hawaii Theater Festival."

Introduced by: Senator Abercrombie.

No. 1302 "A Bill for an Act Relating to the Disposal of Solid Wastes."

Introduced by: Senator Abercrombie, by request.

No. 1304 "A Bill for an Act Proposing an Amendment to Article II of the Constitution of the State of Hawaii."

Introduced by: Senators George, O'Connor, Carpenter, Hara and Saiki.

No. 1305 "A Bill for an Act Making a Grant-in-Aid for Various Park Improvements, City and County of Honolulu."

Introduced by: Senators George, Ajifu and Anderson.

No. 1306 "A Bill for an Act Making an Appropriation for Capital Improvements, Waimanalo Community Multi-Purpose

Center."

Introduced by: Senators George, Ajifu and Anderson.

No. 1307 "A Bill for an Act Making an Appropriation for Emergency Repairs and Maintenance, Waimanalo Community Services Center."

Introduced by: Senators George, Ajifu and Anderson.

No. 1308 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the Third Senatorial District."

Introduced by: Senators George, Ajifu and Anderson.

No. 1309 "A Bill for an Act Making an Appropriation for Various Highway Improvements, Third Senatorial District, City and County of Honolulu."

Introduced by: Senators George, Ajifu and Anderson.

No. 1310 "A Bill for an Act Making an Appropriation for the Castle High School Special Motivation Program."

Introduced by: Senators Anderson, Saiki, Toyofuku, George, Carpenter, Yee, Carroll and Mizuguchi.

No. 1311 "A Bill for an Act Relating to Zoning."

Introduced by: Senator Carroll.

No. 1312 "A Bill for an Act Relating to Hawaii Crime."

Introduced by: Senators Kawasaki, Cayetano, Takitani, Yim, Abercrombie, Carpenter and Chong.

No. 1313 "A Bill for an Act Relating to Funeral Escorts."

Introduced by: Senators Kawasaki, Abercrombie, Chong, Cayetano, Takitani, Yim and Carpenter.

No. 1315 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Ajifu.

No. 1316 "A Bill for an Act Relating to Audit and Accounting."

Introduced by: Senator Wong, by request.

No. 1317 "A Bill for an Act Relating to Agricultural Loans."

Introduced by: Senator Wong, by request.

No. 1318 "A Bill for an Act Relating to an Appropriation for the New Farmer Loan Program."

Introduced by: Senator Wong, by request.

No. 1319 "A Bill for an Act Relating to an Appropriation for the Aquaculture Loan Program."

Introduced by: Senator Wong, by request.

No. 1320 "A Bill for an Act Relating to the Sale of Agricultural and Vegetable Seeds."

Introduced by: Senator Wong, by request.

No. 1321 "A Bill for an Act Relating to Aquaculture Loans."

Introduced by: Senator Wong, by request.

No. 1322 "A Bill for an Act Relating to Unauthorized Vehicles on School and Library Grounds."

Introduced by: Senator Wong, by request.

No. 1323 "A Bill for an Act Relating to the Definition of Death."

Introduced by: Senator Wong, by request.

No. 1324 "A Bill for an Act Relating to Controlled Substances."

Introduced by: Senator Wong, by request.

No. 1325 "A Bill for an Act Relating to Wastewater Treatment Personnel."

Introduced by: Senator Wong, by request.

No. 1326 "A Bill for an Act Relating to Planning."

Introduced by: Senator Wong, by request.

No. 1327 "A Bill for an Act Relating to Corporations."

Introduced by: Senator Wong, by request.

No. 1328 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senator Wong, by request.

No. 1329 "A Bill for an Act Relating to Vocational Rehabilitation."

Introduced by: Senator Wong, by request.

No. 1330 "A Bill for an Act Relating to Blind and Visually Handicapped Persons."

Introduced by: Senator Wong, by request.

No. 1331 "A Bill for an Act Relating to Housing."

Introduced by: Senator Wong, by request.

No. 1332 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 1333 "A Bill for an Act Relating to Motor Carrier Safety Law."

Introduced by: Senator Wong, by request.

No. 1334 "A Bill for an Act Relating to Zoning."

Introduced by: Senator Carroll.

No. 1335 "A Bill for an Act Relating to Narcotics and Dangerous Drugs Control."

Introduced by: Senator O'Connor.

No. 1336 "A Bill for an Act Relating to Fees and Expenses of Trustees."

Introduced by: Senator O'Connor.

No. 1337 "A Bill for an Act Relating to Real Property Tax Credit."

Introduced by: Senator O'Connor.

No. 1338 "A Bill for an Act Relating to Boating."

Introduced by: Senator O'Connor.

No. 1339 "A Bill for an Act Relating to the Limitation of Action for Damages Based on Construction to Improve Real Property."

Introduced by: Senator O'Connor, by request.

No. 1370 "A Bill for an Act Relating to the Compensation Law."

Introduced by: Senator Wong, by request.

No. 1371 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Wong, by request.

No. 1372 "A Bill for an Act Relating to the Administrative Procedures Act."

Introduced by: Senator Wong, by request.

No. 1373 "A Bill for an Act Relating to the Department of Education: Making Supplementary Appropriations out of General Revenues to Cover Certain

Deficiencies for the Fiscal Year Ending June 30, 1979."

Introduced by: Senator Wong, by request.

No. 1374 "A Bill for an Act Relating to the Franchise Investment Law."

Introduced by: Senator Wong, by request.

No. 1375 "A Bill for an Act Relating to Gasoline."

Introduced by: Senator Wong, by request.

No. 1376 "A Bill for an Act Relating to Gasoline Dealers."

Introduced by: Senator Wong, by request.

No. 1377 "A Bill for an Act Relating to Gasoline Dealers."

Introduced by: Senator Wong, by request.

No. 1378 "A Bill for an Act Relating to the Establishment and Operations of a Hawaii Motor Vehicle Insurance Fund and Making an Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 1379 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid to Saint Francis Hospital, Oahu."

Introduced by: Senators Wong, Campbell and Yim.

No. 1383 "A Bill for an Act Making an Appropriation for Teacher's Cottages in Hawaii County."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 1384 "A Bill for an Act Relating to Kohala High and Elementary School, Hawaii."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 1385 "A Bill for an Act Making an Appropriation for Intersection Improvement at Plumeria Road, Hawaii Belt Road, Hawaii County."

Introduced by: Senators Ushijima, Hara and Carpenter.

No. 1386 "A Bill for an Act Making an Appropriation for Capital Improvement Projects on Kauai."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1387 "A Bill for an Act Relating to Child Care Centers."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1388 "A Bill for an Act Relating to Human Services."

Introduced by: Senators Toyofuku, Hara, Takitani, Ushijima, Chong and Mizuguchi.

No. 1389 "A Bill for an Act Relating to Planning and Development on Kauai."

Introduced by: Senators Toyofuku, Chong, Takitani, Hara, Ushijima and Mizuguchi.

No. 1390 "A Bill for an Act Relating to Temporary Disability Insurance."

Introduced by: Senators Toyofuku, Takitani, Hara and Ushijima.

No. 1391 "A Bill for an Act Relating to Civil Service."

Introduced by: Senators Toyofuku, Takitani and Chong.

No. 1392 "A Bill for an Act Relating to an Income Tax Credit for Employment Service Fees."

Introduced by: Senators Toyofuku and Carpenter.

No. 1393 "A Bill for an Act Relating to the Limitation of Actions."

Introduced by: Senators Toyofuku and Takitani.

No. 1394 "A Bill for an Act Making an Appropriation for Title XX Child Care."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1395 "A Bill for an Act Relating to the Safety and Health Profession."

Introduced by: Senators Toyofuku, Takitani, Abercrombie, Chong and Carpenter.

No. 1396 "A Bill for an Act Relating to Workers' Compensation Law."

Introduced by: Senators Toyofuku, Takitani, Abercrombie, Chong, Carpenter, Kawasaki and Hara.

No. 1397 "A Bill for an Act Relating to Traveling Expenses of State Officials."

Introduced by: Senators Toyofuku, Takitani, Abercrombie, Campbell and Ushijima.

No. 1398 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Toyofuku, Takitani, Hara, Abercrombie, Chong and Carpenter.

No. 1399 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Toyofuku, Takitani and Carpenter.

No. 1400 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Toyofuku, Takitani and Chong.

No. 1401 "A Bill for an Act Making an Appropriation for the 75th Anniversary Commission."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1402 "A Bill for an Act Relating to Employment."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1403 "A Bill for an Act Relating to Workers' Compensation."

Introduced by: Senators Toyofuku and Takitani.

No. 1404 "A Bill for an Act Relating to Collective Bargaining."

Introduced by: Senators Toyofuku, Takitani, Abercrombie, Chong and Carpenter.

No. 1405 "A Bill for an Act Relating to the Compensation of Public Employees."

Introduced by: Senators Toyofuku, Carpenter, Takitani, Chong, Abercrombie and Kuroda.

No. 1406 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to Hale Opi, Kauai."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1407 "A Bill for an Act Relating to the Employment Security Law."

Introduced by: Senators Toyofuku and Takitani.

No. 1408 "A Bill for an Act Relating to Social Workers."

Introduced by: Senators Toyofuku, Takitani and Chong.

No. 1409 "A Bill for an Act Relating to the Governor's Agriculture Coordinating Committee."

Introduced by: Senators Toyofuku, Takitani, Chong and Mizuguchi.

No. 1410 "A Bill for an Act Relating to the Employees' Retirement System."

Introduced by: Senators Toyofuku, Takitani and Chong.

No. 1411 "A Bill for an Act Relating to an Appropriation for the Planning and Development of Kauai."

Introduced by: Senators Toyofuku, Takitani, Hara, Ushijima, Chong and Mizuguchi.

No. 1412 "A Bill for an Act Relating to the Public Employees Health Fund."

Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Campbell, Hara and Ushijima.

No. 1413 "A Bill for an Act Relating to Manpower Planning."

Introduced by: Senators Toyofuku, Yamasaki, O'Connor, Campbell, Carpenter, Takitani, Cayetano, Hara, Kuroda and Ushijima.

No. 1414 "A Bill for an Act Relating to Collective Bargaining in Public Employment."

Introduced by: Senators Toyofuku, Takitani, Yamasaki, Carpenter, Abercrombie, Campbell, Hara and Ushijima.

No. 1415 "A Bill for an Act Relating to Bail."

Introduced by: Senators Toyofuku, Takitani, Hara, Abercrombie, Chong, Carpenter, Kawasaki and Mizuguchi.

No. 1416 "A Bill for an Act Relating to Juvenile Offenders."

Introduced by: Senators Toyofuku, Takitani, Hara, Cobb, Abercrombie, Chong and Carpenter.

No. 1417 "A Bill for an Act Making an Appropriation for the Hana Like Home Visitor Project."

Introduced by: Senators Toyofuku, Takitani, Hara, Campbell, Mizuguchi, Ushijima and Young.

No. 1418, "A Bill for an Act Relating to Retirement."

Introduced by: Senators Toyofuku,

- Carpenter, Takitani, Abercrombie,
Hara, Kuroda, Ushijima and Campbell.
- No. 1419 "A Bill for an Act Relating to
Investigators in the Department of the
Attorney General."
- Introduced by: Senators Toyofuku,
Takitani, Yamasaki, Chong, Carpenter,
Abercrombie, Campbell and Ushijima.
- No. 1422 "A Bill for an Act Relating to
Public Service."
- Introduced by: Senator Cayetano.
- No. 1423 "A Bill for an Act Making an
Appropriation for the Purchase of West
Beach, Ewa, Oahu."
- Introduced by: Senators Cayetano,
Young, Mizuguchi and Kuroda.
- No. 1424 "A Bill for an Act Relating to
Transient Accommodations."
- Introduced by: Senators Cayetano,
Abercrombie, Wong and Kawasaki.
- No. 1425 "A Bill for an Act Relating to
the Science and Engineering Fair."
- Introduced by: Senators Kuroda, Takitani,
Hara and Chong.
- No. 1426 "A Bill for an Act Relating to
Reservations for Transient Accommodations."
- Introduced by: Senators Kuroda, Takitani,
Kawasaki and Chong.
- No. 1427 "A Bill for an Act Making an
Appropriation for the Pacific Islands
Development Commission."
- Introduced by: Senators Kuroda, Takitani,
Hara and Chong.
- No. 1428 "A Bill for an Act Relating to
Minimum Finance Charges on Retail
Installment Contracts."
- Introduced by: Senators Kuroda, Takitani,
Kawasaki and Chong.
- No. 1429 "A Bill for an Act Relating to
Hawaii Penal Code."
- Introduced by: Senator Abercrombie.
- No. 1430 "A Bill for an Act Relating to
Fishing."
- Introduced by: Senators Kuroda, Yim,
Young, Cayetano, Mizuguchi, Kawasaki
and Soares.
- No. 1431 "A Bill for an Act Relating to
Tuition Waivers."
- Introduced by: Senators Kuroda, Cobb,
- Carroll, Ajifu, Young, Abercrombie,
Yim, Hara, Toyofuku, Saiki, Campbell,
Yamasaki, Chong, Kawasaki, Anderson,
Mizuguchi, Takitani, Cayetano and
Soares.
- No. 1432 "A Bill for an Act Relating
to the Statewide Traffic Code."
- Introduced by: Senators Kuroda,
Takitani and O'Connor.
- No. 1433 "A Bill for an Act Relating
to Public Lands."
- Introduced by: Senators Kuroda,
Chong, Takitani and Kawasaki.
- No. 1434 "A Bill for an Act Relating
to Tourism."
- Introduced by: Senators Kuroda,
Takitani, Hara and Kawasaki.
- No. 1435 "A Bill for an Act Relating
to Specific Powers of Industrial Loan
Companies."
- Introduced by: Senators Kuroda,
Takitani, Hara and Kawasaki.
- No. 1436 "A Bill for an Act Making
an Appropriation for a Water Line
to Mokauea Island, Honolulu."
- Introduced by: Senator Abercrombie.
- No. 1437 "A Bill for an Act Relating
to Mopeds."
- Introduced by: Senators George and
Mizuguchi.
- No. 1438 "A Bill for an Act Relating
to Industrial Loan Companies."
- Introduced by: Senators Kuroda,
Takitani and Chong.
- No. 1439 "A Bill for an Act Relating
to Industrial Loan Companies."
- Introduced by: Senators Kuroda,
Takitani and Chong.
- No. 1440 "A Bill for an Act Relating
to Industrial Loan Companies."
- Introduced by: Senators Kuroda,
Takitani and Chong.
- No. 1441 "A Bill for an Act Relating
to Industrial Loan Companies."
- Introduced by: Senators Kuroda,
Takitani and Chong.
- No. 1442 "A Bill for an Act Relating
to an Office on Hawaiian Affairs."

Introduced by: Senators Young, Carpenter and Kuroda.

No. 1443 "A Bill for an Act Relating to Public School Improvement Projects in the Fourth Senatorial District."

Introduced by: Senators Young, Cayetano, Kuroda and Mizuguchi.

No. 1444 "A Bill for an Act Relating to Park Development and Improvement Projects in the Fourth Senatorial District."

Introduced by: Senators Young, Cayetano, Kuroda and Mizuguchi.

No. 1445 "A Bill for an Act Relating to Health Facility Improvement Projects in the Fourth Senatorial District."

Introduced by: Senators Young, Cayetano, Kuroda and Mizuguchi.

No. 1446 "A Bill for an Act Relating to Mandatory Imprisonment for Firearms Felony."

Introduced by: Senator Young, by request.

No. 1447 "A Bill for an Act Relating to Real Property Tax Exemptions."

Introduced by: Senator Young.

No. 1448 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Young.

No. 1449 "A Bill for an Act Relating to Real Property Taxes."

Introduced by: Senators Young, Hara, Carpenter, Cayetano, Ajifu and Soares.

No. 1450 "A Bill for an Act Relating to an Okinawan Celebration Commission."

Introduced by: Senators Young, Ajifu, Campbell, Cobb, Takitani, Carpenter, Toyofuku, Soares, Carroll, Yim, Hara and Chong.

No. 1451 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Hara, Toyofuku, Soares, Yim and Carpenter.

No. 1452 "A Bill for an Act Making an Appropriation for Development of Design Standards or Guidelines for the National Flood Insurance Act."

Introduced by: Senator Young, by request.

No. 1453 "A Bill for an Act Relating to the State Retirement System."

Introduced by: Senators Young, Hara,

Carpenter and Soares.

No. 1454 "A Bill for an Act Relating to Mandatory Imprisonment for Firearms Felony."

Introduced by: Senator Young, by request.

No. 1455 "A Bill for an Act Relating to the Maui Loa Hawaiian Islands Hotel Room Tax."

Introduced by: Senator Young, by request.

No. 1456 "A Bill for an Act Relating to an Appropriation for Pest Control."

Introduced by: Senator Young.

No. 1457 "A Bill for an Act Making an Appropriation to the Hawaiian Loan Guarantee Fund."

Introduced by: Senator Young.

No. 1458 "A Bill for an Act Relating to the Office of Hawaiian Affairs."

Introduced by: Senators Young, Wong and Chong.

No. 1459 "A Bill for an Act Relating to Powers of Counties with Respect to Low and Moderate Income Housing Programs and the Issuance of Special Purpose Revenue Bonds for Such Programs."

Introduced by: Senator Young.

No. 1460 "A Bill for an Act Relating to Tax Exemptions for Low and Moderate Income Housing."

Introduced by: Senator Young.

No. 1461 "A Bill for an Act Relating to Tax Exemptions for Low and Moderate Income Housing."

Introduced by: Senator Young.

No. 1462 "A Bill for an Act Relating to Horizontal Property Regimes."

Introduced by: Senator Young, by request.

No. 1463 "A Bill for an Act Relating to the Women's Athletics Program of the University of Hawaii."

Introduced by: Senators Young, Saiki, George, Cobb, Ajifu, Kuroda, Carpenter and Mizuguchi.

No. 1464 "A Bill for an Act Relating to Rape."

Introduced by: Senators Young, Saiki,

George, Cobb, Cayetano, Ajifu, Kuroda, Carpenter and Mizuguchi.

- No. 1465 "A Bill for an Act Making an Appropriation for a Displaced Homemaker Program."

Introduced by: Senators Young, Saiki, George, Cobb, Ajifu, Kuroda, Carpenter and Mizuguchi.

- No. 1466 "A Bill for an Act Relating to County Committees on the Status of Women."

Introduced by: Senators Young, George, Saiki, Kuroda, Carpenter and Mizuguchi.

- No. 1467 "A Bill for an Act Relating to Uncompensated Work Experience."

Introduced by: Senators Young, Saiki, George, Cobb, Kuroda, Carpenter and Mizuguchi.

- No. 1468 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senators Young, Saiki, George, Cobb, Ajifu, Kuroda, Carpenter and Mizuguchi.

- No. 1469 "A Bill for an Act Making an Appropriation for Continuing Education for Women."

Introduced by: Senators Young, George, Saiki, Chong, Kuroda, Yamasaki, Ushijima, Cayetano, Mizuguchi, Yee, Takitani, Carpenter, Campbell, O'Connor, Toyofuku, Carroll and Abercrombie.

- No. 1470 "A Bill for an Act Making an Appropriation for Child Care."

Introduced by: Senators Young, Saiki, George, Cobb, Ajifu, Kuroda, Carpenter and Mizuguchi.

- No. 1471 "A Bill for an Act Relating to Spouse Abuse."

Introduced by: Senators Young, George, Saiki, Chong, Kuroda, Yamasaki, Ushijima, Cayetano, Mizuguchi, Yee, Takitani, Carpenter, Campbell, O'Connor, Toyofuku, Carroll and Abercrombie.

- No. 1472 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for the Sex Abuse Treatment Center."

Introduced by: Senators Young, George, Saiki, Chong, Kuroda, Abercrombie, Mizuguchi, Carpenter, Campbell, O'Connor, Toyofuku, Carroll, Yamasaki, Ushijima, Cayetano, Yee and Takitani.

- No. 1473 "A Bill for an Act Making an Appropriation for a Cafetorium for Nanakuli High School, Oahu."

Introduced by: Senators Young, Kuroda, Cayetano and Mizuguchi.

- No. 1474 "A Bill for an Act Making an Appropriation for Expanded Emergency Room Services at the Waianae Coast Comprehensive Health Center, Oahu."

Introduced by: Senators Young, Carpenter, Hara, Ajifu, Soares, Kuroda and Mizuguchi.

- No. 1475 "A Bill for an Act Making an Appropriation for the Waianae Coast Culture and Arts Society, Oahu."

Introduced by: Senators Young, Kuroda, Cayetano and Mizuguchi.

- No. 1476 "A Bill for an Act Making an Appropriation for the Kilani Manor Housing Project, Wahiawa, Oahu."

Introduced by: Senators Young, Kuroda, Cayetano, Ajifu, Soares and Mizuguchi.

- No. 1477 "A Bill for an Act Relating to Retirement Benefits for Emergency Medical Technicians."

Introduced by: Senators Young, Hara, Carpenter and Soares.

- No. 1478 "A Bill for an Act Making an Appropriation for the Production of a Documented Historical Record of the Okinawans in Hawaii."

Introduced by: Senators Young and Ajifu.

- No. 1479 "A Bill for an Act Relating to Housing."

Introduced by: Senators Young, Carpenter, Ajifu, Soares and Kuroda.

- No. 1480 "A Bill for an Act Making an Appropriation for Housing."

Introduced by: Senators Young, Hara, Ajifu, Soares and Kuroda.

- No. 1481 "A Bill for an Act Relating to the Hawaii Community Development Authority."

Introduced by: Senators Young, Hara, Carpenter, Ajifu, Soares and Kuroda.

- No. 1482 "A Bill for an Act Making an Appropriation for Housing."

Introduced by: Senators Young, Hara, Soares, Kuroda and Ajifu.

- No. 1483 "A Bill for an Act Relating to Exemption from Civil Service for the Hawaii Housing Authority Tenant Hire Program."

Introduced by: Senators Young, Hara and Kuroda.

No. 1490 "A Bill for an Act Making an Appropriation for Monthly Mini-Conferences on Hawaiian Values."

Introduced by: Senators Hara and Takitani.

No. 1491 "A Bill for an Act Making an Appropriation for Ocean and Celestial Navigation."

Introduced by: Senators Mizuguchi, O'Connor, Hara, Takitani and Kuroda.

No. 1492 "A Bill for an Act Relating to the Hawaii Insurance Law."

Introduced by: Senators Mizuguchi, Abercrombie, O'Connor, Takitani and Kuroda.

No. 1493 "A Bill for an Act Relating to Insurance."

Introduced by: Senators Mizuguchi, Abercrombie, O'Connor, Takitani and Kuroda.

No. 1494 "A Bill for an Act Relating to Conservation Land."

Introduced by: Senator Mizuguchi.

No. 1495 "A Bill for an Act Making an Appropriation for an Alternative Education Program for the Leeward District."

Introduced by: Senators Mizuguchi, Cayetano, Kuroda and Young.

No. 1496 "A Bill for an Act Making an Appropriation for Mililani District Park Gymnasium."

Introduced by: Senators Mizuguchi, Kuroda, Cayetano and Young.

No. 1497 "A Bill for an Act Making an Appropriation for Kuahelani Neighborhood Park."

Introduced by: Senators Mizuguchi, Kuroda, Cayetano and Young.

No. 1498 "A Bill for an Act Making an Appropriation for Kipapa Park."

Introduced by: Senators Mizuguchi, Kuroda, Cayetano and Young.

No. 1499 "A Bill for an Act Making an Appropriation for a Comprehensive Alternative Program for Secondary School Students in Public Schools."

Introduced by: Senators Mizuguchi, Takitani and Kuroda.

No. 1500 "A Bill for an Act Making an

Appropriation for Plans and Construction for the Conversion of High School Tracks to All-Weather Tracks."

Introduced by: Senators Mizuguchi, Takitani, Kuroda and Hara.

No. 1501 "A Bill for an Act Relating to Special Needs Funds for the Public Schools."

Introduced by: Senators Mizuguchi, Takitani and Kuroda.

No. 1502 "A Bill for an Act Relating to Class Load Relief in the Department of Education."

Introduced by: Senators Mizuguchi, Takitani, Kuroda and Hara.

No. 1503 "A Bill for an Act Making an Appropriation for a Pilot Test of the Use of Surveillance Cameras on School Buses."

Introduced by: Senators Mizuguchi, Takitani, Kuroda and Hara.

No. 1504 "A Bill for an Act Making an Appropriation for Recreational Boat Launching Facilities."

Introduced by: Senator Mizuguchi.

No. 1507 "A Bill for an Act Relating to Leasehold Conversion."

Introduced by: Senator Mizuguchi.

No. 1508 "A Bill for an Act Relating to the State Retirement System."

Introduced by: Senator Toyofuku.

No. 1509 "A Bill for an Act Relating to Tourism Promotion."

Introduced by: Senators Kuroda and Kawasaki.

No. 1510 "A Bill for an Act Relating to Security Guards."

Introduced by: Senator Wong, by request.

No. 1511 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid to Kuakini Medical Center."

Introduced by: Senators Wong, Yim and Campbell.

No. 1512 "A Bill for an Act Relating to the Uniform Comparative Fault Act."

Introduced by: Senator Wong, by request.

No. 1513 "A Bill for an Act Relating to the Uniform Commercial Code."

Introduced by: Senator Wong, by request.

No. 1514 "A Bill for an Act Relating to Real Property Taxation."

Introduced by: Senator Wong, by request.

No. 1515 "A Bill for an Act Relating to the Sale of Time Sharing Units."

Introduced by: Senators Wong and Chong.

No. 1516 "A Bill for an Act Relating to Time Sharing."

Introduced by: Senator Wong.

No. 1518 "A Bill for an Act Relating to the State Foundation on Culture and the Arts."

Introduced by: Senator Yamasaki.

No. 1519 "A Bill for an Act Relating to Hawaii Bank Act of 1931."

Introduced by: Senator Carpenter.

No. 1520 "A Bill for an Act Relating to Hawaii Bank Act of 1931."

Introduced by: Senator Carpenter.

No. 1521 "A Bill for an Act Relating to the Exemption of the Sale of Prescription Drugs from the General Excise Law."

Introduced by: Senator Carpenter.

No. 1522 "A Bill for an Act Relating to the Retention of Medical Records."

Introduced by: Senators Carpenter, Saiki, George and Takitani.

No. 1523 "A Bill for an Act Relating to Criminal Investigation Units."

Introduced by: Senators Carpenter, Chong and Hara.

No. 1524 "A Bill for an Act Relating to Respite Services for Developmentally Disabled Persons."

Introduced by: Senators Carpenter, Chong, Saiki and Campbell.

No. 1525 "A Bill for an Act Relating to the Hawaii Guava Producers Association and Making an Appropriation Thereof."

Introduced by: Senators Carpenter and Hara.

No. 1526 "A Bill for an Act Relating to Post Retirement Allowances."

Introduced by: Senators Carpenter, Saiki and Campbell.

No. 1527 "A Bill for an Act Making an Appropriation for Criminal Investigation Units."

Introduced by: Senators Carpenter and Hara.

No. 1528 "A Bill for an Act Making an Appropriation for New Facilities, Easter Seal Society."

Introduced by: Senators Carpenter, Hara, Wong and Kuroda.

No. 1529 "A Bill for an Act Making an Appropriation for Lapakahi North Kohala State Park Complex, Hawaii."

Introduced by: Senators Carpenter and Hara.

No. 1530 "A Bill for an Act Relating to Alternative Crops for Kohala, Hawaii."

Introduced by: Senators Carpenter and Hara.

No. 1531 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid for the Infant and Child Development Programs for FY 1980-1981."

Introduced by: Senators Carpenter and Takitani.

No. 1532 "A Bill for an Act Making an Appropriation for Emergency Medical Services, County of Kauai."

Introduced by: Senators Carpenter and Takitani.

No. 1533 "A Bill for an Act Making an Appropriation for Soil and Water Conservation."

Introduced by: Senators Carpenter, Hara and Takitani.

No. 1534 "A Bill for an Act Making an Appropriation to the University of Hawaii's Dental Hygiene Program."

Introduced by: Senators Carpenter, Saiki and George.

No. 1535 "A Bill for an Act Relating to Establishment of an Emergency Medical Training Services' List."

Introduced by: Senators Carpenter and Takitani.

No. 1536 "A Bill for an Act Making an Appropriation for Rehabilitation Hospital of the Pacific."

Introduced by: Senators Carpenter and Takitani.

No. 1537 "A Bill for an Act Relating to Kapiolani Children's Medical Center."

Introduced by: Senators Carpenter, Takitani, Kuroda and Hara.

No. 1538 "A Bill for an Act Relating to the Establishment of a Judicial Review Board."

Introduced by: Senator Carpenter.

No. 1539 "A Bill for an Act Relating to Exception to Liability."

Introduced by: Senators Carpenter, Takitani, Wong, Kuroda and Hara.

No. 1540 "A Bill for an Act Relating to Equipment."

Introduced by: Senator Carpenter.

No. 1541 "A Bill for an Act Making an Appropriation for a Hawaiian Studies Program at the University of Hawaii at Hilo."

Introduced by: Senators Carpenter, Hara, George, Wong and Kuroda.

No. 1542 "A Bill for an Act Relating to the Establishment of a Minimum Quota for the Hiring of the Handicapped and or Developmentally Disabled Persons."

Introduced by: Senators Carpenter and Takitani.

No. 1543 "A Bill for an Act Making an Appropriation for Teacher Housing Maintenance and Improvements."

Introduced by: Senators Carpenter, Hara, George and Wong.

No. 1544 "A Bill for an Act Relating to Alcoholic Beverage Sales."

Introduced by: Senators Carpenter, Wong and Kuroda.

No. 1545 "A Bill for an Act Relating to Registered Nurses Licensure Fees."

Introduced by: Senators Carpenter, by request, and Takitani.

No. 1546 "A Bill for an Act Relating to Hawaiian Home Lands."

Introduced by: Senators Carpenter, George, Kuroda and Hara.

No. 1548 "A Bill for an Act Relating to the State Health Planning and Development Agency."

Introduced by: Senators Carpenter, Saiki and Campbell.

No. 1552 "A Bill for an Act Relating to Historical Objects and Sites."

Introduced by: Senators Hara, Carpenter,

Yamasaki, Takitani, Toyofuku, O'Connor and Mizuguchi.

No. 1553 "A Bill for an Act Relating to Fish and Game Penalties."

Introduced by: Senators Hara, Abercrombie, Carpenter, Takitani, Kuroda, Mizuguchi, Saiki and Yee.

No. 1588 "A Bill for an Act Relating to Land Use."

Introduced by: Senators Hara and Carpenter.

No. 1589 "A Bill for an Act Relating to Age Discrimination in Employment."

Introduced by: Senators Hara, Yamasaki, Takitani, Toyofuku, O'Connor and Mizuguchi.

No. 1590 "A Bill for an Act Making an Appropriation for Small Arms Firing Ranges."

Introduced by: Senators Hara, Takitani, Carpenter, Yamasaki and Mizuguchi.

No. 1591 "A Bill for an Act Relating to Environmental Quality Commission and Environmental Impact Statements."

Introduced by: Senators Hara, Carpenter, Yee, Yamasaki, Takitani, Toyofuku, O'Connor and Mizuguchi.

No. 1592 "A Bill for an Act Relating to Land Use."

Introduced by: Senators Hara and Carpenter.

No. 1593 "A Bill for an Act Making an Appropriation for Funding to Establish a Pomology Chair at the University of Hawaii."

Introduced by: Senators Hara, Takitani, Young and Carpenter.

No. 1594 "A Bill for an Act Relating to Air Pollution Permit Fees."

Introduced by: Senators Hara, Ushijima, Abercrombie, Yamasaki, Campbell, Takitani, Chong and Carpenter.

No. 1595 "A Bill for an Act Relating to Practice of Barbering."

Introduced by: Senators Hara, Abercrombie, Takitani, Kuroda, Chong, Campbell, Carpenter and Yee.

No. 1596 "A Bill for an Act Making an Appropriation for the Agricultural Diagnostic Service Center Within

the College of Tropical Agriculture and Human Resources."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Abercrombie and Campbell.

No. 1597 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for the County of Hawaii."

Introduced by: Senators Hara, Ushijima, Carpenter, Takitani, Yamasaki, Chong, Kuroda, Mizuguchi, Saiki and Young.

No. 1598 "A Bill for an Act Making an Appropriation for Capital Improvement Projects for the County of Hawaii."

Introduced by: Senators Hara, Ushijima, Abercrombie, Yamasaki, Carpenter, Chong, Campbell and Takitani.

No. 1599 "A Bill for an Act Making an Appropriation for a Pilot Study to Determine the Feasibility of Aseptic Packaging and Storage Stability of Guava, Papaya and Passion Fruit Purees."

Introduced by: Senators Hara, Takitani, Abercrombie, Yamasaki, Carpenter, Campbell, Chong and Yee.

No. 1600 "A Bill for an Act Making an Appropriation for the Design and Installation of New Field Lights at Hoolulu Park, Hawaii County."

Introduced by: Senators Hara, Carpenter, Chong, Takitani, Yamasaki, Kuroda and Campbell.

No. 1601 "A Bill for an Act Relating to the Circuit Courts."

Introduced by: Senators Hara, Abercrombie, Carpenter, Takitani, Kuroda, Young, Campbell and Ushijima.

No. 1602 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senators Hara, Abercrombie, Carpenter, Takitani, Kuroda, Cobb, Campbell and Yee.

No. 1603 "A Bill for an Act Making an Appropriation for Interior Renovation of the Former Police Station at 141 Kalakaua Street, Hilo, Hawaii for an Art and Cultural Center."

Introduced by: Senators Hara, Ushijima, Abercrombie, Yamasaki, Chong, Carpenter, Campbell and Takitani.

No. 1604 "A Bill for an Act Relating to Medical Torts."

Introduced by: Senators Hara, Abercrombie,

Carpenter, Takitani, Kuroda, Saiki, Cobb and Campbell.

No. 1605 "A Bill for an Act Making Appropriation for Senior Citizens Housing Facility in Naalehu, Island of Hawaii."

Introduced by: Senators Hara, Ushijima, Abercrombie, Yamasaki, Chong, Carpenter, Campbell and Takitani.

No. 1606 "A Bill for an Act Relating to Tort Actions."

Introduced by: Senators Hara, Abercrombie, Carpenter, Takitani, Kuroda, Saiki, Cobb and Campbell.

No. 1607 "A Bill for an Act Relating to Juveniles."

Introduced by: Senators Hara, Takitani, Kuroda, Saiki, Cobb, Campbell, Kawasaki and Carpenter.

No. 1608 "A Bill for an Act Relating to Juveniles."

Introduced by: Senators Hara, Kawasaki, George, Toyofuku, Carpenter, Soares, Takitani, Kuroda, Ajifu, Chong and Saiki.

No. 1609 "A Bill for an Act Relating to Worker's Compensation."

Introduced by: Senators Hara, Abercrombie, Carpenter, Takitani, Kuroda, Young and Yee.

No. 1610 "A Bill for an Act Relating to Student Activities."

Introduced by: Senators Campbell and Chong.

No. 1611 "A Bill for an Act Relating to Premarital Examinations."

Introduced by: Senator Chong.

No. 1612 "A Bill for an Act Regulation of Fuel Suppliers."

Introduced by: Senator Chong.

No. 1613 "A Bill for an Act Relating to Legal Expenses."

Introduced by: Senator Chong.

No. 1614 "A Bill for an Act Making an Appropriation for Emergency Telephones."

Introduced by: Senator Chong.

No. 1615 "A Bill for an Act Relating to Hospitals."

- Introduced by: Senator Chong.
- No. 1617 "A Bill for an Act Making an Appropriation for the Sugarcane Industry."
- Introduced by: Senator Takitani.
- No. 1618 "A Bill for an Act Making an Appropriation for Alternate Crop Research to Utilize Sugarcane and Pineapple Lands."
- Introduced by: Senator Takitani.
- No. 1619 "A Bill for an Act Making an Appropriation for the Pineapple Industry."
- Introduced by: Senator Takitani.
- No. 1620 "A Bill for an Act Relating to Membership in Agricultural Cooperative Associations and Organizations."
- Introduced by: Senator Takitani.
- No. 1621 "A Bill for an Act Making an Appropriation for Agricultural Cooperative Associations."
- Introduced by: Senator Takitani.
- No. 1622 "A Bill for an Act Making an Appropriation for a Study of Agricultural Commodities Transportation Services and Systems."
- Introduced by: Senator Takitani.
- No. 1623 "A Bill for an Act Making an Appropriation for a Study of Agricultural Commodities Transportation Services and Systems."
- Introduced by: Senator Takitani.
- No. 1624 "A Bill for an Act Making an Appropriation for the Federal-State Tri-Fly Eradication Program."
- Introduced by: Senator Takitani.
- No. 1625 "A Bill for an Act Making an Appropriation for Agricultural Education Programs."
- Introduced by: Senator Takitani.
- No. 1626 "A Bill for an Act Making an Appropriation for a Computerized Inventory of all Public and Privately Owned Agriculturally Suitable Lands in the State."
- Introduced by: Senator Takitani.
- No. 1627 "A Bill for an Act Making an Appropriation for a Study of Transportation Services for Agricultural Commodities and Related Agricultural Cargo."
- Introduced by: Senator Takitani.
- No. 1628 "A Bill for an Act Making an Appropriation for the Transportation and Marketing of Agricultural Commodities."
- Introduced by: Senator Takitani.
- No. 1629 "A Bill for an Act Relating to the State Agricultural Loan Program."
- Introduced by: Senator Takitani.
- No. 1630 "A Bill for an Act Making an Appropriation for Hawaii's Nursery Products and Ornamental Foliage Industries."
- Introduced by: Senator Takitani.
- No. 1631 "A Bill for an Act Making an Appropriation for a Study of Agricultural Commodities Transportation Services and Systems."
- Introduced by: Senator Takitani.
- No. 1632 "A Bill for an Act Making an Appropriation to Improve Agricultural Commodity Transportation and Marketing Programs."
- Introduced by: Senator Takitani.
- No. 1633 "A Bill for an Act Making an Appropriation for Diversified Agriculture."
- Introduced by: Senator Takitani.
- No. 1634 "A Bill for an Act Relating to the Hawaii Food, Drug, and Cosmetic Act."
- Introduced by: Senator Takitani.
- No. 1635 "A Bill for an Act Making an Appropriation for the Eradication and Control of Diseases Affecting Hogs and Pigs."
- Introduced by: Senator Takitani.
- No. 1636 "A Bill for an Act Relating to Tax Credits for Agricultural Water Costs."
- Introduced by: Senator Takitani.
- No. 1637 "A Bill for an Act Relating to Agricultural Development."
- Introduced by: Senator Takitani.
- No. 1638 "A Bill for an Act Making Supplemental Appropriation for the Construction of Improvements at Maui Vacuum Cooling Plant, Maui."
- Introduced by: Senator Takitani.
- No. 1639 "A Bill for an Act Relating to Agriculture."
- Introduced by: Senator Takitani.

No. 1640 "A Bill for an Act Making an Appropriation for the Establishment of an Agriculture Farm Laboratory for the College of Agriculture of the University of Hawaii-Hilo."

Introduced by: Senator Takitani.

No. 1641 "A Bill for an Act Relating to the Tropical Aquaculture Center of Hawaii."

Introduced by: Senator Takitani.

No. 1642 "A Bill for an Act Relating to the Statewide Transportation Council."

Introduced by: Senator Takitani.

No. 1643 "A Bill for an Act Relating to the Importation of Certain Prohibited Articles."

Introduced by: Senator Takitani.

No. 1644 "A Bill for an Act Making an Appropriation for a Taro Processing Plant in Kauai."

Introduced by: Senator Takitani.

No. 1645 "A Bill for an Act Making an Appropriation for the Fruit Fly Eradication Program."

Introduced by: Senator Takitani.

No. 1646 "A Bill for an Act Relating to the State Agricultural Loan Program."

Introduced by: Senator Takitani,

No. 1647 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senator Takitani.

No. 1648 "A Bill for an Act Making an Appropriation for the State Agricultural Loan Program."

Introduced by: Senator Takitani.

No. 1649 "A Bill for an Act Making an Appropriation for Purposes Related to the Second Annual Pan-Pacific Conference."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Yamasaki and Ushijima.

No. 1650 "A Bill for an Act Relating to Consolidation and Merger of Corporations."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Cayetano and Ushijima.

No. 1651 "A Bill for an Act Making an Appropriation for the Development and Expansion of the College of Agriculture of the University of Hawaii, Hilo."

Introduced by: Senators Takitani, Hara,

Kuroda, Chong, Yamasaki and Ushijima.

No. 1652 "A Bill for an Act Making an Appropriation Relating to Instructional Facilities for Agricultural Programs."

Introduced by: Senators Takitani, Hara, Kuroda, Chong, Yamasaki and Ushijima.

No. 1653 "A Bill for an Act Making an Appropriation for Research Related to the Burrowing Nematode."

Introduced by: Senators Takitani, Hara, Chong, Kuroda, Yamasaki and Ushijima.

No. 1654 "A Bill for an Act Making an Appropriation for Koa Looper Control."

Introduced by: Senators Takitani, Hara, Chong, Kuroda, Yamasaki and Ushijima.

No. 1655 "A Bill for an Act Making an Appropriation for Pineapple Ant and Mealy Bug Control Project."

Introduced by: Senators Takitani, Hara, Toyofuku, Kuroda, Chong and Ushijima.

No. 1656 "A Bill for an Act Relating to Public Lands."

Introduced by: Senators Takitani, Hara, Kawasaki, Toyofuku, Kuroda and Chong.

No. 1657 "A Bill for an Act Relating to Sugar Producers Crop Loans."

Introduced by: Senators Takitani, Hara, Kuroda, Yamasaki and Ushijima.

No. 1658 "A Bill for an Act Relating to the Governor's Agriculture Coordinating Committee."

Introduced by: Senators Takitani, Hara, Chong, Kawasaki, Toyofuku, Kuroda, Yamasaki and Ushijima.

No. 1659 "A Bill for an Act Relating to Remission of Real Property Taxes."

Introduced by: Senators Takitani, Kawasaki, Toyofuku, Hara, Kuroda, Chong, Yamasaki and Ushijima.

No. 1660 "A Bill for an Act Relating to State Subsidy to Cooperative Sugar Processors."

Introduced by: Senators Takitani, Hara, Kuroda, Yamasaki and Ushijima.

No. 1661 "A Bill for an Act Relating to Residential Leasehold."

- Introduced by: Senator Takitani.
- No. 1662 "A Bill for an Act Relating to the Science and Engineering Fair."
- Introduced by: Senators Campbell, Kuroda, Hara and Chong.
- No. 1663 "A Bill for an Act Related to State Contracts for Special Education Purposes."
- Introduced by: Senators Campbell and Chong.
- No. 1664 "A Bill for an Act Making an Appropriation for the Kalihi-Palama Culture and Arts Society, Incorporated."
- Introduced by: Senators Campbell and Chong.
- No. 1665 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid to the United Cerebral Palsy Association of Hawaii."
- Introduced by: Senators Campbell, Hara and Chong.
- No. 1666 "A Bill for an Act Relating to Board of Education Employees or Staff."
- Introduced by: Senators Campbell and Chong.
- No. 1667 "A Bill for an Act Making an Appropriation for Kaiser High School, Oahu."
- Introduced by: Senators Cobb and O'Connor.
- No. 1668 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the 7th Senatorial District, Oahu."
- Introduced by: Senators Cobb and O'Connor.
- No. 1669 "A Bill for an Act Relating to Modified Pure Blanket Primary."
- Introduced by: Senator O'Connor, by request.
- No. 1677 "A Bill for an Act Relating to Terroristic Threatening."
- Introduced by: Senator O'Connor.
- No. 1678 "A Bill for an Act Relating to Crimes."
- Introduced by: Senator O'Connor.
- No. 1679 "A Bill for an Act Relating to Mandatory Gambling Fines."
- Introduced by: Senator O'Connor.
- No. 1680 "A Bill for an Act Relating to a Crime Commission."
- Introduced by: Senator O'Connor.
- No. 1681 "A Bill for an Act Relating to Crimes."
- Introduced by: Senator O'Connor.
- No. 1682 "A Bill for an Act Relating to Forfeiture of Property Used in Illegal Gambling."
- Introduced by: Senator O'Connor.
- No. 1683 "A Bill for an Act Relating to Residential Leaseholds."
- Introduced by: Senator Cobb, by request.
- No. 1684 "A Bill for an Act Relating to Collective Bargaining."
- Introduced by: Senators Kawasaki and Abercrombie.
- No. 1687 "A Bill for an Act Making an Appropriation for School Projects Located in Maui School District."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1688 "A Bill for an Act Making an Appropriation for Plans and Construction of Improvements at Maui Community College."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1689 "A Bill for an Act Making an Appropriation for Water Projects Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1690 "A Bill for an Act Making an Appropriation for Health Facility Projects Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1691 "A Bill for an Act Making an Appropriation for Incremental Resurfacing of Kamehameha V Highway Toward East End, Molokai."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1692 "A Bill for an Act Making an Appropriation for Plans and Construction of an Elderly Day Care Center, Maui."
- Introduced by: Senators Yamasaki

- and Takitani.
- No. 1693 "A Bill for an Act Making an Appropriation for Plans and Construction of a Three Classroom Building at Waihee School, Maui School District."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1694 "A Bill for an Act Making an Appropriation for Improvements at Kalaupapa Settlement."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1695 "A Bill for an Act Relating to Damien Memorial Chapel."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1696 "A Bill for an Act Making an Appropriation for Highway Project Located in the County of Maui."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1697 "A Bill for an Act Making an Appropriation for Honolua Watershed Project, West Maui Soil Conservation District."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1698 "A Bill for an Act Making an Appropriation for Improvements to Teacher Housing in Maui School District."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1699 "A Bill for an Act Making an Appropriation for the Honolulu Theatre for Youth."
- Introduced by: Senators Yamasaki, Takitani, Chong, Mizuguchi, Saiki, Ushijima and Hara.
- No. 1700 "A Bill for an Act Relating to Health Services."
- Introduced by: Senators Yamasaki, Takitani, Ushijima and Saiki.
- No. 1701 "A Bill for an Act Relating to the Administrative Procedures Act."
- Introduced by: Senator Yamasaki, by request.
- No. 1702 "A Bill for an Act Relating to the Horizontal Property Regimes: Quiet Title Actions."
- Introduced by: Senator Yamasaki, by request.
- No. 1703 "A Bill for an Act Proposing an Amendment to Article XVII, Section 2, of the Hawaii Constitution, to Specify Voting Procedure for Constitutional Amendments."
- Introduced by: Senator Yamasaki, by request.
- No. 1704 "A Bill for an Act Relating to Registered Nurses."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1705 "A Bill for an Act Relating to Public Contracts."
- Introduced by: Senators Yamasaki, Takitani, Hara, Ushijima, George and Saiki.
- No. 1706 "A Bill for an Act Relating to the General Excise Tax."
- Introduced by: Senators Yamasaki, Takitani, Hara and Ushijima.
- No. 1707 "A Bill for an Act Relating to Vocational Rehabilitation Under Workers' Compensation."
- Introduced by: Senators Yamasaki, Takitani and George.
- No. 1708 "A Bill for an Act Amending Sections 383-30 and 383-68, Hawaii Revised Statutes."
- Introduced by: Senators Yamasaki, Takitani and George.
- No. 1709 "A Bill for an Act Relating to Union Labels."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1710 "A Bill for an Act Relating to Public Purchasing and Contracting."
- Introduced by: Senators Yamasaki and Takitani.
- No. 1711 "A Bill for an Act Relating to Temporary Disability Insurance."
- Introduced by: Senators Yamasaki, Takitani and George.
- No. 1712 "A Bill for an Act Relating to Commodity Export Councils."
- Introduced by: Senator Yamasaki.
- No. 1713 "A Bill for an Act Relating to the Taxation of Low and Moderate Income Housing."
- Introduced by: Senator Yamasaki.

- No. 1714 "A Bill for an Act Relating to Games of Chance."
Introduced by: Senator Yamasaki, by request.
- No. 1715 "A Bill for an Act Relating to Highway Contracts."
Introduced by: Senator Mizuguchi.
- No. 1716 "A Bill for an Act Relating to Bicycle Transportation."
Introduced by: Senator Mizuguchi.
- No. 1717 "A Bill for an Act Relating to Odometers."
Introduced by: Senator Wong, by request.
- No. 1718 "A Bill for an Act Relating to the Formulation of a State Water Code."
Introduced by: Senator Wong, by request.
- No. 1719 "A Bill for an Act Relating to Elderly Affairs."
Introduced by: Senator Wong, by request.
- No. 1720 "A Bill for an Act Relating to the Executive Office on Aging."
Introduced by: Senator Wong, by request.
- No. 1721 "A Bill for an Act Establishing a Twentieth Anniversary Hawaii Statehood Celebration Committee."
Introduced by: Senator Wong, by request.
- No. 1722 "A Bill for an Act Making Appropriations for Collective Bargaining Cost Items."
Introduced by: Senator Wong, by request.
- No. 1723 "A Bill for an Act Relating to the Progressive Neighborhoods Program."
Introduced by: Senator Wong, by request.
- No. 1724 "A Bill for an Act Relating to the Agriculture Coordinating Committee."
Introduced by: Senator Wong, by request.
- No. 1725 "A Bill for an Act Relating to the Manufacturing and Distribution of Commercial Feeds in the State of Hawaii."
Introduced by: Senator Wong, by request.
- No. 1726 "A Bill for an Act Relating to the Sale and Use of Pesticides."
Introduced by: Senator Wong, by request.
- No. 1727 "A Bill for an Act Relating to Offenses Against the Person."
Introduced by: Senator Wong, by request.
- No. 1728 "A Bill for an Act Relating to the Penal Code."
Introduced by: Senator Wong, by request.
- No. 1729 "A Bill for an Act Relating to Campaign Spending."
Introduced by: Senator Wong, by request.
- No. 1730 "A Bill for an Act Relating to Costs, Attorney's Fees and Jury Trials Under the State Tort Liability Act."
Introduced by: Senator Wong, by request.
- No. 1731 "A Bill for an Act Relating to the Transfer of Programs and Organizational Segments in the State Government."
Introduced by: Senator Wong, by request.
- No. 1732 "A Bill for an Act Relating to the Public Employees Health Fund."
Introduced by: Senator Wong, by request.
- No. 1733 "A Bill for an Act Relating to the Institute for Management and Analysis."
Introduced by: Senator Wong, by request.
- No. 1734 "A Bill for an Act Relating to Drugs."
Introduced by: Senator Wong, by request.
- No. 1735 "A Bill for an Act Relating to Drug Product Selection."
Introduced by: Senator Wong, by request.
- No. 1736 "A Bill for an Act Relating to the State Program for the Unemployed."
Introduced by: Senator Wong, by request.
- No. 1737 "A Bill for an Act Relating to Workers' Compensation."
Introduced by: Senator Wong, by request.
- No. 1738 "A Bill for an Act Relating to Discriminatory Employment Practices."
Introduced by: Senator Wong, by request.

No. 1739 "A Bill for an Act Relating to Aquarium Fish Permits."

Introduced by: Senator Wong, by request.

No. 1740 "A Bill for an Act Relating to the Assignment of the Aquacultural Function to the Department of Land and Natural Resources."

Introduced by: Senator Wong, by request.

No. 1741 "A Bill for an Act Relating to Capital Improvements."

Introduced by: Senator Wong, by request.

No. 1742 "A Bill for an Act Making Appropriations for Adjustment Authorized by Chapter 89C, Hawaii Revised Statutes."

Introduced by: Senator Wong, by request.

No. 1743 "A Bill for an Act Relating to the Aloha Tower Authority."

Introduced by: Senator Wong, by request.

No. 1744 "A Bill for an Act Relating to the Establishment of Cluster Developments within Rural and Agricultural Land Use Districts."

Introduced by: Senator Wong, by request.

No. 1745 "A Bill for an Act Making an Appropriation for the Hawaii Large Fishing Vessel Purchase, Construction, Renovation, Maintenance, and Repair Loan Revolving Fund."

Introduced by: Senator Wong, by request.

No. 1746 "A Bill for an Act Relating to Coastal Zone Management."

Introduced by: Senator Wong, by request.

No. 1747 "A Bill for an Act Relating to the Natural Energy Laboratory of Hawaii and Making an Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 1748 "A Bill for an Act Relating to the Tropical Aquaculture Center of Hawaii and Providing an Appropriation Therefor."

Introduced by: Senator Wong, by request.

No. 1749 "A Bill for an Act Relating to the Importation of Liquor for Trade Shows."

Introduced by: Senator Wong, by request.

No. 1750 "A Bill for an Act Relating to Nursing."

Introduced by: Senator Wong, by request.

No. 1751 "A Bill for an Act Relating to

Optometry."

Introduced by: Senator Wong, by request.

No. 1752 "A Bill for an Act Relating to Public Accountancy."

Introduced by: Senator Wong, by request.

No. 1753 "A Bill for an Act Relating to Motor Carriers."

Introduced by: Senator Wong, by request.

No. 1754 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 1755 "A Bill for an Act Relating to Public Assistance."

Introduced by: Senator Wong, by request.

No. 1756 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Wong, by request.

No. 1757 "A Bill for an Act Relating to Conveyance Tax."

Introduced by: Senator Wong, by request.

No. 1758 "A Bill for an Act Relating to Abandoned Vessels."

Introduced by: Senator Wong, by request.

No. 1759 "A Bill for an Act Relating to Highway Safety."

Introduced by: Senator Wong, by request.

No. 1760 "A Bill for an Act Relating to Aeronautics."

Introduced by: Senator Wong, by request.

No. 1761 "A Bill for an Act Relating to Additional Support to the University of Hawaii from Extramural Funds."

Introduced by: Senator Wong, by request.

No. 1762 "A Bill for an Act Relating to the Exemption of Nutrition Program Assistants."

Introduced by: Senator Wong,

- by request.
- No. 1764 "A Bill for an Act Relating to the State Immigrant Services Center."
- Introduced by: Senator Toyofuku.
- No. 1765 "A Bill for an Act Relating to Workers' Compensation."
- Introduced by: Senator Toyofuku.
- No. 1766 "A Bill for an Act Relating to Minerals and Water Rights."
- Introduced by: Senators Carpenter and Hara.
- No. 1767 "A Bill for an Act Relating to Deferred Compensation Plans."
- Introduced by: Senator Toyofuku.
- No. 1768 "A Bill for an Act Relating to the Appropriation for the Implementation of Phase III of the State Highway System."
- Introduced by: Senators Carpenter, Hara and Saiki.
- No. 1769 "A Bill for an Act Relating to Speech Pathologists and Audiologists."
- Introduced by: Senators Carpenter, Campbell and Saiki.
- No. 1770 "A Bill for an Act Relating to Smoking in Public Places."
- Introduced by: Senators Carpenter and Campbell.
- No. 1771 "A Bill for an Act Relating to Developmental Disabilities."
- Introduced by: Senators Carpenter, Chong and Saiki.
- No. 1772 "A Bill for an Act Making an Appropriation for Waimano Home."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1773 "A Bill for an Act Making an Appropriation to the Hawaii State Veterans Home."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1774 "A Bill for an Act Making an Appropriation to Children's Hospital."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1775 "A Bill for an Act Making an Appropriation for Waimano Home."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1776 "A Bill for an Act Making an Appropriation for Waimano Home."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1777 "A Bill for an Act Making an Appropriation for Services and Programs Related to Nutrition."
- Introduced by: Senators Carpenter, Saiki and Campbell.
- No. 1778 "A Bill for an Act Relating to Registered Nurses: Qualification: Licenses: Fees: Title: Existing Licensed Nurses: Verification of Licenses."
- Introduced by: Senators Carpenter, Chong, Saiki and Campbell.
- No. 1779 "A Bill for an Act Relating to Patients' Rights."
- Introduced by: Senators Carpenter and Campbell.
- No. 1780 "A Bill for an Act Relating to the Hawaiian Higher Education Council."
- Introduced by: Senators Carpenter, Abercrombie, Soares, Ushijima, Yim, Cayetano and Chong.
- No. 1781 "A Bill for an Act Relating to Government Mineral Rights."
- Introduced by: Senators Carpenter, Hara and Saiki.
- No. 1782 "A Bill for an Act Relating to the Tenant Tax Act."
- Introduced by: Senator Yee.
- No. 1783 "A Bill for an Act Relating to the Oahu Mass Transit System."
- Introduced by: Senator Yee.
- No. 1784 "A Bill for an Act Relating to General Excise Tax."
- Introduced by: Senator Yee.
- No. 1785 "A Bill for an Act Relating to Exemption from Real Property Taxes for Persons with Impaired Sight or Hearing and Persons Totally Disabled."
- Introduced by: Senator Yee.
- No. 1786 "A Bill for an Act Relating to Boundaries."
- Introduced by: Senator Yee.
- No. 1787 "A Bill for an Act Relating to the Exemption of Sales and Gross

Proceeds of Sales to the State and its Political Subdivisions."

Introduced by: Senator Yee.

No. 1788 "A Bill for an Act Relating to Beverage Containers."

Introduced by: Senator Yee.

No. 1789 "A Bill for an Act Relating to the Deferral of Real Property Taxes."

Introduced by: Senator Yee.

No. 1790 "A Bill for an Act Relating to Taxation."

Introduced by: Senator Yee.

No. 1791 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu for the Maintenance of Tourist Destination Areas."

Introduced by: Senator Soares.

No. 1792 "A Bill for an Act Making an Appropriation for a Grant-in-Aid to the City and County of Honolulu for Crime Prevention at Tourist Destination Areas."

Introduced by: Senator Soares.

No. 1793 "A Bill for an Act Making a Grant-in-Aid to the City and County of Honolulu."

Introduced by: Senator Anderson.

No. 1794 "A Bill for an Act Making an Appropriation for the Construction of a Community Activities Center at Kahaluu, Oahu."

Introduced by: Senator Anderson.

No. 1795 "A Bill for an Act Making an Appropriation for Sacred Falls State Park, Oahu, Hawaii."

Introduced by: Senator Anderson.

No. 1796 "A Bill for an Act Making an Appropriation for Malaekahana State Beach Park, Oahu."

Introduced by: Senator Anderson.

No. 1797 "A Bill for an Act Making an Appropriation for the Incremental Development and Completion of the Waimanalo Bay Regional State Park, Oahu."

Introduced by: Senator Anderson.

No. 1798 "A Bill for an Act Establishing a Centennial Commission on Scandinavians Coming to Hawaii."

Introduced by: Senator Anderson.

No. 1799 "A Bill for an Act Making an Appropriation for the Hawaii Council on Portuguese Heritage."

Introduced by: Senators Soares, O'Connor, Yamasaki, Cayetano, Ushijima, Kawasaki, Toyofuku, Saiki, George and Hara.

No. 1800 "A Bill for an Act Relating to Violations of the Tax Laws."

Introduced by: Senators Soares, Yee, Carroll and Ajifu.

No. 1801 "A Bill for an Act Relating to Tampering with the Board of Paroles and Pardons."

Introduced by: Senators Soares, Yee, Kawasaki and Ajifu.

No. 1802 "A Bill for an Act Relating to Crimes."

Introduced by: Senators Soares, Yee, George, Kawasaki, Carpenter and Ajifu.

No. 1803 "A Bill for an Act Relating to Reimbursement for Criminal Activities."

Introduced by: Senators Soares, Carroll, Yee, Kawasaki and Ajifu.

No. 1804 "A Bill for an Act Relating to Employment Bonding of Persons Convicted of Crimes."

Introduced by: Senators Soares, Yee, Carroll and Ajifu.

No. 1805 "A Bill for an Act Relating to a Law Enforcement Awareness Program."

Introduced by: Senators Soares, Yee, Carroll, Yamasaki, Kawasaki and Ajifu.

No. 1806 "A Bill for an Act Relating to Young Law Violators."

Introduced by: Senators Soares, Yee, Kawasaki and Ajifu.

No. 1807 "A Bill for an Act Relating to Training for Private Detectives and Guards."

Introduced by: Senators Soares, Yee, Kawasaki and Ajifu.

No. 1808 "A Bill for an Act Relating to the Creation of a Joint Civilian-Military Planning Commission."

Introduced by: Senators Soares, Yee, Carroll, George, Kawasaki, Carpenter and Ajifu.

No. 1809 "A Bill for an Act Relating to Certain Tax Incentives."

Introduced by: Senators Soares, Yee, Carroll, George and Ajifu.

No. 1810 "A Bill for an Act Relating to a Hawaii Asian Pacific Institute."

Introduced by: Senators Soares, Yee and Ajifu.

No. 1811 "A Bill for an Act Relating to Prohibited Investment."

Introduced by: Senators Soares, Yee, Carroll, Kawasaki and Ajifu.

No. 1812 "A Bill for an Act Relating to Dentistry."

Introduced by: Senator Abercrombie, by request.

No. 1813 "A Bill for an Act Relating to a Warehouse and Clearinghouse Facility."

Introduced by: Senators Soares, Yee and Ajifu.

No. 1814 "A Bill for an Act Relating to Small Business Tax Incentives."

Introduced by: Senators Soares, Yee, Ajifu, Carroll and Carpenter.

No. 1815 "A Bill for an Act Relating to Home Accounts."

Introduced by: Senator Soares.

No. 1816 "A Bill for an Act Relating to Consumer Protection."

Introduced by: Senators Soares, George, Yamasaki, Kawasaki and Carpenter.

No. 1817 "A Bill for an Act Relating to Taxation and the Elderly."

Introduced by: Senators Soares, Carroll, George, Yamasaki, Takitani, Cobb, Ajifu, Carpenter, Chong, Hara and Yee.

No. 1818 "A Bill for an Act Relating to Health."

Introduced by: Senator Ajifu.

No. 1819 "A Bill for an Act Making an Appropriation to Provide a Grant-in-Aid for the Installation of Flamingo Street Water Main, Oahu."

Introduced by: Senator Ajifu.

No. 1820 "A Bill for an Act Making an Appropriation for a Grant-in-Aid for Plans and Construction for Kaneohe Parks, Oahu."

Introduced by: Senator Ajifu.

No. 1821 "A Bill for an Act Making an Appropriation for the Construction of Sidewalks along Kaneohe Bay Drive, Oahu."

Introduced by: Senator Ajifu.

No. 1822 "A Bill for an Act Making an Appropriation to Subsidize the Operation of Kahuku Hospital."

Introduced by: Senator Ajifu.

No. 1823 "A Bill for an Act Making an Appropriation for Capital Improvement Projects in the Third Senatorial District."

Introduced by: Senator Ajifu.

No. 1824 "A Bill for an Act Relating to Agriculture Freightage Subsidy Program."

Introduced by: Senators Soares, Yee, Carpenter and Ajifu.

No. 1825 "A Bill for an Act Relating to a Slaughter-House on Oahu."

Introduced by: Senator Wong.

On motion by Senator Kuroda, seconded by Senator Anderson and carried, the following bills were referred to print and were placed on the calendar for further consideration on Wednesday, February 14, 1979:

Senate Bills

No. 1025 "A Bill for an Act Relating to Deregulation of Motor Carriers."

Introduced by: Senator Chong.

No. 1072 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong.

No. 1073 "A Bill for an Act Relating to State Health Care Facilities."

Introduced by: Senators Carpenter and Chong.

No. 1074 "A Bill for an Act Relating to Health Care Records."

Introduced by: Senator Chong.

No. 1075 "A Bill for an Act Relating to the Regulating of the Inter-Island Airline Industry."

Introduced by: Senator Chong.

No. 1076 "A Bill for an Act Relating to the Public Utilities."

Introduced by: Senator Chong.

No. 1077 "A Bill for an Act Relating to Tax Credit for Non-Fossil Fuel Energy Producing Utilities."

Introduced by: Senator Chong.

No. 1078 "A Bill for an Act Relating to the Reorganization of the Public Utilities Program."

Introduced by: Senator Chong.

No. 1079 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong.

No. 1080 "A Bill for an Act Relating to the Placing Cable Television Systems Under the Jurisdiction of the Public Utilities Commission."

Introduced by: Senator Chong.

No. 1081 "A Bill for an Act Relating to Public Utilities."

Introduced by: Senator Chong.

No. 1082 "A Bill for an Act Relating to the General Improvement of Activities of the Public Utilities Division."

Introduced by: Senator Chong.

No. 1083 "A Bill for an Act Relating to the Deregulation of Water Carriers."

Introduced by: Senator Chong.

No. 1120 "A Bill for an Act Relating to Lapsing of Appropriations."

Introduced by: Senator Cayetano.

No. 1121 "A Bill for an Act Relating to Lapsing Appropriations."

Introduced by: Senator Cayetano.

No. 1122 "A Bill for an Act Relating to the State Retirement System."

Introduced by: Senator Cayetano.

No. 1123 "A Bill for an Act Relating to Public Employees."

Introduced by: Senator Cayetano.

No. 1124 "A Bill for an Act Relating to Civil Service."

Introduced by: Senator Cayetano.

No. 1125 "A Bill for an Act Relating to State Loan Programs."

Introduced by: Senator Cayetano.

No. 1126 "A Bill for an Act Relating

to Public Employee Benefits."

Introduced by: Senator Cayetano.

No. 1127 "A Bill for an Act Relating to Federal Insurance Contributions Act."

Introduced by: Senator Cayetano.

No. 1128 "A Bill for an Act Relating to Public Lands."

Introduced by: Senator Cayetano.

No. 1129 "A Bill for an Act Relating to Public Funds."

Introduced by: Senator Cayetano.

No. 1130 "A Bill for an Act Relating to Financial Management."

Introduced by: Senator Cayetano.

No. 1131 "A Bill for an Act Relating to Public Contracts."

Introduced by: Senator Cayetano.

No. 1132 "A Bill for an Act Relating to Public Purchases."

Introduced by: Senator Cayetano.

No. 1133 "A Bill for an Act Relating to Government Leasing."

Introduced by: Senator Cayetano.

No. 1134 "A Bill for an Act Relating to Public Purchases."

Introduced by: Senator Cayetano.

No. 1135 "A Bill for an Act Relating to Government Motor Vehicles."

Introduced by: Senator Cayetano.

No. 1136 "A Bill for an Act Relating to the Department of Education."

Introduced by: Senator Cayetano.

No. 1137 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Cayetano.

No. 1138 "A Bill for an Act Relating to Transportation of Students."

Introduced by: Senator Cayetano.

No. 1139 "A Bill for an Act Relating to Data Processing."

Introduced by: Senator Cayetano.

No. 1140 "A Bill for an Act Relating

to Communications."

Introduced by: Senator Cayetano.

No. 1141 "A Bill for an Act Relating to Planning."

Introduced by: Senator Cayetano.

No. 1142 "A Bill for an Act Relating to the Hawaii Housing Authority."

Introduced by: Senator Cayetano.

No. 1143 "A Bill for an Act Relating to Health."

Introduced by: Senator Cayetano.

No. 1144 "A Bill for an Act Relating to the Office of Children and Youth."

Introduced by: Senator Cayetano.

No. 1145 "A Bill for an Act Relating to the Attorney General."

Introduced by: Senator Cayetano.

No. 1146 "A Bill for an Act Relating to Intake Service Centers."

Introduced by: Senator Cayetano.

No. 1147 "A Bill for an Act Relating to the Criminal Injuries Compensation Commission."

Introduced by: Senator Cayetano.

No. 1148 "A Bill for an Act Relating to Corrections."

Introduced by: Senator Cayetano.

No. 1149 "A Bill for an Act Relating to Medical Assistance Programs."

Introduced by: Senator Cayetano.

No. 1150 "A Bill for an Act Relating to the Oahu Metropolitan Planning Organization."

Introduced by: Senator Cayetano.

No. 1151 "A Bill for an Act Relating to State Boards, Foundations, Councils, and Commissions."

Introduced by: Senator Cayetano.

No. 1170 "A Bill for an Act Relating to Truth in Menus."

Introduced by: Senator Cobb, by request.

No. 1171 "A Bill for an Act Relating to the Landlord Tenant Code."

Introduced by: Senator Cobb, by request.

No. 1172 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Cobb.

No. 1173 "A Bill for an Act Relating to the Lapsing of General Obligation Bond Authorizations."

Introduced by: Senator Cayetano.

No. 1174 "A Bill for an Act Relating to the Western Interstate Commission for Higher Education."

Introduced by: Senator Cayetano.

No. 1175 "A Bill for an Act Relating to the University of Hawaii."

Introduced by: Senator Cayetano.

No. 1176 "A Bill for an Act Relating to the Placement and Utilization of 'Three-On-Two' Program Teachers."

Introduced by: Senator Cayetano.

No. 1177 "A Bill for an Act Relating to Departmental and Agency Libraries."

Introduced by: Senator Cayetano.

No. 1178 "A Bill for an Act Relating to Nontax Revenues."

Introduced by: Senator Cayetano.

No. 1247 "A Bill for an Act Relating to Emergency Health Care Costs."

Introduced by: Senator Saiki.

No. 1248 "A Bill for an Act Relating to Emergency Medical Services."

Introduced by: Senator Saiki.

No. 1249 "A Bill for an Act Relating to Health."

Introduced by: Senator Saiki.

No. 1250 "A Bill for an Act Relating to the State Comprehensive Emergency Medical Services System."

Introduced by: Senator Saiki.

No. 1251 "A Bill for an Act Relating to Emergency Health Care."

Introduced by: Senator Saiki.

No. 1252 "A Bill for an Act Relating to Emergency Health Care Providers."

Introduced by: Senator Saiki.

No. 1253 "A Bill for an Act Relating to Health Care Paraprofessionals."

- Introduced by: Senator Saiki.
- No. 1254 "A Bill for an Act Relating to Ambulance Services."
- Introduced by: Senator Saiki.
- No. 1255 "A Bill for an Act Relating to a State Comprehensive Emergency Medical Services Authority."
- Introduced by: Senators Saiki, Carpenter and Takitani.
- No. 1290 "A Bill for an Act Relating to Elections."
- Introduced by: Senators O'Connor, Kuroda, Chong, Takitani and Carpenter.
- No. 1291 "A Bill for an Act Relating to Burial Grounds."
- Introduced by: Senators O'Connor, Takitani, Kuroda, Chong and Carpenter.
- No. 1292 "A Bill for an Act Relating to Suffrage and Elections (Constitutional Amendments of Article II, Sections 5 and 6)."
- Introduced by: Senators O'Connor, Kuroda, Chong, Takitani and Carpenter.
- No. 1293 "A Bill for an Act Relating to Plea Bargaining."
- Introduced by: Senators O'Connor, Kuroda, Chong, Takitani and Carpenter.
- No. 1294 "A Bill for an Act Relating to Library Book Injury."
- Introduced by: Senators O'Connor, Hara, Ajifu and Carpenter.
- No. 1295 "A Bill for an Act Relating to Elections (Constitutional Amendments, Article XII, Section 5 and Article XVIII)."
- Introduced by: Senators O'Connor, Hara, Ajifu and Carpenter.
- No. 1296 "A Bill for an Act Relating to a Department of Corrections."
- Introduced by: Senators O'Connor and Carpenter.
- No. 1297 "A Bill for an Act Relating to Collective Bargaining in Public Employment and Exclusive Representatives."
- Introduced by: Senator Abercrombie.
- No. 1303 "A Bill for an Act Relating to Adoption of Children."
- Introduced by: Senator Abercrombie.
- No. 1314 "A Bill for an Act Relating to Optometry."
- Introduced by: Senators Kawasaki, Abercrombie and Carpenter.
- No. 1340 "A Bill for an Act Relating to Witness Immunity."
- Introduced by: Senator O'Connor.
- No. 1341 "A Bill for an Act Relating to Indigent Dependents."
- Introduced by: Senator O'Connor.
- No. 1342 "A Bill for an Act Relating to Administrative Procedures."
- Introduced by: Senator O'Connor.
- No. 1343 "A Bill for an Act Relating to Liens."
- Introduced by: Senator O'Connor.
- No. 1344 "A Bill for an Act Relating to Uniform Joint Obligations Act."
- Introduced by: Senator O'Connor.
- No. 1345 "A Bill for an Act Relating to Motor Vehicle Accident Reparations."
- Introduced by: Senator O'Connor.
- No. 1346 "A Bill for an Act Relating to the Statewide Traffic Code."
- Introduced by: Senator O'Connor.
- No. 1347 "A Bill for an Act Relating to the Ombudsman."
- Introduced by: Senator O'Connor.
- No. 1348 "A Bill for an Act Relating to the State Ethics Commission."
- Introduced by: Senator O'Connor.
- No. 1349 "A Bill for an Act Relating to County Clerks."
- Introduced by: Senator O'Connor.
- No. 1350 "A Bill for an Act Relating to Elections Personnel."
- Introduced by: Senator O'Connor.
- No. 1351 "A Bill for an Act Relating to the Campaign Spending Commission."
- Introduced by: Senator O'Connor.
- No. 1352 "A Bill for an Act Relating to Per Diem Judges."
- Introduced by: Senator O'Connor.

No. 1353 "A Bill for an Act Relating to Judges."

Introduced by: Senator O'Connor.

No. 1354 "A Bill for an Act Relating to Jurisdiction."

Introduced by: Senator O'Connor.

No. 1355 "A Bill for an Act Relating to Retired Justices and Judges."

Introduced by: Senator O'Connor.

No. 1356 "A Bill for an Act Relating to Circuit Court Staff."

Introduced by: Senator O'Connor.

No. 1357 "A Bill for an Act Relating to the State Correctional Master Plan."

Introduced by: Senator O'Connor.

No. 1358 "A Bill for an Act Relating to Arrests."

Introduced by: Senator O'Connor.

No. 1359 "A Bill for an Act Relating to Attachment."

Introduced by: Senator O'Connor.

No. 1360 "A Bill for an Act Relating to Garnishment."

Introduced by: Senator O'Connor.

No. 1361 "A Bill for an Act Relating to the Family Court."

Introduced by: Senator O'Connor.

No. 1362 "A Bill for an Act Relating to Motor Vehicle Safety Responsibility."

Introduced by: Senator O'Connor.

No. 1363 "A Bill for an Act Relating to Sentencing."

Introduced by: Senator O'Connor.

No. 1364 "A Bill for an Act Relating to the Acquisition of Art for Public Buildings and Projects."

Introduced by: Senator Cayetano.

No. 1365 "A Bill for an Act Relating to the Establishment of a State Economic Emergency Loan Fund."

Introduced by: Senator Cayetano.

No. 1366 "A Bill for an Act Relating to Employees Excluded from Collective Bargaining."

Introduced by: Senator Cayetano.

No. 1367 "A Bill for an Act Relating to Public Employees Retirement System Benefits."

Introduced by: Senator Cayetano.

No. 1368 "A Bill for an Act Relating to Lapsing Appropriations."

Introduced by: Senator Cayetano.

No. 1369 "A Bill for an Act Relating to the Indemnification of Teachers, Counselors, and School Administrators in the Department of Education."

Introduced by: Senator Cayetano.

No. 1380 "A Bill for an Act Relating to the Amendment of Chapter 237."

Introduced by: Senator Yim.

No. 1381 "A Bill for an Act Relating to Fossil Fuel Conservation."

Introduced by: Senator Yim.

No. 1382 "A Bill for an Act Relating to Tax Incentives for Energy Conservation."

Introduced by: Senator Yim.

No. 1420 "A Bill for an Act Relating to the Department of Taxation."

Introduced by: Senators Toyofuku, Takitani and Chong.

No. 1421 "A Bill for an Act Relating to Encumbrances of Capital Improvement Appropriations."

Introduced by: Senator Cayetano.

No. 1484 "A Bill for an Act Relating to Hawaii Housing Authority."

Introduced by: Senator Young.

No. 1485 "A Bill for an Act Relating to the Protection of Vested Rights."

Introduced by: Senator Young.

No. 1486 "A Bill for an Act Relating to Residential Leaseholds."

Introduced by: Senator Young.

No. 1487 "A Bill for an Act Relating to the Election of the Board of Trustees for the Office of Hawaiian Affairs."

Introduced by: Senator Young.

No. 1488 "A Bill for an Act Relating to Hawaiian Education Program (Constitutional Amendments of Article X, Section 4)."

- Introduced by: Senator Young.
- No. 1489 "A Bill for an Act Relating to Statutory Conformance with the Equal Rights Amendment."
- Introduced by: Senators Young, Saiki, George, Kuroda, Carpenter and Mizuguchi.
- No. 1505 "A Bill for an Act Relating to General Aviation Airport Support for Aircraft Providing Transportation for Emergency Medical Service."
- Introduced by: Senator Mizuguchi.
- No. 1506 "A Bill for an Act Relating to the Oahu Metropolitan Planning Organization."
- Introduced by: Senator Mizuguchi.
- No. 1517 "A Bill for an Act Relating to Amending Act 226, Session Laws of Hawaii 1976."
- Introduced by: Senators Wong and Chong.
- No. 1547 "A Bill for an Act Relating to Radioactive Waste Materials from Nuclear Energy Production."
- Introduced by: Senators Carpenter and Takitani.
- No. 1549 "A Bill for an Act Relating to Electric Companies."
- Introduced by: Senator Chong.
- No. 1550 "A Bill for an Act Relating to Telephone Companies."
- Introduced by: Senator Chong.
- No. 1551 "A Bill for an Act Relating to Public Utilities."
- Introduced by: Senator Chong.
- No. 1554 "A Bill for an Act Relating to Natural Disasters."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Cayetano, Abercrombie and Campbell.
- No. 1555 "A Bill for an Act Relating to Natural Disasters."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Cayetano, Abercrombie and Campbell.
- No. 1556 "A Bill for an Act Relating to Forests and Wildlife Resources."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Abercrombie, Campbell and Carpenter.
- No. 1557 "A Bill for an Act Relating to Forests and Wildlife Resources."
- Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.
- No. 1558 "A Bill for an Act Relating to Historical and Archaeological Places."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Young, Abercrombie, Campbell and Carpenter.
- No. 1559 "A Bill for an Act Relating to Historical and Archaeological Places."
- Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.
- No. 1560 "A Bill for an Act Relating to Recreation."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.
- No. 1561 "A Bill for an Act Relating to Recreation."
- Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Abercrombie and Campbell.
- No. 1562 "A Bill for an Act Relating to Coastal Areas."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.
- No. 1563 "A Bill for an Act Relating to Coastal Areas."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Young, Cayetano, Abercrombie, Campbell and Carpenter.
- No. 1564 "A Bill for an Act Relating to Water."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Abercrombie and Campbell.
- No. 1565 "A Bill for an Act Relating to Water."
- Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Abercrombie, Campbell and Carpenter.

No. 1566 "A Bill for an Act Relating to Ocean-Based Outdoor Activity."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Abercrombie, Campbell and Carpenter.

No. 1567 "A Bill for an Act Relating to Ocean-Based Outdoor Activity."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.

No. 1568 "A Bill for an Act Relating to Environmental Pollution."

Introduced by: Senators Hara, Takitani, Ushijima, Kawasaki, Chong, Kuroda, Abercrombie, Campbell and Carpenter."

No. 1569 "A Bill for an Act Relating to Environmental Pollution."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1570 "A Bill for an Act Relating to the Natural Physical Environment."

Introduced by: Senators Hara, Takitani, Ushijima, Carpenter, Kuroda, Young, Abercrombie, Chong and Campbell.

No. 1571 "A Bill for an Act Relating to the Natural Physical Environment."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Abercrombie, Campbell and Carpenter.

No. 1572 "A Bill for an Act Relating to Conservation and Resource Enforcement."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1573 "A Bill for an Act Relating to Conservation and Resource Enforcement."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1574 "A Bill for an Act Relating to the Pacific War Memorial System."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Cayetano, Abercrombie and Campbell.

No. 1575 "A Bill for an Act Relating to the Pacific War Memorial System."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano,

Abercrombie and Campbell.

No. 1576 "A Bill for an Act Relating to Culture and Recreation."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.

No. 1577 "A Bill for an Act Relating to Culture and Recreation."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Cayetano, Abercrombie and Campbell.

No. 1578 "A Bill for an Act Relating to Mineral Resources."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Kuroda, Abercrombie, Campbell and Carpenter.

No. 1579 "A Bill for an Act Relating to Mineral Resources."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1580 "A Bill for an Act Relating to Pesticides."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Abercrombie and Campbell.

No. 1581 "A Bill for an Act Relating to Pesticides."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.

No. 1582 "A Bill for an Act Relating to Aloha Stadium."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.

No. 1583 "A Bill for an Act Relating to Aloha Stadium."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Cayetano, Abercrombie and Campbell.

No. 1584 "A Bill for an Act Relating to Aquaria."

Introduced by: Senators Hara, Takitani, Ushijima, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1585 "A Bill for an Act Relating to Aquaria."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Mizuguchi, Young, Abercrombie and Campbell.

No. 1586 "A Bill for an Act Relating to Aquatic Resources."

Introduced by: Senators Hara, Takitani, Ushijima, Kawasaki, Chong, Kuroda, Abercrombie, Campbell and Carpenter.

No. 1587 "A Bill for an Act Relating to Aquatic Resources."

Introduced by: Senators Hara, Takitani, Ushijima, Yamasaki, Chong, Carpenter, Kuroda, Young, Abercrombie and Campbell.

No. 1616 "A Bill for an Act Relating to the Conversion of Property to Condominium Status."

Introduced by: Senator Chong.

No. 1670 "A Bill for an Act Relating to Name Changes."

Introduced by: Senator O'Connor.

No. 1671 "A Bill for an Act Relating to the Supreme Court."

Introduced by: Senator O'Connor.

No. 1672 "A Bill for an Act Relating to the Statute of Frauds."

Introduced by: Senator O'Connor.

No. 1673 "A Bill for an Act Relating to Limitations of Actions."

Introduced by: Senator O'Connor.

No. 1674 "A Bill for an Act Relating to Arbitration."

Introduced by: Senator O'Connor.

No. 1675 "A Bill for an Act Relating to State Tort Liability."

Introduced by: Senator O'Connor.

No. 1676 "A Bill for an Act Relating to Sheriffs."

Introduced by: Senator O'Connor.

No. 1685 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Cobb.

No. 1686 "A Bill for an Act Relating to Insurance."

Introduced by: Senator Cobb.

No. 1763 "A Bill for an Act Relating to Health Information."

Introduced by: Senators Carpenter, Chong and Saiki.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 15), informing the Senate that Senate Resolution Nos. 121 to 123 and Senate Bill Nos. 759 to 1017 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Monday, February 12, 1979:

Senate Bills Referred to:

No. 759 Committee on Economic Development, then to the Committee on Ways and Means

No. 760 Committee on Agriculture, then to the Committee on Economic Development

No. 761 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 762 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 763 Committee on Health, then to the Committee on Ways and Means

No. 764 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 765 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 766 Committee on Agriculture, then to the Committee on Ways and Means

No. 767 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means

- No. 768 Committee on Health, then to the Committee on Judiciary
- No. 769 Committee on Human Resources, then to the Committee on Ways and Means
- No. 770 Committee on Education, then to the Committee on Ways and Means
- No. 771 Committee on Education, then to the Committee on Ways and Means
- No. 772 Committee on Transportation, then to the Committee on Ways and Means
- No. 773 Committee on Human Resources, then to the Committee on Ways and Means
- No. 774 Committee on Ways and Means
- No. 775 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 776 Committee on Judiciary, then to the Committee on Ways and Means
- No. 777 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 778 Committee on Intergovernmental Relations, then jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 779 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 780 Jointly to the Committee on Judiciary and the Committee on Ways and Means
- No. 781 Committee on Consumer Protection and Commerce
- No. 782 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 783 Committee on Economic Development, then to the Committee on Ecology, Environment and Recreation
- No. 784 Committee on Consumer Protection and Commerce
- No. 785 Committee on Consumer Protection and Commerce
- No. 786 Committee on Consumer Protection and Commerce
- No. 787 Committee on Consumer Protection and Commerce
- No. 788 Committee on Judiciary, then to the Committee on Ways and Means
- No. 789 Committee on Human Resources, then to the Committee on Ways and Means
- No. 790 Committee on Consumer Protection and Commerce
- No. 791 Committee on Human Resources, then to the Committee on Ways and Means
- No. 792 Committee on Economic Development, then to the Committee on Ways and Means
- No. 793 Committee on Ways and Means
- No. 794 Committee on Housing and Hawaiian Homes
- No. 795 Committee on Housing and Hawaiian Homes
- No. 796 Committee on Education, then to the Committee on Ways and Means
- No. 797 Committee on Education, then to the Committee on Ways and Means
- No. 798 Committee on Education, then to the Committee on Ways and Means
- No. 799 Committee on Education, then to the Committee on Ways and Means
- No. 800 Committee on Education, then to the Committee on Ways and Means
- No. 801 Committee on Education, then to the Committee on Ways and Means
- No. 802 Committee on Education, then to the Committee on Ways and Means
- No. 803 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 804 Committee on Education, then to the Committee on Ways and Means
- No. 805 Committee on Education, then to the Committee on Ways and Means
- No. 806 Committee on Education, then to the Committee on Ways and Means
- No. 807 Committee on Education, then to the Committee on Ways and Means
- No. 808 Committee on Education, then to the Committee on Ways and Means
- No. 809 Committee on Education, then to the Committee on Ways and Means

No. 810 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 811 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 812 Committee on Intergovernmental Relations, then to the Committee on Ways and Means

No. 813 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 814 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

By unanimous consent, consideration of Senate Bill Nos. 815 to 1017 was deferred until Wednesday, February 14, 1979.

ADJOURNMENT

At 11:55 o'clock a.m., on motion by Senator Kuroda, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 14, 1979.

TWENTY-FIRST DAY

Wednesday, February 14, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Richard Matsumoto of Tendai Mission of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twentieth Day.

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

Senator Toyofuku introduced a group of senior citizens from the Island of Kauai.

Senator Abercrombie introduced his aunt and uncle, George and Ruth Grader, from San Diego, California.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 79 and 80) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 79), transmitting a report prepared by the Department of Labor and Industrial Relations relating to the State Program for the Unemployed (Act 151, SLH 1975) and providing a summary of the activities and accomplishments of the program, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 80), transmitting five reports on land transactions during the period from January 1 to December 31, 1978 prepared by the Department of Land and Natural Resources and the Department of Transportation as follows:

1. A Report on Land Dispositions by the Departments pursuant to Section 171-29, Hawaii Revised Statutes;

2. A Report on Subleases of State Lands pursuant to Section 171-29, Hawaii Revised Statutes;

3. A Report on Direct Dispositions to Public Utilities pursuant to Section 171-95, Hawaii Revised Statutes;

4. A Report on Executive Orders Issued pursuant to Section 171-11, Hawaii Revised Statutes; and

5. A Report on Quitclaim of State Interest pursuant to Section 171-51, Hawaii Revised Statutes,

was referred to the Committee on Economic Development.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 28), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING MR. JOHN D. BELLINGER FOR HIS OUTSTANDING AND DEDICATED SERVICE TO THE PEOPLE OF HAWAII AS CIVILIAN AIDE TO THE SECRETARY OF THE ARMY AND AS CHAIRMAN OF THE U.S. ARMY CIVILIAN ADVISORY GROUP IN HAWAII", was jointly offered by Senators Kuroda, Ajifu, Campbell, Carroll, Mizuguchi, Wong, O'Connor, Kawasaki, Chong, Young, Takitani, Hara, Cayetano, Yim, Yamasaki, Toyofuku, Saiki, George, Carpenter and Cobb, and was read by the Clerk.

On motion by Senator Ajifu, seconded by Senator Campbell and carried, S.C.R. No. 28 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 139 and 140) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 139), entitled: "SENATE RESOLUTION RECOGNIZING AND HONORING SERGEANT MAJOR JAMES HALE, SR. UNITED STATES ARMY, FOR HIS OUTSTANDING CONTRIBUTIONS TO OUR YOUTH IN THE FIELD OF SCOUTING AND FOR HIS LEADERSHIP IN ASSISTING TWENTY SCOUTS TO ACHIEVE THE RANK OF EAGLE SCOUT IN HAWAII AND KOREA", was jointly offered by Senators Kuroda, Cayetano, Mizuguchi, Yee, Young, Ajifu, Kawasaki, George, Yamasaki, Yim, O'Connor, Chong, Takitani, Campbell, Carroll, Hara, Toyofuku, Anderson, Cobb, Soares, Carpenter and Abercrombie.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, S.R. No. 139 was adopted.

Senator Kuroda then introduced to the members of the Senate Sergeant Major James Hale, Sr., with his wife Lilly, son, James, Jr., an Eagle Scout, and two daughters, Lilly and Linda, both First-Class Scouts (equivalent to Eagle). Accompanying Sergeant Major Hale were members of Boy Scout

Troop 322 from Pearl City and members of their families and friends.

Senator Kuroda presented a certified copy of the resolution to Sergeant Major Hale.

At 11:42 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.

A resolution (S.R. No. 140), relating to Senate employees' compensation was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 140 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 16), informing the Senate that Senate Concurrent Resolution Nos. 24 to 27, Senate Resolution Nos. 124 to 138, and Senate Bill Nos. 1018 to 1473 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Monday, February 12, 1979:

Senate Bills Referred to:

No. 815 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 816 Committee on Human Resources,
 then to the Committee on Ways
 and Means

No. 817 Committee on Intergovernmental
 Relations, then to the Committee
 on Ways and Means

No. 818 Committee on Education,
 then to the Committee on Ways
 and Means

No. 819 Committee on Education,
 then to the Committee on Ways
 and Means

No. 820 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 821 Committee on Human Resources,
 then to the Committee on Ways and
 Means

No. 822 Committee on Education,
 then to the Committee on Ways and
 Means

No. 823 Committee on Education, then
 to the Committee on Ways and Means

No. 824 Committee on Education,
 then to the Committee on Ways and
 Means

No. 825 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 826 Committee on Transportation,
 then to the Committee on Ways and
 Means

No. 827 Committee on Transportation,
 then to the Committee on Ways and
 Means

No. 828 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 829 Committee on Intergovernmental
 Relations, then to the Committee
 on Ways and Means

No. 830 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 831 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 832 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 833 Committee on Ecology,
 Environment and Recreation, then
 to the Committee on Ways and Means

No. 834 Committee on Health, then
 to the Committee on Ways and Means

No. 835 Committee on Intergovernmental
 Relations, then to the Committee
 on Ways and Means

No. 836 Jointly to the Committee on
 Economic Development and the Committee
 on Intergovernmental Relations,
 then to the Committee on Judiciary

No. 837 Jointly to the Committee on
 Education and the Committee on Higher
 Education, then to the Committee

- on Judiciary
- No. 838 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 839 Committee on Health, then to the Committee on Ways and Means
- No. 840 Committee on Ways and Means
- No. 841 Committee on Higher Education, then to the Committee on Ways and Means
- No. 842 Committee on Judiciary
- No. 843 Committee on Consumer Protection and Commerce
- No. 844 Committee on Transportation, then to the Committee on Judiciary
- No. 845 Committee on Health, then to the Committee on Ways and Means
- No. 846 Committee on Judiciary
- No. 847 Committee on Human Resources, then to the Committee on Ways and Means
- No. 848 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 849 Committee on Ways and Means
- No. 850 Committee on Judiciary
- No. 851 Committee on Judiciary
- No. 852 Committee on Judiciary, then to the Committee on Ways and Means
- No. 853 Jointly to the Committee on Transportation and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 854 Committee on Education, then to the Committee on Ways and Means
- No. 855 Committee on Education, then to the Committee on Ways and Means
- No. 856 Committee on Education, then to the Committee on Ways and Means
- No. 857 Committee on Education, then to the Committee on Ways and Means
- No. 858 Committee on Education, then to the Committee on Ways and Means
- No. 859 Committee on Education, then to the Committee on Ways and Means
- No. 860 Committee on Education, then to the Committee on Ways and Means
- No. 861 Committee on Education, then to the Committee on Ways and Means
- No. 862 Committee on Education, then to the Committee on Ways and Means
- No. 863 Committee on Education, then to the Committee on Ways and Means
- No. 864 Committee on Education, then to the Committee on Ways and Means
- No. 865 Committee on Transportation
- No. 866 Committee on Transportation
- No. 867 Committee on Transportation
- No. 868 Committee on Transportation
- No. 869 Committee on Transportation
- No. 870 Committee on Transportation
- No. 871 Committee on Transportation
- No. 872 Committee on Transportation
- No. 873 Committee on Education
- No. 874 Committee on Health, then to the Committee on Ways and Means
- No. 875 Committee on Education, then to the Committee on Ways and Means
- No. 876 Committee on Health, then to the Committee on Ways and Means
- No. 877 Jointly to the Committee on Transportation and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 878 Committee on Ways and Means
- No. 879 Committee on Education, then to the Committee on Ways and Means

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| No. 880 Committee on Consumer Protection and Commerce | No. 902 Committee on Consumer Protection and Commerce |
| No. 881 Committee on Consumer Protection and Commerce | No. 903 Committee on Consumer Protection and Commerce |
| No. 882 Committee on Consumer Protection and Commerce | No. 904 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 883 Committee on Human Resources, then to the Committee on Intergovernmental Relations | No. 905 Committee on Human Resources |
| No. 884 Committee on Judiciary | No. 906 Committee on Human Resources |
| No. 885 Committee on Consumer Protection and Commerce | No. 907 Jointly to the Committee on Health and the Committee on Human Resources |
| No. 886 Committee on Consumer Protection and Commerce | No. 908 Committee on Human Resources |
| No. 887 Committee on Human Resources | No. 909 Committee on Human Resources |
| No. 888 Committee on Health | No. 910 Committee on Human Resources |
| No. 889 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 911 Committee on Human Resources |
| No. 890 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 912 Committee on Human Resources |
| No. 891 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 913 Committee on Human Resources |
| No. 892 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means | No. 914 Committee on Human Resources |
| No. 893 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 915 Committee on Human Resources |
| No. 894 Committee on Public Utilities, then to the Committee on Consumer Protection and Commerce | No. 916 Committee on Tourism, then to the Committee on Ways and Means |
| No. 895 Committee on Consumer Protection and Commerce | No. 917 Committee on Ways and Means |
| No. 896 Committee on Consumer Protection and Commerce | No. 918 Committee on Judiciary |
| No. 897 Committee on Consumer Protection and Commerce | No. 919 Committee on Judiciary |
| No. 898 Committee on Consumer Protection and Commerce | No. 920 Committee on Judiciary |
| No. 899 Committee on Consumer Protection and Commerce | No. 921 Committee on Judiciary |
| No. 900 Committee on Consumer Protection and Commerce | No. 922 Committee on Consumer Protection and Commerce |
| No. 901 Committee on Consumer Protection and Commerce | No. 923 Committee on Consumer Protection and Commerce |
| | No. 924 Committee on Consumer Protection and Commerce |
| | No. 925 Committee on Transportation, then to the Committee on Judiciary |
| | No. 926 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means |
| | No. 927 Committee on Education, then to the Committee on Ways and Means |
| | No. 928 Committee on Education, then to the Committee on Ways and Means |

- No. 929 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 930 Committee on Education, then to the Committee on Ways and Means
- No. 931 Committee on Education
- No. 932 Committee on Education, then to the Committee on Ways and Means
- No. 933 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 934 Committee on Human Resources, then to the Committee on Ways and Means
- No. 935 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 936 Committee on Education
- No. 937 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development
- No. 938 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 939 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 940 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 941 Committee on Ways and Means
- No. 942 Committee on Health, then to the Committee on Ways and Means
- No. 943 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 944 Committee on Transportation, then to the Committee on Ways and Means
- No. 945 Committee on Tourism
- No. 946 Committee on Consumer Protection and Commerce
- No. 947 Committee on Tourism
- No. 948 Committee on Consumer Protection and Commerce
- No. 949 Committee on Consumer Protection and Commerce
- No. 950 Committee on Tourism, then to the Committee on Ways and Means
- No. 951 Committee on Economic Development, then to the Committee on Ways and Means
- No. 952 Committee on Human Resources, then to the Committee on Ways and Means
- No. 953 Committee on Human Resources, then to the Committee on Ways and Means
- No. 954 Committee on Health, then to the Committee on Ways and Means
- No. 955 Committee on Health, then to the Committee on Ways and Means
- No. 956 Committee on Health, then to the Committee on Ways and Means
- No. 957 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 958 Committee on Transportation, then to the Committee on Ways and Means
- No. 959 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 960 Committee on Consumer Protection and Commerce
- No. 961 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 962 Committee on Higher Education, then to the Committee on Ways and Means
- No. 963 Committee on Higher Education, then to the Committee on Ways and Means
- No. 964 Committee on Health, then to the Committee on Ways and Means
- No. 965 Committee on Health, then to the Committee on Ways and Means
- No. 966 Committee on Health, then to the Committee on Ways and Means
- No. 967 Committee on Health, then to the Committee on Ways and Means
- No. 968 Committee on Health, then to the Committee on Ways and Means
- No. 969 Committee on Health, then to the Committee on Ways and Means
- No. 970 Committee on Health, then to the Committee on Ways and Means

- No. 971 Committee on Health, then
to the Committee on Ways and Means
- No. 972 Committee on Health, then
to the Committee on Ways and Means
- No. 973 Committee on Health, then
to the Committee on Ways and Means
- No. 974 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 975 Committee on Health, then
to the Committee on Ways and Means
- No. 976 Committee on Health, then
to the Committee on Ways and Means
- No. 977 Committee on Health, then
to the Committee on Ways and Means
- No. 978 Committee on Health, then
to the Committee on Ways and Means
- No. 979 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means
- No. 980 Committee on Higher Education,
then to the Committee on Ways
and Means
- No. 981 Committee on Higher Education,
then to the Committee on Ways
and Means
- No. 982 Committee on Higher Education,
then to the Committee on Ways
and Means
- No. 983 Committee on Consumer
Protection and Commerce, then
to the Committee on Judiciary
- No. 984 Committee on Health, then
to the Committee on Ways and Means
- No. 985 Committee on Health, then
to the Committee on Ways and Means
- No. 986 Committee on Health, then
to the Committee on Ways and Means
- No. 987 Committee on Economic
Development, then to the Committee
on Ways and Means
- No. 988 Committee on Health, then
to the Committee on Ways and Means
- No. 989 Committee on Human Resources,
then to the Committee on Ways
and Means
- No. 990 Committee on Agriculture,
then to the Committee on Ways
and Means
- No. 991 Committee on Human Resources,
then to the Committee on Ways
and Means
- No. 992 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 993 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 994 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 995 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 996 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 997 Committee on Higher Education,
then to the Committee on Ways and
Means
- No. 998 Committee on Health, then
to the Committee on Ways and Means
- No. 999 Committee on Health, then
to the Committee on Ways and Means
- No. 1000 Committee on Higher Education,
then to the Committee on Ways and
Means
- No. 1001 Committee on Higher Education,
then to the Committee on Ways and
Means
- No. 1002 Jointly to the Committee on
Agriculture and the Committee on
Higher Education, then to the Committee
on Ways and Means
- No. 1003 Jointly to the Committee on
Economic Development and the Committee
on Intergovernmental Relations
- No. 1004 Jointly to the Committee on
Agriculture and the Committee on
Higher Education, then to the Committee
on Ways and Means
- No. 1005 Committee on Health, then
to the Committee on Ways and Means
- No. 1006 Committee on Judiciary, then
to the Committee on Ways and Means
- No. 1007 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 1008 Committee on Human Resources,
then to the Committee on Ways and
Means
- No. 1009 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1010 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1011 Committee on Intergovernmental
Relations, then to the Committee
on Ways and Means

No. 1012 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1013 Committee on Ecology,
Environment and Recreation,
then to the Committee on Ways
and Means

No. 1014 Committee on Ecology,
Environment and Recreation,
then to the Committee on Ways
and Means

No. 1015 Committee on Higher Education,
then to the Committee on Ways
and Means

No. 1016 Committee on Higher Education,
then to the Committee on Ways
and Means

No. 1017 Committee on Judiciary,
then to the Committee on Ways
and Means

The President then made the following
committee assignments of bills that
were introduced on Tuesday, February
13, 1979:

Senate Bills Referred to:

No. 1018 Committee on Health, then
to the Committee on Judiciary

No. 1019 Committee on Health, then
to the Committee on Higher Education,
then to the Committee on Ways
and Means

No. 1020 Committee on Human Resources,
then to the Committee on Ways
and Means

No. 1021 Committee on Health,
then to the Committee on Ways
and Means

No. 1022 Jointly to the Committee
on Agriculture and the Committee
on Housing and Hawaiian Homes,
then to the Committee on Ways
and Means

No. 1023 Committee on Health, then
to the Committee on Ways and Means

No. 1024 Committee on Transportation,
then to the Committee on Ways
and Means

No. 1025 Committee on Public Utilities

No. 1026 Committee on Consumer
Protection and Commerce

No. 1027 Committee on Consumer
Protection and Commerce

No. 1028 Committee on Health, then
to the Committee on Ways and Means

No. 1029 Committee on Public Utilities

No. 1030 Committee on Public Utilities

No. 1031 Committee on Public Utilities

No. 1032 Committee on Housing and
Hawaiian Homes, then to the Committee
on Consumer Protection and Commerce,
then to the Committee on Judiciary

No. 1033 Committee on Consumer
Protection and Commerce

No. 1034 Committee on Public Utilities

No. 1035 Committee on Consumer
Protection and Commerce

No. 1036 Committee on Housing and
Hawaiian Homes, then to the Committee
on Ways and Means

No. 1037 Committee on Ecology,
Environment and Recreation, then
to the Committee on Economic Development

No. 1038 Committee on Economic Develop-
ment

No. 1039 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1040 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1041 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1042 Committee on Judiciary

No. 1043 Committee on Judiciary

No. 1044 Committee on Education, then
to the Committee on Ways and Means

No. 1045 Committee on Judiciary

No. 1046 Committee on Judiciary

No. 1047 Committee on Judiciary, then
to the Committee on Ways and Means

No. 1048 Committee on Judiciary, then
to the Committee on Ways and Means

No. 1049 Committee on Judiciary

No. 1050 Committee on Human Resources,

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|---|---|
| then to the Committee on Judiciary | No. 1072 Committee on Public Utilities |
| No. 1051 Committee on Judiciary | No. 1073 Committee on Health |
| No. 1052 Committee on Education,
then to the Committee on Ways
and Means | No. 1074 Committee on Health |
| No. 1053 Committee on Human Resources,
then to the Committee on Judiciary | No. 1075 Jointly to the Committee on
Public Utilities and the Committee
on Transportation |
| No. 1054 Committee on Judiciary,
then to the Committee on Ways
and Means | No. 1076 Committee on Public Utilities |
| No. 1055 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 1077 Committee on Economic Develop-
ment, then to the Committee on Ways
and Means |
| No. 1056 Committee on Transportation,
then to the Committee on Judiciary | No. 1078 Committee on Public Utilities |
| No. 1057 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 1079 Committee on Public Utilities |
| No. 1058 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 1080 Committee on Public Utilities |
| No. 1059 Committee on Education | No. 1081 Committee on Public Utilities |
| No. 1060 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 1082 Committee on Public Utilities |
| No. 1061 Committee on Human Resources | No. 1083 Jointly to the Committee on
Public Utilities and the Committee
on Transportation |
| No. 1062 Committee on Public Utilities,
then to the Committee on Ways
and Means | No. 1084 Committee on Health |
| No. 1063 Committee on Ways and
Means | No. 1085 Committee on Economic Develop-
ment, then to the Committee on Ways
and Means |
| No. 1064 Committee on Judiciary | No. 1086 Committee on Economic Develop-
ment |
| No. 1065 Committee on Judiciary,
then to the Committee on Ways
and Means | No. 1087 Committee on Transportation,
then to the Committee on Ways and
Means |
| No. 1066 Committee on Judiciary | No. 1088 Committee on Economic Develop-
ment, then to the Committee on Ways
and Means |
| No. 1067 Committee on Human Resources,
then to the Committee on Ways
and Means | No. 1089 Committee on Health |
| No. 1068 Committee on Consumer
Protection and Commerce | No. 1090 Committee on Ways and Means |
| No. 1069 Committee on Public Utilities,
then to the Committee on Ways
and Means | No. 1091 Committee on Ways and Means |
| No. 1070 Committee on Public Utilities,
then to the Committee on Ways
and Means | No. 1092 Committee on Ways and Means |
| No. 1071 Committee on Public Utilities,
then to the Committee on Ways
and Means | No. 1093 Committee on Ways and Means |
| | No. 1094 Committee on Ways and Means |
| | No. 1095 Committee on Ways and Means |
| | No. 1096 Committee on Ways and Means |
| | No. 1097 Committee on Ways and Means |
| | No. 1098 Committee on Ways and Means |
| | No. 1099 Committee on Ways and Means |
| | No. 1100 Committee on Ways and Means |

No. 1101 Committee on Ways and Means	No. 1133 Committee on Ways and Means
No. 1102 Committee on Ways and Means	No. 1134 Committee on Ways and Means
No. 1103 Committee on Ways and Means	No. 1135 Committee on Ways and Means
No. 1104 Committee on Ways and Means	No. 1136 Committee on Ways and Means
No. 1105 Committee on Ways and Means	No. 1137 Committee on Ways and Means
No. 1106 Committee on Ways and Means	No. 1138 Committee on Ways and Means
No. 1107 Committee on Ways and Means	No. 1139 Committee on Ways and Means
No. 1108 Committee on Ways and Means	No. 1140 Committee on Ways and Means
No. 1109 Committee on Ways and Means	No. 1141 Committee on Ways and Means
No. 1110 Committee on Transportation	No. 1142 Committee on Ways and Means
No. 1111 Committee on Transportation	No. 1143 Committee on Ways and Means
No. 1112 Committee on Human Resources, then to the Committee on Judiciary	No. 1144 Committee on Ways and Means
No. 1113 Committee on Health, then to the Committee on Consumer Protection and Commerce	No. 1145 Committee on Ways and Means
No. 1114 Committee on Health, then to the Committee on Consumer Protection and Commerce	No. 1146 Committee on Ways and Means
No. 1115 Committee on Consumer Protection and Commerce	No. 1147 Committee on Ways and Means
No. 1116 Committee on Consumer Protection and Commerce	No. 1148 Committee on Ways and Means
No. 1117 Committee on Transportation	No. 1149 Committee on Ways and Means
No. 1118 Committee on Transportation	No. 1150 Committee on Ways and Means
No. 1119 Committee on Human Resources	No. 1151 Committee on Ways and Means
No. 1120 Committee on Ways and Means	No. 1152 Jointly to the Committee on Economic Development and the Committee on Public Utilities
No. 1121 Committee on Ways and Means	No. 1153 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
No. 1122 Committee on Ways and Means	No. 1154 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
No. 1123 Committee on Human Resources	No. 1155 Jointly to the Committee on Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means
No. 1124 Committee on Ways and Means	No. 1156 Jointly to the Committee on Economic Development and the Committee on Public Utilities, then to the Committee on Ways and Means
No. 1125 Committee on Ways and Means	No. 1157 Committee on Human Resources
No. 1126 Committee on Ways and Means	No. 1158 Committee on Human Resources, then to the Committee on Ways and Means
No. 1127 Committee on Ways and Means	No. 1159 Committee on Human Resources, then to the Committee on Ways and Means
No. 1128 Committee on Ways and Means	
No. 1129 Committee on Ways and Means	
No. 1130 Committee on Ways and Means	
No. 1131 Committee on Ways and Means	
No. 1132 Committee on Ways and Means	

- No. 1160 Committee on Transportation, then to the Committee on Ways and Means
- No. 1161 Committee on Judiciary
- No. 1162 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1163 Committee on Judiciary
- No. 1164 Jointly to the Committee on Intergovernmental Relations and the Committee on Economic Development, then to the Committee on Judiciary
- No. 1165 Committee on Judiciary
- No. 1166 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1167 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1168 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 1169 Committee on Judiciary
- No. 1170 Committee on Consumer Protection and Commerce
- No. 1171 Committee on Consumer Protection and Commerce
- No. 1172 Committee on Consumer Protection and Commerce
- No. 1173 Committee on Ways and Means
- No. 1174 Committee on Ways and Means
- No. 1175 Committee on Ways and Means
- No. 1176 Committee on Ways and Means
- No. 1177 Committee on Ways and Means
- No. 1178 Committee on Ways and Means
- No. 1179 Committee on Ways and Means
- No. 1180 Committee on Ways and Means
- No. 1181 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1182 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1183 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1184 Committee on Judiciary
- No. 1185 Committee on Government Operations and Efficiency, then to the Committee on Judiciary
- No. 1186 Committee on Consumer Protection and Commerce
- No. 1187 Committee on Consumer Protection and Commerce
- No. 1188 Committee on Consumer Protection and Commerce
- By unanimous consent, consideration of Senate Bill Nos. 1189 to 1825 was deferred until Thursday, February 15, 1979.
- At this time, Senator Abercrombie stated as follows:
- "Mr. President, as you know, today is Valentine's Day, and in honor of the occasion, the staff of Senator Young and myself got together and we decided to give her a little present, and with it is a message to those in the Senate who do not understand that there is a 'new politics.'
- "In the process, Mr. President, a little poem was devised, which I would like to read at this time in honor of the occasion, and in honor of the message that was delivered. Then perhaps Senator Young could show us the outcome of the message and the present.
- 'Roses are red, violets are blue,
Today is Valentine's Day, and here
are your shoes,
These are open toes, to give you relief,
Despite the present dress code which
is beyond belief,
Strut in proudly as you walk on the
Senate floor,
If anyone hassles you, show them the door,
Your staff and I are behind you all the way,
Today is Valentine's,
So have a nice day!'
- "Thank you, Mr. President."
- At 11:50 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 11:54 o'clock a.m., on motion
by Senator Mizuguchi, seconded
by Senator Anderson and carried,
the Senate adjourned until 11:30 o'clock
a.m., Thursday, February 15, 1979.

TWENTY-SECOND DAY

Thursday, February 15, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Jerry L. Appleby, Pastor, Church of the Nazarene, Honolulu First Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-First Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 81), informing the Senate that on February 14, 1979, he signed the following bill into law:

H.B. No. 11 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.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 12 to 14) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 12), returning Senate Concurrent Resolution No. 8, which was adopted by the House of Representatives on February 14, 1979, was placed on file.

A communication from the House (Hse. Com. No. 13), informing the Senate that the amendments proposed by the Senate to House Bill No. 11, H.D. 1, were agreed to by the House; and H.B. No. 11, S.D. 1, passed Final Reading in the House of Representatives on February 14, 1979, was placed on file.

A communication from the House (Hse. Com. No. 14), returning Senate Concurrent Resolution No. 28, which was adopted by the House of Representatives on February 14, 1979, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 29), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE THE STAFFING GUIDELINES FOR CLERICAL POSITIONS IN EXISTING SCHOOLS", was jointly offered

by Senators Mizuguchi, Hara, Cayetano, Toyofuku, Yamasaki, Takitani, O'Connor, Kuroda and Young.

By unanimous consent, S.C.R. No. 29 was referred to the Committee on Education, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 141 to 157) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 141), entitled: "SENATE RESOLUTION REQUESTING A DETERMINATION OF THE STATUS OF ACT 148 OF 1978, THE STATE EMERGENCY MEDICAL SERVICES SYSTEM", was jointly offered by Senators Saiki, Yee, Cobb, Kuroda, Takitani, Hara, Soares and George.

By unanimous consent, S.R. No. 141 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 142), entitled: "SENATE RESOLUTION REQUESTING A STUDY EXAMINING THE EFFECTS OF CRIMES AGAINST PROPERTY", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 142 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 143), entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF STATE AGENCIES INVOLVED WITH JUVENILE JUSTICE PREVENTION, TREATMENT, AND REHABILITATION", was offered by Senator Soares.

By unanimous consent, S.R. No. 143 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 144), entitled: "SENATE RESOLUTION RELATING TO THE AMELIORATION OR RELIEF OF THE BANISHMENT FROM THE UNITED STATES MAINLAND OF THE HAWAIIAN AVOCADO AND MANGO", was jointly offered by Senators Soares, Yee, Carroll, George, Kawasaki, Carpenter and Ajifu.

By unanimous consent, S.R. No. 144 was referred to the Committee on Agriculture.

A resolution (S.R. No. 145), entitled: "SENATE RESOLUTION CALLING FOR A HAWAII EMPLOYMENT AND OPPORTUNITIES CONFERENCE", was jointly offered by Senators Soares, Yee, George, Kawasaki,

Carpenter and Ajifu.

By unanimous consent, S.R. No. 145 was referred to the Committee on Human Resources.

A resolution (S.R. No. 146), entitled: "SENATE RESOLUTION REQUESTING THE CIVIL AERONAUTICS BOARD TO ASSIST THE AGRICULTURAL INDUSTRY OF HAWAII IN THE AREA OF TRANSPORTATION BY AIR", was jointly offered by Senators Soares, Yee, Kawasaki, Carpenter and Ajifu.

By unanimous consent, S.R. No. 146 was referred jointly to the Committee on Agriculture and the Committee on Transportation.

A resolution (S.R. No. 147), entitled: "SENATE RESOLUTION REQUESTING THE COLLEGE OF TROPICAL AGRICULTURE, THE DEPARTMENTS OF AGRICULTURE AND LAND AND NATURAL RESOURCES, AND THE AGRICULTURAL EXTENSION SERVICE TO PERFORM AND PUBLISH AN INVENTORY AND ANALYSIS OF LAND IN THE STATE NOW IN, OR POTENTIALLY OF, USE IN TRUCK FARMING, FEED GRAIN AND FRUIT CROPPING", was jointly offered by Senators Soares, Yee, Ajifu, Kawasaki, Carroll, George and Carpenter.

By unanimous consent, S.R. No. 147 was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A resolution (S.R. No. 148), entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was jointly offered by Senators Soares and Carroll.

By unanimous consent, S.R. No. 148 was referred to the Committee on Health, then to the Committee on Ways and Means.

A resolution (S.R. No. 149), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW AND MAKE NECESSARY IMPROVEMENTS TO THE CAPITOL AIR CONDITIONING SYSTEM", was jointly offered by Senators Cobb, George, Kawasaki, O'Connor, Ajifu and Kuroda.

By unanimous consent, S.R. No. 149 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 150), entitled: "SENATE RESOLUTION CONGRATULATING THE 1979 MISS MCKINLEY-CARNIVAL QUEEN JUDI BRONS, AND HER COURT", was jointly offered by Senators Yee, Carroll, Anderson, Kuroda, Takitani, Cobb, Chong, Soares, George and Yamasaki.

On motion by Senator Yee, seconded

by Senator Carroll and carried, S.R. No. 150 was adopted.

At this time, Senator Yee introduced to the members of the Senate the McKinley High School Carnival Court: Judi Brons, Queen; Lisa Asinsin, Princess; Ahnte Tran, 1st runner-up; Elena Brown, 2nd runner-up; Caryn Buholm, 3rd runner-up; and Carrie Tran, 4th runner-up; accompanied by their Advisor and Counselor Gail Sykes, Principal Richard Sakamoto, Thomas Young, Senior Class President, Escort Tony Sotelo and Mrs. John O. Brons, mother of Queen Judi.

A resolution (S.R. No. 151), entitled: "SENATE RESOLUTION REQUESTING THAT FEBRUARY 18, 1979 BE DECLARED 'KOREA DAY' AND HONORING AND COMMENDING MRS. HALLA HUHM FOR OUTSTANDING SERVICE TO THE KOREAN COMMUNITY", was jointly offered by Senators Cobb, Ajifu, Kawasaki, Carroll, George, Young, Kuroda, Cayetano, Yamasaki, Carpenter, Mizuguchi, Campbell, Toyofuku, Ushijima, Takitani and Chong.

On motion by Senator Cobb, seconded by Senator Ajifu and carried, S.R. No. 151 was adopted.

Senator Cobb then rose to introduce Mrs. Huhm and stated as follows:

"Mr. President, we are fortunate to have with us this morning, a well-known, beloved and esteemed woman in Hawaii. She is Mrs. Halla Huhm. Time does not permit a listing of all of her accomplishments, but I'd like to describe just briefly her background.

"Mrs. Huhm will be recognized this weekend as the first Korean to be selected by the Korean Community Council as the Most Outstanding Korean in Hawaii, at the Korea Day Picnic on February 18 at Kapiolani Park and at a testimonial dinner.

"In addition to Mrs. Huhm's great artistry, the Korean Community Council acknowledges her extraordinary generosity and personal dignity while perpetuating the image of the Korean Community. Mrs. Huhm was never financially supported by any Korean financial group but throughout her career, she has arranged performances, personally sewed costumes, taught instruments and language, and Korean dressmaking.

"She was born in Pusan and came to Hawaii in 1949 marrying a local Korean. She has remained to become an American citizen and she has received five citations from the Korean Government.

"Mrs. Huhm contributed her talent and abundant energy to numerous community

organizations for their benefits and has given unselfishly to needy charities such as the YMCA, Heart Association, Governor's Cultural Commission, the Community Chest and other agencies."

The Senate was then honored by a performance of a Korean dance by Mrs. Halla Huhm.

Senator Cobb then introduced Mr. Kwan Kuh and Mr. John Hyun, who have been instrumental in organizing the Korea Day picnic as well as many of the celebrations in the Korean Community. Senators Cobb and Chong presented certified copies of the resolution and leis to the gentlemen and Mrs. Huhm.

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.

A resolution (S.R. No. 152), entitled: "SENATE RESOLUTION REQUESTING DIVESTITURE OF PARTS OF PACIFIC RESOURCES, INC.", was offered by Senator Chong.

By unanimous consent, S.R. No. 152 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 153), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO INVESTIGATE THE PROPOSED MERGER OF PACIFIC RESOURCES, INC., AND ALEXANDER AND BALDWIN, INC.", was offered by Senator Chong.

By unanimous consent, S.R. No. 153 was referred to the Committee on Public Utilities and the Committee on Judiciary.

A resolution (S.R. No. 154), entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO INVESTIGATE THE PROPOSED MERGER OF ALEXANDER AND BALDWIN, INC., AND PACIFIC RESOURCES, INC., OF ITS POSSIBLE IMPACT ON FUEL FOR HAWAII'S PUBLIC UTILITIES", was offered by Senator Chong.

By unanimous consent, S.R. No. 154 was referred to the Committee on Public Utilities, then to the Committee on Economic Development.

A resolution (S.R. No. 155), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON TRANSPORTATION TO REVIEW THE ASSIGNMENT OF RESPONSIBILITY FOR THE SAFE PERFORMANCE OF SCHOOL BUS DRIVERS", was jointly offered by Senators Mizuguchi, Takitani, Kuroda, Kawasaki and Hara.

By unanimous consent, S.R. No. 155 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 156), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE THE STAFFING GUIDELINES FOR CLERICAL POSITIONS IN EXISTING SCHOOLS", was jointly offered by Senators Mizuguchi, Hara, Cayetano, Toyofuku, Yamasaki, Takitani, O'Connor, Kuroda and Young.

By unanimous consent, S.R. No. 156 was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 157), entitled: "SENATE RESOLUTION RELATING TO THE ADOPTION OF THE RULES OF THE SENATE", was offered by Senator O'Connor.

On motion by Senator O'Connor, seconded by Senator Anderson and carried, S.R. No. 157 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 11:54 o'clock a.m.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 17), informing the Senate that Senate Concurrent Resolution No. 28, Senate Resolution Nos. 139 and 140 and Senate Bill Nos. 1474 to 1825 have been printed and are ready for distribution.

On motion by Senator Yamasaki, 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 Tuesday, February 13, 1979:

Senate Bills	Referred to:
No. 1189	Committee on Consumer Protection and Commerce
No. 1190	Committee on Human Resources, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 1191	Committee on Judiciary
No. 1192	Committee on Judiciary, then to the Committee on Ways and Means
No. 1193	Committee on Human Resources, then to the Committee on Ways and Means

- No. 1194 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1195 Committee on Judiciary
- No. 1196 Committee on Judiciary
- No. 1197 Committee on Judiciary
- No. 1198 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1199 Committee on Transportation, then to the Committee on Ways and Means
- No. 1200 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1201 Committee on Education, then to the Committee on Ways and Means
- No. 1202 Committee on Transportation, then to the Committee on Ways and Means
- No. 1203 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1204 Committee on Education
- No. 1205 Committee on Education, then to the Committee on Ways and Means
- No. 1206 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1207 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1208 Committee on Judiciary
- No. 1209 Committee on Education, then to the Committee on Ways and Means
- No. 1210 Committee on Health, then to the Committee on Judiciary
- No. 1211 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 1212 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 1213 Committee on Transportation, then to the Committee on Judiciary
- No. 1214 Committee on Transportation, then to the Committee on Judiciary
- No. 1215 Committee on Judiciary
- No. 1216 Committee on Education, then to the Committee on Judiciary
- No. 1217 Committee on Judiciary
- No. 1218 Committee on Judiciary
- No. 1219 Committee on Ways and Means
- No. 1220 Committee on Transportation, then to the Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1221 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 1222 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1223 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1224 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1225 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1226 Committee on Economic Development, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1227 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1228 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1229 Jointly to the Committee on Transportation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1230 Committee on Judiciary
- No. 1231 Committee on Judiciary
- No. 1232 Committee on Human Resources, then to the Committee on Judiciary
- No. 1233 Committee on Human Resources, then to the Committee on Judiciary
- No. 1234 Committee on Public Utilities, then to the Committee on Economic Development
- No. 1235 Committee on Ways and Means
- No. 1236 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1237 Committee on Health, then to the Committee on Ways and Means
- No. 1238 Committee on Judiciary
- No. 1239 Committee on Health, then to the Committee on Ways and Means

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| No. 1240 Committee on Health, then to the Committee on Judiciary | then to the Committee on Ways and Means |
| No. 1241 Committee on Judiciary | No. 1266 Committee on Education, then to the Committee on Ways and Means |
| No. 1242 Committee on Human Resources, then to the Committee on Judiciary | No. 1267 Committee on Transportation, then to the Committee on Ways and Means |
| No. 1243 Committee on Health, then to the Committee on Ways and Means | No. 1268 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 1244 Committee on Health, then to the Committee on Ways and Means | No. 1269 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1245 Committee on Health, then to the Committee on Ways and Means | No. 1270 Committee on Health, then to the Committee on Ways and Means |
| No. 1246 Committee on Health, then to the Committee on Ways and Means | No. 1271 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1247 Committee on Health | No. 1272 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1248 Committee on Health | No. 1273 Jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1249 Committee on Health | No. 1274 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1250 Committee on Health | No. 1275 Committee on Transportation, then to the Committee on Ways and Means |
| No. 1251 Committee on Health | No. 1276 Committee on Housing and Hawaiian Homes |
| No. 1252 Committee on Health | No. 1277 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1253 Committee on Health | No. 1278 Committee on Consumer Protection and Commerce |
| No. 1254 Committee on Health | No. 1279 Committee on Health, then to the Committee on Ways and Means |
| No. 1255 Committee on Health | No. 1280 Committee on Intergovernmental Relations, then to the Committee on Judiciary |
| No. 1256 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 1281 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1257 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | No. 1282 Committee on Human Resources, then to the Committee on Judiciary |
| No. 1258 Committee on Human Resources, then to the Committee on Ways and Means | No. 1283 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1259 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | No. 1284 Committee on Judiciary |
| No. 1260 Committee on Intergovernmental Relations, then to the Committee on Ways and Means | |
| No. 1261 Committee on Health, then to the Committee on Ways and Means | |
| No. 1262 Committee on Health, then to the Committee on Ways and Means | |
| No. 1263 Committee on Transportation, then to the Committee on Ways and Means | |
| No. 1264 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | |
| No. 1265 Committee on Higher Education, | |

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| No. 1285 Committee on Consumer Protection and Commerce | No. 1310 Committee on Education, then to the Committee on Ways and Means |
| No. 1286 Committee on Consumer Protection and Commerce | No. 1311 Committee on Intergovernmental Relations, then to the Committee on Judiciary |
| No. 1287 Committee on Judiciary, then to the Committee on Ways and Means | No. 1312 Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1288 Committee on Judiciary, then to the Committee on Ways and Means | No. 1313 Committee on Intergovernmental Relations, then to the Committee on Judiciary |
| No. 1289 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 1314 Committee on Consumer Protection and Commerce |
| No. 1290 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary | No. 1315 Committee on Consumer Protection and Commerce |
| No. 1291 Committee on Judiciary | No. 1316 Committee on Ways and Means |
| No. 1292 Committee on Judiciary | No. 1317 Committee on Agriculture, then to the Committee on Ways and Means |
| No. 1293 Committee on Judiciary | No. 1318 Committee on Agriculture, then to the Committee on Ways and Means |
| No. 1294 Jointly to the Committee on Education and the Committee on Judiciary | No. 1319 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1295 Committee on Judiciary | No. 1320 Committee on Agriculture, then to the Committee on Ways and Means |
| No. 1296 Committee on Judiciary, then to the Committee on Ways and Means | No. 1321 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1297 Committee on Human Resources | No. 1322 Committee on Education, then to the Committee on Judiciary |
| No. 1298 Committee on Tourism, then to the Committee on Ways and Means | No. 1323 Committee on Health, then to the Committee on Judiciary |
| No. 1299 Committee on Higher Education, then to the Committee on Ways and Means | No. 1324 Committee on Health, then to the Committee on Judiciary |
| No. 1300 Committee on Human Resources | No. 1325 Committee on Ecology, Environment and Recreation, then to the Committee on Health |
| No. 1301 Committee on Education, then to the Committee on Ways and Means | No. 1326 Committee on Economic Development |
| No. 1302 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development | No. 1327 Committee on Consumer Protection and Commerce |
| No. 1303 Committee on Judiciary | No. 1328 Committee on Public Utilities |
| No. 1304 Committee on Judiciary, then to the Committee on Ways and Means | No. 1329 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1305 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | No. 1330 Committee on Human Resources |
| No. 1306 Committee on Human Resources, then to the Committee on Ways and Means | No. 1331 Committee on Housing and |
| No. 1307 Committee on Human Resources, then to the Committee on Ways and Means | |
| No. 1308 Committee on Education, then to the Committee on Ways and Means | |
| No. 1309 Committee on Transportation, then to the Committee on Ways and Means | |

Hawaiian Homes	No. 1364 Committee on Ways and Means
No. 1332 Committee on Judiciary, then to the Committee on Ways and Means	No. 1365 Committee on Ways and Means
No. 1333 Committee on Transportation, then to the Committee on Judiciary	No. 1366 Committee on Ways and Means
No. 1334 Committee on Government Operations and Efficiency, then to the Committee on Judiciary	No. 1367 Committee on Ways and Means
No. 1335 Committee on Judiciary, then to the Committee on Ways and Means	No. 1368 Committee on Ways and Means
No. 1336 Committee on Judiciary	No. 1369 Committee on Ways and Means
No. 1337 Committee on Ways and Means	No. 1370 Committee on Judiciary, then to the Committee on Ways and Means
No. 1338 Committee on Transportation	No. 1371 Committee on Transportation, then to the Committee on Ways and Means
No. 1339 Committee on Judiciary	No. 1372 Committee on Intergovernmental Relations, then to the Committee on Judiciary
No. 1340 Committee on Judiciary	No. 1373 Committee on Education, then to the Committee on Ways and Means
No. 1341 Committee on Judiciary	No. 1374 Committee on Consumer Protection and Commerce
No. 1342 Committee on Judiciary	No. 1375 Committee on Consumer Protection and Commerce
No. 1343 Committee on Judiciary	No. 1376 Committee on Consumer Protection and Commerce
No. 1344 Committee on Judiciary	No. 1377 Committee on Consumer Protection and Commerce
No. 1345 Committee on Judiciary	No. 1378 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
No. 1346 Committee on Judiciary	No. 1379 Committee on Health, then to the Committee on Ways and Means
No. 1347 Committee on Judiciary	No. 1380 Committee on Economic Development, then to the Committee on Ways and Means
No. 1348 Committee on Judiciary	No. 1381 Committee on Economic Develop- ment, then to the Committee on Ways and Means
No. 1349 Committee on Judiciary	No. 1382 Committee on Economic Development, then to the Committee on Ways and Means
No. 1350 Committee on Judiciary	No. 1383 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
No. 1351 Committee on Judiciary	No. 1384 Committee on Education, then to the Committee on Ways and Means
No. 1352 Committee on Judiciary	No. 1385 Committee on Transportation, then to the Committee on Ways and Means
No. 1353 Committee on Judiciary	No. 1386 Committee on Ways and Means
No. 1354 Committee on Judiciary	No. 1387 Committee on Human Resources,
No. 1355 Committee on Judiciary	
No. 1356 Committee on Judiciary	
No. 1357 Committee on Judiciary	
No. 1358 Committee on Judiciary	
No. 1359 Committee on Judiciary	
No. 1360 Committee on Judiciary	
No. 1361 Committee on Judiciary	
No. 1362 Committee on Judiciary	
No. 1363 Committee on Judiciary	

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| then to the Committee on Ways and Means | then to the Committee on Ways and Means |
| No. 1388 Committee on Human Resources, then to the Committee on Ways and Means | No. 1412 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1389 Committee on Economic Development, then to the Committee on Ways and Means | No. 1413 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1390 Committee on Human Resources | No. 1414 Committee on Human Resources |
| No. 1391 Jointly to the Committee on Human Resources and the Committee on Transportation, then to the Committee on Ways and Means | No. 1415 Committee on Judiciary |
| No. 1392 Committee on Human Resources, then to the Committee on Ways and Means | No. 1416 Committee on Judiciary |
| No. 1393 Committee on Judiciary | No. 1417 Committee on Health, then to the Committee on Ways and Means |
| No. 1394 Committee on Human Resources, then to the Committee on Ways and Means | No. 1418 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1395 Jointly to the Committee on Consumer Protection and Commerce and the Committee on Human Resources, then to the Committee on Ways and Means | No. 1419 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee on Ways and Means |
| No. 1396 Committee on Human Resources | No. 1420 Committee on Ways and Means |
| No. 1397 Committee on Human Resources, then to the Committee on Ways and Means | No. 1421 Committee on Ways and Means |
| No. 1398 Committee on Human Resources | No. 1422 Committee on Human Resources |
| No. 1399 Committee on Human Resources, then to the Committee on Ways and Means | No. 1423 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 1400 Committee on Human Resources | No. 1424 Committee on Tourism, then to the Committee on Ways and Means |
| No. 1401 Committee on Education, then to the Committee on Ways and Means | No. 1425 Committee on Education, then to the Committee on Ways and Means |
| No. 1402 Committee on Human Resources, then to the Committee on Economic Development | No. 1426 Committee on Tourism |
| No. 1403 Committee on Human Resources | No. 1427 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1404 Committee on Human Resources | No. 1428 Committee on Consumer Protection and Commerce |
| No. 1405 Committee on Human Resources, then to the Committee on Ways and Means | No. 1429 Committee on Judiciary |
| No. 1406 Committee on Human Resources, then to the Committee on Ways and Means | No. 1430 Committee on Economic Development |
| No. 1407 Committee on Human Resources | No. 1431 Committee on Higher Education, then to the Committee on Ways and Means |
| No. 1408 Jointly to the Committee on Human Resources and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means | No. 1432 Committee on Judiciary |
| No. 1409 Committee on Agriculture | No. 1433 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development |
| No. 1410 Committee on Human Resources, then to the Committee on Ways and Means | No. 1434 Committee on Tourism, then |
| No. 1411 Committee on Economic Development, | |

- to the Committee on Ways and Means
- No. 1435 Committee on Consumer Protection and Commerce
- No. 1436 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1437 Committee on Transportation, then to the Committee on Judiciary
- No. 1438 Committee on Consumer Protection and Commerce
- No. 1439 Committee on Consumer Protection and Commerce
- No. 1440 Committee on Consumer Protection and Commerce
- No. 1441 Committee on Consumer Protection and Commerce
- No. 1442 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1443 Committee on Education, then to the Committee on Ways and Means
- No. 1444 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1445 Committee on Health, then to the Committee on Ways and Means
- No. 1446 Committee on Judiciary
- No. 1447 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1448 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1449 Committee on Ways and Means
- No. 1450 Committee on Education, then to the Committee on Ways and Means
- No. 1451 Committee on Housing and Hawaiian Homes
- No. 1452 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1453 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1454 Committee on Judiciary
- No. 1455 Jointly to the Committee on Tourism and the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1456 Committee on Agriculture, then
- to the Committee on Ways and Means
- No. 1457 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1458 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1459 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1460 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1461 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1462 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1463 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1464 Committee on Judiciary
- No. 1465 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1466 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 1467 Committee on Human Resources
- No. 1468 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1469 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1470 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1471 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1472 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1473 Committee on Education, then to the Committee on Ways and Means
- No. 1474 Committee on Health, then to the Committee on Ways and Means

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| No. 1475 Committee on Education, then to the Committee on Ways and Means | No. 1497 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 1476 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 1498 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 1477 Committee on Human Resources, then to the Committee on Ways and Means | No. 1499 Committee on Education, then to the Committee on Ways and Means |
| No. 1478 Committee on Education, then to the Committee on Ways and Means | No. 1500 Committee on Education, then to the Committee on Ways and Means |
| No. 1479 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 1501 Committee on Education, then to the Committee on Ways and Means |
| No. 1480 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 1502 Committee on Education, then to the Committee on Ways and Means |
| No. 1481 Committee on Housing and Hawaiian Homes | No. 1503 Committee on Education, then to the Committee on Ways and Means |
| No. 1482 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means | No. 1504 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means |
| No. 1483 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Human Resources, then to the Committee on Ways and Means | No. 1505 Committee on Transportation |
| No. 1484 Committee on Housing and Hawaiian Homes | No. 1506 Committee on Transportation |
| No. 1485 Committee on Housing and Hawaiian Homes | No. 1507 Committee on Housing and Hawaiian Homes |
| No. 1486 Committee on Housing and Hawaiian Homes | No. 1508 Committee on Human Resources, then to the Committee on Ways and Means |
| No. 1487 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary | No. 1509 Committee on Tourism, then to the Committee on Ways and Means |
| No. 1488 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary | No. 1510 Committee on Judiciary |
| No. 1489 Committee on Judiciary | No. 1511 Committee on Health, then to the Committee on Ways and Means |
| No. 1490 Committee on Education, then to the Committee on Ways and Means | No. 1512 Committee on Judiciary |
| No. 1491 Committee on Economic Development, then to the Committee on Ways and Means | No. 1513 Committee on Judiciary |
| No. 1492 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary | No. 1514 Committee on Economic Development, then to the Committee on Ways and Means |
| No. 1493 Committee on Consumer Protection and Commerce | No. 1515 Committee on Consumer Protection and Commerce |
| No. 1494 Committee on Economic Development | No. 1516 Committee on Consumer Protection and Commerce |
| No. 1495 Committee on Education, then to the Committee on Ways and Means | No. 1517 Committee on Ways and Means |
| No. 1496 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means | No. 1518 Committee on Education |
| | No. 1519 Committee on Consumer Protection and Commerce |
| | No. 1520 Committee on Consumer Protection and Commerce |
| | No. 1521 Committee on Health, then |

- to the Committee on Ways and Means
- No. 1522 Committee on Health
- No. 1523 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1524 Committee on Health, then to the Committee on Ways and Means
- No. 1525 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1526 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1527 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1528 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1529 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1530 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1531 Committee on Health, then to the Committee on Ways and Means
- No. 1532 Committee on Health, then to the Committee on Ways and Means
- No. 1533 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1534 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1535 Committee on Health
- No. 1536 Committee on Health, then to the Committee on Ways and Means
- No. 1537 Committee on Health, then to the Committee on Ways and Means
- No. 1538 Committee on Judiciary
- No. 1539 Committee on Health, then to the Committee on Judiciary
- No. 1540 Committee on Health, then to the Committee on Ways and Means
- No. 1541 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1542 Committee on Human Resources
- No. 1543 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1544 Committee on Consumer Protection and Commerce
- No. 1545 Committee on Consumer Protection
- and Commerce, then to the Committee on Ways and Means
- No. 1546 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1547 Jointly to the Committee on Health and the Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 1548 Committee on Health
- No. 1549 Committee on Public Utilities
- No. 1550 Committee on Public Utilities
- No. 1551 Committee on Public Utilities
- No. 1552 Committee on Ecology, Environment and Recreation
- No. 1553 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary
- No. 1554 Committee on Ecology, Environment and Recreation
- No. 1555 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1556 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1557 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1558 Committee on Ecology, Environment and Recreation
- No. 1559 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1560 Committee on Ecology, Environment and Recreation
- No. 1561 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1562 Committee on Ecology, Environment and Recreation
- No. 1563 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1564 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1565 Committee on Ecology, Environment

- and Recreation, then to the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1566 Committee on Ecology, Environment and Recreation
- No. 1567 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1568 Committee on Ecology, Environment and Recreation
- No. 1569 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1570 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1571 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1572 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1573 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1574 Committee on Ecology, Environment and Recreation
- No. 1575 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1576 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Education
- No. 1577 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Education, then to the Committee on Ways and Means
- No. 1578 Committee on Economic Development
- No. 1579 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1580 Committee on Ecology, Environment and Recreation
- No. 1581 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1582 Committee on Ecology, Environment and Recreation
- No. 1583 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1584 Committee on Ecology, Environment and Recreation
- No. 1585 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1586 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1587 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1588 Committee on Economic Development
- No. 1589 Committee on Human Resources
- No. 1590 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1591 Committee on Ecology, Environment and Recreation, then to the Committee on Judiciary
- No. 1592 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1593 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1594 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1595 Committee on Consumer Protection and Commerce
- No. 1596 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1597 Committee on Ways and Means
- No. 1598 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1599 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1600 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1601 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1602 Committee on Health, then to the Committee on Judiciary

- No. 1603 Committee on Education, then to the Committee on Ways and Means
- No. 1604 Committee on Health, then to the Committee on Judiciary
- No. 1605 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1606 Committee on Health, then to the Committee on Judiciary
- No. 1607 Committee on Judiciary
- No. 1608 Committee on Judiciary
- No. 1609 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1610 Committee on Education, then to the Committee on Ways and Means
- No. 1611 Committee on Health
- No. 1612 Committee on Public Utilities
- No. 1613 Committee on Public Utilities, then to the Committee on Judiciary
- No. 1614 Committee on Transportation, then to the Committee on Ways and Means
- No. 1615 Committee on Health, then to the Committee on Ways and Means
- No. 1616 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 1617 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1618 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1619 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1620 Committee on Agriculture
- No. 1621 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1622 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1623 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1624 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1625 Jointly to the Committee on Agriculture and the Committee on Education, then to the Committee on Ways and Means
- No. 1626 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1627 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1628 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1629 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1630 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1631 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1632 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1633 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1634 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1635 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1636 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1637 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1638 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1639 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1640 Jointly to the Committee on Agriculture and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1641 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1642 Jointly to the Committee on Transportation and the Committee on Agriculture
- No. 1643 Committee on Economic Development
- No. 1644 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1645 Committee on Agriculture, then to the Committee on Ways and Means

Means	No. 1669 Committee on Judiciary
No. 1646 Committee on Agriculture, then to the Committee on Ways and Means	No. 1670 Committee on Judiciary
No. 1647 Committee on Public Utilities	No. 1671 Committee on Judiciary
No. 1648 Committee on Agriculture, then to the Committee on Ways and Means	No. 1672 Committee on Judiciary
No. 1649 Committee on Agriculture, then to the Committee on Ways and Means	No. 1673 Committee on Judiciary
No. 1650 Committee on Consumer Protection and Commerce	No. 1674 Committee on Judiciary
No. 1651 Jointly to the Committee on Agricul- ture and the Committee on Higher Education, then to the Committee on Ways and Means	No. 1675 Committee on Judiciary
No. 1652 Committee on Agriculture, then to the Committee on Ways and Means	No. 1676 Committee on Judiciary
No. 1653 Committee on Agriculture, then to the Committee on Ways and Means	No. 1677 Committee on Judiciary
No. 1654 Committee on Agriculture, then to the Committee on Ways and Means	No. 1678 Committee on Judiciary
No. 1655 Committee on Agriculture, then to the Committee on Ways and Means	No. 1679 Committee on Judiciary
No. 1656 Committee on Economic Development	No. 1680 Committee on Judiciary
No. 1657 Committee on Agriculture, then to the Committee on Ways and Means	No. 1681 Committee on Judiciary
No. 1658 Committee on Agriculture, then to the Committee on Intergovernmental Relations	No. 1682 Committee on Judiciary
No. 1659 Committee on Ways and Means	No. 1683 Committee on Housing and Hawaiian Homes
No. 1660 Committee on Agriculture, then to the Committee on Ways and Means	No. 1684 Committee on Human Resources, then to the Committee on Ways and Means
No. 1661 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means	No. 1685 Committee on Consumer Protection and Commerce
No. 1662 Committee on Education, then to the Committee on Ways and Means	No. 1686 Committee on Consumer Protection and Commerce
No. 1663 Committee on Education, then to the Committee on Ways and Means	No. 1687 Committee on Education, then to the Committee on Ways and Means
No. 1664 Committee on Education, then to the Committee on Ways and Means	No. 1688 Committee on Higher Education, then to the Committee on Ways and Means
No. 1665 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Ways and Means	No. 1689 Committee on Ways and Means
No. 1666 Committee on Education, then to the Committee on Ways and Means	No. 1690 Committee on Health, then to the Committee on Ways and Means
No. 1667 Committee on Education, then to the Committee on Ways and Means	No. 1691 Committee on Transportation, then to the Committee on Ways and Means
No. 1668 Committee on Education, then to the Committee on Ways and Means	No. 1692 Committee on Human Resources, then to the Committee on Ways and Means
	No. 1693 Committee on Education, then to the Committee on Ways and Means
	No. 1694 Committee on Health, then to the Committee on Ways and Means
	No. 1695 Committee on Health, then to the Committee on Ways and Means
	No. 1696 Committee on Transportation,

- then to the Committee on Ways and Means
- No. 1697 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1698 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1699 Committee on Education, then to the Committee on Ways and Means
- No. 1700 Committee on Health, then to the Committee on Ways and Means
- No. 1701 Committee on Intergovernmental Relations, then to the Committee on Judiciary
- No. 1702 Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary
- No. 1703 Committee on Judiciary
- No. 1704 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1705 Committee on Consumer Protection and Commerce
- No. 1706 Committee on Tourism, then to the Committee on Ways and Means
- No. 1707 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1708 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1709 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 1710 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 1711 Committee on Human Resources
- No. 1712 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1713 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1714 Committee on Judiciary
- No. 1715 Committee on Transportation, then to the Committee on Ways and Means
- No. 1716 Committee on Transportation, then to the Committee on Ways and Means
- No. 1717 Committee on Consumer Protection and Commerce
- No. 1718 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1719 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1720 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1721 Committee on Education, then to the Committee on Ways and Means
- No. 1722 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1723 Committee on Human Resources
- No. 1724 Committee on Agriculture
- No. 1725 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1726 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1727 Committee on Judiciary
- No. 1728 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1729 Committee on Judiciary
- No. 1730 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1731 Committee on Government Operations and Efficiency, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1732 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1733 Committee on Ways and Means
- No. 1734 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1735 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 1736 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1737 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1738 Committee on Human Resources, then to the Committee on Judiciary
- No. 1739 Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development

- No. 1740 Committee on Economic Development then to the Committee on Ways and Means
- No. 1741 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1742 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1743 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1744 Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development
- No. 1745 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1746 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development
- No. 1747 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1748 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1749 Committee on Consumer Protection and Commerce
- No. 1750 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means
- No. 1751 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1752 Committee on Consumer Protection and Commerce
- No. 1753 Committee on Public Utilities
- No. 1754 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1755 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1756 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1757 Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means
- No. 1758 Committee on Transportation, then to the Committee on Ways and Means
- No. 1759 Committee on Transportation, then to the Committee on Judiciary
- No. 1760 Committee on Transportation
- No. 1761 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1762 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1763 Committee on Health
- No. 1764 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1765 Committee on Human Resources
- No. 1766 Committee on Economic Development
- No. 1767 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1768 Committee on Transportation, then to the Committee on Ways and Means
- No. 1769 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1770 Committee on Health, then to the Committee on Judiciary
- No. 1771 Committee on Health, then to the Committee on Ways and Means
- No. 1772 Committee on Health, then to the Committee on Ways and Means
- No. 1773 Committee on Health, then to the Committee on Human Resources
- No. 1774 Committee on Health, then to the Committee on Ways and Means
- No. 1775 Committee on Health, then to the Committee on Ways and Means
- No. 1776 Committee on Health, then to the Committee on Ways and Means
- No. 1777 Committee on Health, then to the Committee on Ways and Means
- No. 1778 Committee on Health, then to the Committee on Consumer Protection and Commerce
- No. 1779 Committee on Health, then to the Committee on Judiciary
- No. 1780 Jointly to the Committee on Housing and Hawaiian Homes and the Committee on Higher Education, then to the Committee on Ways and Means
- No. 1781 Committee on Economic Development
- No. 1782 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1783 Committee on Transportation, then to the Committee on Ways and Means

- No. 1784 Committee on Ways and Means
- No. 1785 Committee on Health, then to the Committee on Ways and Means
- No. 1786 Jointly to the Committee on Ecology, Environment and Recreation and the Committee on Economic Development, then to the Committee on Judiciary
- No. 1787 Committee on Government Operations and Efficiency, then to the Committee on Ways and Means
- No. 1788 Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce
- No. 1789 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1790 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1791 Committee on Tourism, then to the Committee on Ways and Means
- No. 1792 Committee on Tourism, then to the Committee on Ways and Means
- No. 1793 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1794 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1795 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1796 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1797 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1798 Committee on Education, then to the Committee on Ways and Means
- No. 1799 Committee on Education, then to the Committee on Ways and Means
- No. 1800 Committee on Ways and Means
- No. 1801 Committee on Judiciary
- No. 1802 Committee on Judiciary
- No. 1803 Committee on Judiciary, then to the Committee on Ways and Means
- No. 1804 Committee on Human Resources, then to the Committee on Judiciary, then to the Committee on Ways and Means
- No. 1805 Committee on Education, then to the Committee on Ways and Means
- No. 1806 Committee on Judiciary
- No. 1807 Committee on Human Resources, then to the Committee on Judiciary
- No. 1808 Jointly to the Committee on Intergovernmental Relations and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1809 Jointly to the Committee on Agriculture and the Committee on Economic Development, then to the Committee on Ways and Means
- No. 1810 Committee on Higher Education, then to the Committee on Ways and Means
- No. 1811 Committee on Judiciary
- No. 1812 Committee on Health, then to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 1813 Committee on Agriculture, then to the Committee on Ways and Means
- No. 1814 Committee on Economic Development, then to the Committee on Ways and Means
- No. 1815 Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce
- No. 1816 Committee on Consumer Protection and Commerce, then to the Committee on Judiciary
- No. 1817 Committee on Human Resources, then to the Committee on Ways and Means
- No. 1818 Committee on Health, then to the Committee on Ways and Means
- No. 1819 Committee on Intergovernmental Relations, then to the Committee on Ways and Means
- No. 1820 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means
- No. 1821 Committee on Transportation, then to the Committee on Ways and Means
- No. 1822 Committee on Health, then to the Committee on Ways and Means
- No. 1823 Committee on Education, then to the Committee on Ways and Means
- No. 1824 Committee on Agriculture, then to the Committee on Ways and Means

No. 1825 Committee on Agriculture, then
to the Committee on Ways and Means

RE-REFERRAL OF
A SENATE BILL

The President made the following re-
referral of a bill that was introduced on
Tuesday, February 13, 1979:

Senate Bill Referred to:

No. 1059 Committee on Education, then
to the Committee on Government Operations
and Efficiency

MISCELLANEOUS COMMUNICATION

A communication from the Honorable
Daniel K. Inouye, United States Senator
(Misc. Com. No. 7), acknowledging receipt
of Senate Resolution No. 76, Regular Session
of 1979, was read by the Clerk and was
placed on file.

At this time, Senator Abercrombie rose
on a point of personal privilege in respect
to S.C.R. No. 8 which is listed on the
Order of Business as House Communication
No. 12 and made the following comment:

"Mr. President, I oppose S.C.R. No.
8 as much now as I did when it left this
house. The fact that it came back unanimously
from the other house does not obviate for
a moment the implications for free trade
that are involved in this resolution.

"Either we have free trade or we do

not. So long as American investment
is allowed to be made in overseas
plantations and workers are allowed
to be exploited overseas, we are going
to have disparities in the costs.
So long as the United States continues
to supply military dictatorial regimes
that suppress these workers, we are
in fact subsidizing the varied regimes
and systems which now cause our own
workers to find themselves in peril.

"I think, rather than fight the principle
of free trade, what we should do in this
country and in this state is fight for
the rights of workers and the dignity
of human beings all around the world.
Thank you."

The President then stated as follows:

"I would like to take this opportunity
to thank the Senators for getting the
bills down on time on the cut-off date,
but in particular, the Clerk's office
and people in the print shop for doing
the work, which was tremendous as
you read in the papers about the 1800
or so odd bills introduced--the Chair
would like to thank each and every member,
here on the floor and people in the back
room for their cooperation."

ADJOURNMENT

At 12:01 o'clock p.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate adjourned
until 11:30 o'clock a.m., Friday, February
16, 1979.

TWENTY-THIRD DAY

Friday, February 16, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Ted R. Ogle, Pastor of the Church of Christ at Honolulu, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Ajifu and Wong, who were excused.

The Vice-President announced that the President had read and approved the Journal of the Twenty-Second Day.

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

Senator Yee introduced a group of fifty-six students from the third, fourth, fifth and sixth grades at University Lab School, with their teachers, Mrs. Nishimura, Mrs. Towata and Ms. Terry Brady, and parents, Mrs. Jacqueline Lee, Mrs. Carol Ahmned, Mrs. Gwen Shigekani, Mrs. Aki Naito and Mrs. Petra Stant.

Senator Yee then introduced a group of 110 students from the fourth grade at Lunalilo School, with their teachers, Mrs. Hiu, Mrs. Yanagida, Mrs. Abraham, Mrs. Kimura and Mrs. Tanaka.

Senator Anderson introduced forty-five students from the special education classes from the seventh through the twelfth grades at Kahuku Elementary and High School, with their teachers, Mr. Jessie Augustin, Mrs. Yolanda Miyahana, Mrs. Alice Anae, Mr. Bren Balmer and Mr. Alan Nakamura.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 82 and 83) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 82), transmitting a report prepared by the Real Estate Commission in response to Senate Concurrent Resolution No. 78, S.D. 1, H.D. 2 (1978), which related to horizontal property regimes, was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 83), transmitting the 1978 Annual Report prepared by the Commission on Population and the Hawaiian Future, pursuant to Chapter 224, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 15), transmitting House Bill No. 93 which passed Third Reading in the House of Representatives on February 15, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 93, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 16), transmitting House Bill No. 100 which passed Third Reading in the House of Representatives on February 15, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 100, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MOTTO", passed First Reading by title and was referred to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 30), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO RECOMMEND THAT THE FEDERAL EQUAL RIGHTS AMENDMENT BE RESCINDED PRIOR TO RATIFICATION BY THE REQUIRED 38 STATES", was offered by Senator Kawasaki, by request, and was read by the Clerk.

By unanimous consent, S.C.R. No. 30 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 158 and 159) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 158), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTAB-

LISHING HAWAIIAN HOMESTEADS ON LANDS PRESENTLY NOT WITHIN THE JURISDICTION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS", was jointly offered by Senators Carpenter, Hara, Chong, Abercrombie, Takitani, Ajifu, Toyofuku, Kuroda, Cayetano and Ushijima.

By unanimous consent, S.R. No. 158 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Economic Development.

A resolution (S.R. No. 159), entitled: "SENATE RESOLUTION RECOGNIZING THE ENGINEERING EXPO '79 TO BE HELD AT THE UNIVERSITY OF HAWAII, MANOA CAMPUS, AND COMMENDING THOSE RESPONSIBLE FOR THE SUCCESS OF THE ENGINEERING EXPO PROJECT", was jointly offered by Senators Kuroda, Mizuguchi, Campbell, Carpenter, Chong, Kawasaki, Young, Ajifu, Toyofuku, Saiki, Takitani, Cobb, Cayetano, Soares, Yee, Yamasaki, Ushijima and Anderson.

On motion by Senator Kuroda, seconded by Senator Yee and carried, S.R. No. 159 was adopted.

Senator Kuroda then stated that the Engineering Expo '79 is sponsored by students of the University of Hawaii and then proceeded to introduce three individuals who spearheaded the activities with regards to recognizing engineering, as follows: Mr. Melvin Hirayama from Waialua, Oahu; Ms. Ellen Kitamura from Hilo, Hawaii and Mr. Clifton Takenaka from Aiea, Oahu.

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

The Senate reconvened at 11:45 o'clock a.m.

At this time, Senator Anderson rose to make an introduction as follows:

"Mr. President, several days ago, this Body adopted Senate Concurrent Resolution No. 21, which extended sincere appreciation to Fred W. Bennion for his twenty years of service as the Executive Director of the Tax Foundation of Hawaii. This morning, Fred Bennion is with us and I would like to introduce him and say 'thank you' to him.

"Fred, as he's more commonly known to some of us who have been around for a lot of years, has been a friend when he's agreed with us, and he's been the enemy when we've disagreed.

I think we have used and misused him to whichever point of view we so decided at times.

"Fred has been a tax consultant for twenty years and an advisor to the Administration on tax estimates over the years. He's a foremost tax advisor, of course, to the Chamber of Commerce and, some years ago, when the Republicans put together the GOPlan which introduced the mandating spending limits, Fred was a consultant of ours.

"I think both sides of the aisle and all legislators in both parties over the years have had a lot to do with Fred. He has kind of kept everybody in check in a good balancing factor.

"Mr. President, I would like to at this time introduce Fred Bennion."

Senator Saiki presented Mr. Bennion with a carnation lei and Senator Anderson presented him with a certified copy of the concurrent resolution.

At 11:47 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.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 18), informing the Senate that Senate Concurrent Resolution No. 29 and Senate Resolution Nos. 141 to 157 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 19), recommending that Senate Bill No. 13, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Judiciary.

Senator O'Connor moved that the report of the Committee be adopted, seconded by Senator Cobb.

Senator O'Connor then spoke for the motion as follows:

"Mr. President, this bill before us, Senate Bill No. 13, S.D. 1, is probably one of the important pieces of legislation which we will consider this year. To comply with the tenor of the week recess which is before us, the Judiciary

Committee has spent long hours preparing this bill and submits it in this fashion so that people can read it in this form and then comment on it during the period of this recess.

"The Judiciary Committee will be holding hearings and decision-making on this bill during the recess next week.

"I urge all to vote 'aye' on this. Thank you, Mr. President."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.B. No. 13, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUFFRAGE AND ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II)", passed Second Reading and was recommended to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that had been introduced on Monday, January 29, 1979:

Senate Bill	Referred to:
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No. 265	Committee on Ways and Means
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The President made the following re-referral of a bill that had been introduced on Tuesday, January 30, 1979:

Senate Bill	Referred to:
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No. 315	Committee on Ways and Means
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At this time, Senator George announced that the Windward legislators--the six members of the House of Representatives and the three members of the Senate--would be conducting evening meetings in Waimanalo, Kailua, Kaneohe and Kahaluu on four nights of the recess to discuss the variety of

measures introduced during this legislative session.

The Vice-President expressed the hope that this schedule would not be in conflict with the regular Senate subcommittee meetings for those same nights.

Senator George responded that there might be a conflict but that the group had hoped that most of the committee meetings would take place during the day. She added that the group will cover both areas as best as they can.

Senator Cayetano then made the following announcement:

"Mr. President, Governor Ariyoshi has requested a meeting with members of the Ways and Means Committee primarily to discuss his concerns regarding the budget and has extended the invitation to all other Senators, especially committee chairmen.

"I would ask, however, that in the interest of saving time, that all of the Senators who have questions for the Governor, prepare their questions in advance, because although the Governor has agreed to stay as long as he is needed, we'd like to get things moving along easily.

"My office will be preparing a memorandum to all of you on the ground rules for this meeting to be held on Wednesday, February 21st, at 8:30 a.m., in the Ways and Means Conference Room."

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.

ADJOURNMENT

At 12:01 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned and will remain in recess until 11:30 o'clock a.m., on Tuesday, February 27, 1979.

TWENTY-FOURTH DAY

Tuesday, February 27, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Norman Hammer, Pastor, Prince of Peace Lutheran Church, after which the Roll was called showing all Senators present, with the exception of Senators George and Yee, who were excused.

The President announced that he had read and approved the Journal of the Twenty-Third Day.

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

Senator Saiki introduced 17 seniors from St. Louis High School, accompanied by their teacher Mr. Rod Santos.

Senator Anderson introduced a group of members from the Koolau Senior Citizens Club.

Senator Kawasaki, on behalf of the Senators from the Fifth Senatorial District, introduced 25 eighth grade students from Moanalua Intermediate School, accompanied by their teachers Ms. Marsha Alegre and Ms. Mona Vierra.

Senator Campbell then introduced some distinguished guests from Hollywood, the National Treasurer of the Screen Extras Guild Mr. David Green and Mrs. Green, who were presented with leis by Senators Young, Takitani and Kawasaki.

At 11:38 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 84 to 91) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 84), transmitting a report prepared by the Department of Health to determine the feasibility of routine scoliosis screening in Hawaii's public schools, in response to H.R. No. 374 (1978), was referred jointly to the Committee on Health and the Committee on Education.

A message from the Governor (Gov. Msg. No. 85), transmitting a study prepared by Kurt Salmon Associates, Inc. for the Department of Planning and Economic Development, entitled: "Garment Manufacturing

in Hawaii," January, 1979, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 86), transmitting a report which describes the activities which have been undertaken to implement Chapter 226, The Hawaii State Plan, prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 87), transmitting the Hawaii Coastal Zone Management (CZM) Program Annual Report, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 88), transmitting a report prepared by the Governor's Agriculture Coordinating Committee on the establishment of policy guidelines for agricultural market development and product promotion programs and activities and to coordinate and monitor their efficient and effective implementation, in response to H.C.R. No. 107, H.D.2 (1978), was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 89), transmitting the 1979 Annual Report prepared jointly by the State Manpower Services Council and the State Commission on Manpower and Full Employment, pursuant to Section 202-2, Hawaii Revised Statutes and P.L. 95-524, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 90), transmitting a report on Project Adjustment Fund, as requested under Section 116 of Act 195, SLH 1975, and Act 10, SSLH 1977, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 91), transmitting a report prepared by the Department of Planning and Economic Development on its loan programs, as required under the following statutes:

Section 210-8, HRS, requires an annual report on the progress made under Chapter 210, the Hawaii Capital Loan Program;

Section 189-26, HRS, requires an annual report on the progress made under Chapter 189, Part II, the Large Fishing Vessel Purchase, Construction, Renovation, Maintenance, and Repair Loan Program;

Section 189-46, HRS, requires an

annual report on the progress made under Chapter 189, Part IV, the Hawaii Small Fishing Vessel Loan Program; and

Section 209-5, HRS, requires an annual report from the Rehabilitation Coordinator. However, since DPED administers the Disaster Commercial and Personal Loan Program, an annual report on its progress is presented;

was referred to the Committee on Economic Development.

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:

A concurrent resolution (S.C.R. No. 31), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND APPRECIATION TO HENRY 'HANK' HYDE UPON HIS RETIREMENT", was jointly offered by Senators Ushijima, Yamasaki, Toyofuku, Cobb, Chong, Takitani, Carpenter, Campbell, Soares, Hara, Carroll, George, Saiki and Kuroda.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.C.R. No. 31 was adopted.

A concurrent resolution (S.C.R. No. 32), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PREPARE AND SUBMIT A PROPOSED CONSTITUTIONAL AMENDMENT REQUIRING A BALANCING OF THE FEDERAL BUDGET OR TO CALL A CONSTITUTIONAL CONVENTION UPON THE APPLICATION OF TWO-THIRDS OF THE VARIOUS STATES FOR THE SAME PURPOSE", was jointly offered by Senators Kawasaki, Takitani, Cobb, Carpenter, Toyofuku, Ajifu, Mizuguchi, Kuroda, Campbell, O'Connor, Cayetano and Wong.

By unanimous consent, S.C.R. No. 32 was referred to the Committee on Intergovernmental Relations, then to the Committee on Ways and Means.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 160 to 172) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 160), entitled: "SENATE RESOLUTION CONGRATULATING LAURIE YEE AND JUDY AU HOY FOR THEIR PERFORMANCE IN THE MISS CHINATOWN-HAWAII AND MISS CHINATOWN-USA CONTESTS", was jointly offered by Senators Yee, Carroll, Hara, Saiki, Young, George, Yamasaki, Chong, Ajifu, Mizuguchi, Toyofuku and Takitani.

On motion by Senator Anderson, seconded by Senator Carroll and carried, S.R. No. 160 was adopted.

A resolution (S.R. No. 161), entitled: "SENATE RESOLUTION REQUESTING STUDY OF THE FEASIBILITY OF ESTABLISHING A BUSINESS LOAN FUND AND EMPLOYMENT SERVICES FOR HEMOPHILIACS", was jointly offered by Senators Carpenter, Takitani, Yamasaki, Ushijima, Mizuguchi, Toyofuku, Young, O'Connor, Carroll, Soares, Yim, Chong, Campbell, Saiki, Kuroda, Ajifu and Abercrombie.

By unanimous consent, S.R. No. 161 was jointly referred to the Committee on Health and the Committee on Human Resources, then to the Committee on Ways and Means.

A resolution (S.R. No. 162), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND APPRECIATION TO HENRY 'HANK' HYDE UPON HIS RETIREMENT", was jointly offered by Senators Ushijima, Yamasaki, Toyofuku, Cobb, Chong, Takitani, Kawasaki, Carpenter, Campbell, Soares, Hara, Carroll, George, Saiki and Kuroda.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.R. No. 162 was adopted.

A resolution (S.R. No. 163), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOMELANDS TO SUBMIT SUGGESTIONS AS TO METHODS FOR GENERATING INCOME", was jointly offered by Senators Hara, Ushijima, Yamasaki, Toyofuku, Takitani, Saiki, Kuroda, Young, Campbell, Chong, Carpenter, Carroll and Soares.

By unanimous consent, S.R. No. 163 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 164), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE GLADYS BOWELL AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HER FAMILY", was jointly offered by Senators Hara, Ushijima, Yamasaki, Carpenter, Kuroda, Toyofuku, Ajifu, Mizuguchi, Anderson, Cobb, Young, Takitani, Yim, Saiki, Kawasaki, Chong, Carroll, Soares and Yee.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 164 was adopted.

A resolution (S.R. No. 165), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST SYMPATHY AND SINCERE CONDOLENCES TO THE FAMILY OF THE REVEREND DAVID AWAI KAUKA KAAPU",

was jointly offered by Senators Hara, Ushijima, Carpenter, Yamasaki, Young, Toyofuku, Ajifu, Mizuguchi, Anderson, Cobb, Takitani, Yim, Saiki, Kuroda, Kawasaki, Chong, Carroll, Soares and Yee.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 165 was adopted.

A resolution (S.R. No. 166), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP AND IMPLEMENT A WASTE PAPER RECOVERY PROGRAM FOR MAJOR STATE OFFICE BUILDINGS IN HONOLULU", was jointly offered by Senators Hara, Abercrombie, Ushijima, Yamasaki, Toyofuku, Takitani, Saiki, Mizuguchi, Kuroda, Young, Campbell, Chong, Carpenter, Carroll and Soares.

By unanimous consent, S.R. No. 166 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 167), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT TO STUDY THE FEASIBILITY OF THE STATE OF HAWAII TO CONDUCT IMMIGRATION AND CUSTOMS INSPECTIONS AT HONOLULU INTERNATIONAL AIRPORT AND GENERAL LYMAN FIELD UNDER CONTRACT", was jointly offered by Senators Hara, Saiki, Toyofuku, Kuroda, Takitani, Yamasaki, Campbell, Soares, Young, Chong and Carpenter.

By unanimous consent, S.R. No. 167 was referred to the Committee on Transportation, then to the Committee on Judiciary.

A resolution (S.R. No. 168), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT REGULATIONS ENABLING IT TO REGULATE BOATING ACTIVITIES IN MARINE LIFE CONSERVATION DISTRICTS", was jointly offered by Senators Hara, Abercrombie, Ushijima, Yamasaki, Toyofuku, Takitani, Saiki, Mizuguchi, Kuroda, Young, Campbell, Chong, Carpenter, Carroll and Soares.

By unanimous consent, S.R. No. 168 was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Transportation.

A resolution (S.R. No. 169), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF ALTERNATIVES TO JAIL INCARCERATION", was jointly offered by Senators O'Connor, Chong, Cobb, Carpenter, George, Takitani, Young, Hara, Campbell, Toyofuku, Cayetano and Yamasaki.

By unanimous consent, S.R. No. 169 was referred to the Committee on Judiciary.

A resolution (S.R. No. 170), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE KOKUA COUNCIL FOR SENIOR CITIZENS FOR ITS OUTSTANDING CONTRIBUTIONS TO THE SENIOR CITIZENS OF HAWAII", was jointly offered by Senators Chong, Carroll, George, Hara, Young, Takitani, Soares, Kuroda, Cobb, Ajifu, Yamasaki, Toyofuku, Saiki, Yim and Carpenter.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 170 was adopted.

At this time, Senator Chong introduced to the members of the Senate the following persons from the Kokua Council: Mabel McConnell, President; Dr. Robert E. Gibson, Honorary President; Max Roffman, Vice President and Legislative Chairman, and Mr. Joseph Morocco, Honorary Board Member; all of whom were presented with certified copies of the resolution.

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.

The members of the Senate were then entertained by the Koolau Senior Citizens with a rendition of the song, "Nani Koolau."

A resolution (S.R. No. 171), entitled: "SENATE RESOLUTION REQUESTING PUBLIC HEARINGS TO REVIEW THE PRESENT STATUS OF THE KAHANA VALLEY STATE PARK PROGRAM", was jointly offered by Senators Anderson, George, Takitani, Carpenter, Toyofuku, Yamasaki, Kuroda, Saiki, Soares, Hara, Kawasaki and Yee.

By unanimous consent, S.R. No. 171 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management.

A resolution (S.R. No. 172), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PLACE PERMIT LANDS UNDER LONG-TERM LEASES", was offered by Senator Yim.

By unanimous consent, S.R. No. 172 was referred to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 20), informing the Senate that Senate Concurrent Resolution No. 30, Senate Resolution

Nos. 158 and 159 and Standing Committee Report No. 19 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Anderson and carried, the report of the Committee was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 21) recommending that Senate Bill No. 264 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 264, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF RELATED CORPORATIONS", passed Second Reading and was referred to the Committee on Ways and Means.

At 11:52 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 22) recommending that Senate Bill No. 31, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)", was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 23) recommending that Senate Bill No. 6 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 6, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIAL IN CIVIL MATTERS (CONSTITUTIONAL AMENDMENTS OF ARTICLE I, SECTION 13)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 6.

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 24) recommending that Senate Bill No. 11, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 11.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 25) recommending that Senate Bill No. 12 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE TERM OF OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR (CONSTITUTIONAL AMENDMENT OF ARTICLE V)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 12.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 26) recommending that Senate Bill No. 15, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 15, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 27) recommending that Senate Bill No. 16 pass Second Reading

and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 16, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 2)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 28) recommending that Senate Bill No. 17 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 17, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION, (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 29) recommending that Senate Bill No. 19, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 19, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPENDING LIMITATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 5)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 30) 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 20, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 6)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 31) recommending that Senate Bill No. 21, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 21, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 7)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 32) recommending that Senate Bill No. 22 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 22, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 8)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 33) 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 O'Connor, seconded by Senator Cobb 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 THE JUDICIAL SALARY COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 34) recommending that Senate Bill No. 51 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 51, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 35) recommending that Senate Bill No. 392, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report

of the Committee was adopted and S.B. No. 392, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 36) recommending that Senate Bill No. 34 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 10)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 34.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 37) recommending that Senate Bill No. 42, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 42, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 38) recommending that Senate Bill No. 45 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 45, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B.

No. 45.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 39) recommending that Senate Bill No. 48 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 48, entitled: "A BILL FOR AN ACT RELATING TO PLAIN LANGUAGE (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 13)", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 1, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 48.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 40) recommending that Senate Bill No. 602 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 41), recommending that Senate Bill No. 744, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Human Resources.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", passed First Reading and was recommitted to the Committee on Human Resources.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following referral of a bill that was introduced on Friday, January 26, 1979:

Senate Bill	Referred to:
No. 24	Committee on Judiciary

The President made the following re-referral of a bill that was introduced on Monday, January 29, 1979:

Senate Bill Referred to:

No. 247 Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce

The President then made the following re-referral of a bill that was introduced on Tuesday, January 30, 1979:

Senate Bill Referred to:

No. 300 Committee on Judiciary

The President made the following re-referral of bills that were introduced on Monday, February 12, 1979:

Senate Bills Referred to:

No. 846 Committee on Judiciary, then to the Committee on Ways and Means

No. 957 Jointly to the Committee on Health and the Committee on Consumer Protection and Commerce

The President then made the following re-referral of bills that were introduced on Tuesday, February 13, 1979:

Senate Bills Referred to:

No. 1157 Committee on Human Resources, then to the Committee on Ways and Means

No. 1216 Committee on Education, then to the Committee on Judiciary, then to the Committee on Ways and Means

No. 1232 Committee on Human Resources, then to the Committee on Ways and Means

No. 1242 Committee on Judiciary, then to the Committee on Ways and Means

No. 1302 Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means

No. 1334 Committee on Intergovernmental Relations, then to the Committee on Judiciary

No. 1514 Committee on Ways and Means

No. 1538 Committee on Judiciary, then to the Committee on Ways and Means

No. 1542 Committee on Human Resources, then to the Committee on Ways and Means

No. 1766 Committee on Economic Development, then to the Committee on Ways and Means

No. 1773 Committee on Health, then to the Committee on Ways and Means

No. 1781 Committee on Economic Development, then to the Committee on Ways and Means

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 8 to 10) were read by the Clerk and were disposed of as follows:

A communication from the City and County of Honolulu, Director of Civil Service, (Misc. Com. No. 8) reporting to the Legislature as to the manner in which positions assigned to SC-1, SC-2 and SC-3 are being used, in compliance with Section 77-13 (f)(5), HRS, as amended, was referred to the Committee on Human Resources.

A communication from the Office of the Honorable Spark M. Matsunaga, United States Senator, (Misc. Com. No. 9) acknowledging receipt of Senate Concurrent Resolution No. 28 (1979), was placed on file.

A communication from the Honorable Daniel K. Inouye, United States Senator, (Misc. Com. No. 10) acknowledging receipt of Senate Concurrent Resolution No. 8 (1979), was placed on file.

At 11:59 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.

At this time, Senator Cayetano, Chairman of the Committee on Ways and Means, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 580, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRD REPRESENTATIVE DISTRICT, HAWAII";

S.B. No. 684, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOKAA CIVIC CENTER, HAWAII";

S.B. No. 1597, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF HAWAII";

S.B. No. 1689, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER PROJECTS LOCATED IN THE COUNTY OF MAUI";

S.B. No. 1386, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS

ON KAUAI";

S.B. No. 941, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS IN THE FOURTH SENATORIAL DISTRICT";

S.B. No. 1235, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE GENERAL IMPROVEMENTS OF THE SIXTH SENATORIAL DISTRICT";

S.B. No. 169, entitled: "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS";

S.B. No. 170, entitled: "A BILL FOR AN ACT RELATING TO THE INTAKE SERVICE CENTERS";

S.B. No. 1207, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DRUG REHABILITATION PROGRAM

AT HAWAII STATE PRISON";

S.B. No. 1335, entitled: "A BILL FOR AN ACT RELATING TO NARCOTICS AND DANGEROUS DRUGS CONTROL";
and

S.B. No. 1369, entitled: "A BILL FOR AN ACT RELATING TO THE INDEMNIFICATION OF TEACHERS, COUNSELORS, AND SCHOOL ADMINISTRATORS IN THE DEPARTMENT OF EDUCATION",

and the President granted the waiver.

ADJOURNMENT

At 12:03 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 28, 1979.

TWENTY-FIFTH DAY

Wednesday, February 28, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Hosen Fukuhara of the Higashi Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Fourth Day.

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

Senator Yee introduced twenty-three seniors from St. Louis High School, with their teacher, Mr. Rod Santos.

Senator Chong then introduced twelve seniors from the Hawaii School for Girls, with their teacher, Mr. Jack Gilmar.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 92 to 95) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 92), transmitting the Annual Report of the Kauai Task Force which was prepared by the Department of Agriculture pursuant to Act 227, SLH 1974, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 93), transmitting the Annual Report of the Kohala Task Force which was prepared by the Department of Agriculture in consultation with the County of Hawaii, in compliance with Act 226, SLH 1974, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 94), transmitting a report entitled, "Impact of Beverage Container Deposit Legislation in Hawaii", which was prepared for the Office of Environmental Quality Control by the Director of Research and Development of the College of Business Administration, University of Hawaii, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov.

Msg. No. 95), transmitting a report entitled, "A Procedural Guide for the Application of Carrying Capacity Analytical Methodology for Growth Management", which was prepared for the Office of Environmental Quality Control, in the course of the State of Hawaii Carrying Capacity Study, which was conducted in response to House Resolution No. 62 (1974) and Senate Concurrent Resolution Nos. 26, 27 and 53 (1974), was referred to the Committee on Ecology, Environment and Recreation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 17 to 22) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 17), transmitting House Concurrent Resolution No. 9, which was adopted by the House of Representatives on February 27, 1979, was placed on file.

By unanimous consent, H.C.R. No. 9, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TEN MILLION BARREL CAPACITY STRATEGIC PETROLEUM RESERVE FOR HAWAII", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 18), transmitting House Concurrent Resolution No. 35, which was adopted by the House of Representatives on February 27, 1979, was placed on file.

By unanimous consent, H.C.R. No. 35, entitled: HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A JOINT INTERIM COMMITTEE TO FORMULATE OR REFORMULATE STANDARDS AND PROCEDURES FOR MAKING APPROPRIATIONS TO PRIVATE ORGANIZATIONS", was referred to the Committee on Government Operations and Efficiency, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 19), transmitting House Bill No. 3, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed First Reading by

title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 20), transmitting House Bill No. 21, H.D. 1, which passed Third Reading in the House of Representatives on February 27, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 21, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 21), transmitting House Bill No. 544, which passed Third Reading in the House of Representatives on February 27, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 544, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 22), transmitting House Bill No. 738, which passed Third Reading in the House of Representatives on February 27, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 738, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES", passed First Reading by title and was referred to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 33 to 36) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 33), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON METHODS TO PREVENT ESCALATING TRAFFIC ACCIDENTS", was jointly referred by Senators Carpenter, Saiki, Mizuguchi, Yamasaki, Kawasaki and Carroll.

By unanimous consent, S.C.R. No. 33 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R.

No. 34), entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING APRIL, 1979 AS CANCER CONTROL MONTH", was jointly offered by Senators Carpenter, Chong, Campbell, Saiki, Ajifu, Abercrombie, Yamasaki, Takitani, Kuroda, Hara, George, Kawasaki, Mizuguchi and Carroll.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.C.R. No. 34 was adopted.

A concurrent resolution (S.C.R. No. 35), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE LOAN STRUCTURE AND ALTERNATIVE MEANS OF FINANCING PROGRAMS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS", was jointly offered by Senators Young, Hara, Kuroda, Cayetano, Saiki, Soares, Ajifu, Toyofuku, Carpenter, Mizuguchi and Abercrombie.

By unanimous consent, S.C.R. No. 35 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 36), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A WRITTEN REPORT TO THE SENATE OF THE TENTH LEGISLATURE, PRIOR TO THE END OF THE 1979 SESSION, REGARDING THE INADEQUATE TEXTBOOK SUPPLY IN HAWAII'S PUBLIC INTERMEDIATE SCHOOLS", was jointly offered by Senators Chong, Yim, Ajifu, Cobb, Carpenter, Takitani, Abercrombie, Yamasaki, Ushijima and Mizuguchi.

By unanimous consent, S.C.R. No. 36 was referred to the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 173 to 185) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 173), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF THE PLACEMENT OF NONPAY, EMERGENCY TELEPHONES ON THE H-2 AND PALI HIGHWAYS", was jointly offered by Senators Chong, Kuroda, Carpenter, Takitani, Yamasaki, Ushijima, Cayetano, Cobb, Young, Abercrombie, Yim and Ajifu.

By unanimous consent, S.R. No. 173 was referred to the Committee on Transportation.

A resolution (S.R. No. 174), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII VISITORS BUREAU TO PROVIDE

MEANS FOR ASSESSMENT OF ITS MEMBERS TO FUND ITS OPERATIONS AND TO GRADUALLY PHASE OUT MEMBERS' RELIANCE ON STATE APPROPRIATIONS", was jointly offered by Senators Chong, Abercrombie, Kawasaki and Yim.

By unanimous consent, S.R. No. 174 was referred to the Committee on Tourism, then to the Committee on Ways and Means.

A resolution (S.R. No. 175), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A FAMILY AWARENESS PROGRAM", was jointly offered by Senators Carpenter, Saiki, Mizuguchi, Yamasaki and Carroll.

By unanimous consent, S.R. No. 175 was referred to the Committee on Human Resources, then to the Committee on Higher Education.

A resolution (S.R. No. 176), entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF HEMOPHILIA CARRIER TESTING OPTIONS AND THE NEED FOR RELATED COUNSELING", was jointly offered by Senators Carpenter, Saiki, Mizuguchi, Yamasaki, Kawasaki and Carroll.

By unanimous consent, S.R. No. 176 was referred to the Committee on Higher Education.

A resolution (S.R. No. 177), entitled: "SENATE RESOLUTION DESIGNATING APRIL, 1979 AS CANCER CONTROL MONTH", was jointly offered by Senators Carpenter, Chong, Campbell, Saiki, Hara, Ajifu, Abercrombie, Yamasaki, Takitani, Kuroda, George, Kawasaki, Mizuguchi and Carroll.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.R. No. 177 was adopted.

A resolution (S.R. No. 178), entitled: "SENATE RESOLUTION CONGRATULATING LAWRENCE 'LARRY' H. GINOZA UPON HIS SELECTION AS THE HULA BOWL'S 1978 SPORTSMAN OF THE YEAR", was jointly offered by Senators Mizuguchi, Kuroda, Cayetano, Kawasaki, Young, Yamasaki, Hara, Cobb, Chong, Takitani, Carpenter, Saiki, Yim, Toyofuku and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, S.R. No. 178 was adopted.

A resolution (S.R. No. 179), entitled: "SENATE RESOLUTION CONGRATULATING THE SEARIDERS OF WAIANAE HIGH SCHOOL UPON WINNING THE 1978-79

OIA VARSITY FOOTBALL CHAMPIONSHIP AND THE 1978 PREP BOWL CHAMPIONSHIP", was jointly offered by Senators Mizuguchi, Cayetano, Chong, Kuroda, Carpenter, Hara, Toyofuku, Yamasaki, Takitani, Kawasaki, Saiki, Cobb and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Cayetano and carried, S.R. No. 179 was adopted.

A resolution (S.R. No. 180), entitled: "SENATE RESOLUTION CONGRATULATING THE JUNIOR VARSITY SEARIDERS OF WAIANAE HIGH SCHOOL ON WINNING THE OIA JUNIOR VARSITY CHAMPIONSHIP FOR THE THIRD CONSECUTIVE SEASON", was jointly offered by Senators Mizuguchi, Kuroda, Cayetano, Yamasaki, Chong, Takitani, Kawasaki, Carpenter, Hara, Toyofuku, Cobb, Saiki and Abercrombie.

On motion by Senator Mizuguchi, seconded by Senator Young and carried, S.R. No. 180 was adopted.

Senator Mizuguchi then introduced to the members of the Senate the following from Waianae High School: Mr. Larry Ginoza, Head Football Coach and Co-Athletic Director; Mr. Michio Shishido, Principal; Mr. Glenn Higa, Jr. Varsity Coach; Ernesto Lacaden and Fred Mahuka, Varsity Captains; and John Ancog, Joe Cruz, Byron Barbosa and Moreli Toilolo, Junior Varsity Captains.

Senators Young, George and Saiki then presented leis and Senators Kuroda and Cayetano presented certified copies of the resolutions to the above named.

At 11:47 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.

A resolution (S.R. No. 181), entitled: "SENATE RESOLUTION REQUESTING REVIEW OF FEMALE STATUS OFFENDERS IN THE JUSTICE SYSTEM", was jointly offered by Senators Young, Saiki, George, Kuroda, Mizuguchi, Chong, Yamasaki, Carroll, Cayetano, Soares, Ajifu, Toyofuku, Carpenter and Abercrombie.

By unanimous consent, S.R. No. 181 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 182), entitled: "SENATE RESOLUTION COMMENDING THE WOMEN'S STUDIES PROGRAM OF THE UNIVERSITY OF HAWAII AND REQUESTING PERMANENT STATUS FOR THE PROGRAM", was jointly offered by Senators Young, Kuroda, Mizuguchi, George, Chong, Yamasaki,

Carroll, Cayetano, Saiki, Soares, Ajifu, Toyofuku, Carpenter and Abercrombie.

By unanimous consent, S.R. No. 182 was referred to the Committee on Higher Education.

A resolution (S.R. No. 183), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING WAYNE TRAVILLION, HAWAII'S TEACHER OF THE YEAR FOR 1979", was jointly offered by Senators Young, Chong, Mizuguchi, Campbell, Cobb, Hara, Yamasaki, Cayetano, Ajifu, Kuroda, Carpenter, Takitani, Toyofuku, Kawasaki, Soares, Carroll, Ushijima, Saiki, George and O'Connor.

On motion by Senator Young, seconded by Senator Chong and carried, S.R. No. 183 was adopted.

Senator Young then introduced to the members of the Senate Mr. Wayne Travillion, the honoree of the resolution, and those who accompanied him, his wife Arleen, his daughters, Karen and Lisa, Mr. Bill Cupit, Principal of Barbers Point Elementary School, and Karen Loomis, a family friend.

Senator Young presented Mr. Travillion with a lei and a certified copy of the resolution.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock p.m.

A resolution (S.R. No. 184), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON REHABILITATIVE THERAPY PROGRAMS FOR SEX OFFENDERS", was jointly offered by Senators Chong, Abercrombie, Yim, Ajifu, Cobb, Carpenter, Takitani, Hara, Ushijima, Yamasaki and Mizuguchi.

By unanimous consent, S.R. No. 184 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 185), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A WRITTEN REPORT TO THE SENATE OF THE TENTH LEGISLATURE, PRIOR TO THE END OF THE 1979 SESSION, REGARDING THE INADEQUATE TEXTBOOK SUPPLY IN HAWAII'S PUBLIC INTERMEDIATE SCHOOLS", was jointly offered by Senators Chong, Ajifu, Cobb, Carpenter, Takitani, Abercrombie, Yamasaki and Mizuguchi.

By unanimous consent, S.R. No. 185 was referred to the Committee on Education.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 42), informing the Senate that Senate Concurrent Resolution Nos. 31 and 32, Senate Resolution Nos. 160 to 172 and Standing Committee Report Nos. 21 to 41 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 43), recommending that Senate Bill No. 1370, 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 Campbell and carried, the report of the Committee was adopted and S.B. No. 1370, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION LAW", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 44), recommending that Senate Bill Nos. 153, 154 and 155 pass First Reading by title and be recommitted to the Committee on Housing and Hawaiian Homes.

On motion by Senator Young, seconded by Senator Cobb and carried, the report of the Committee was adopted and

S.B. No. 153, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED";

S.B. No. 154, entitled: "A BILL FOR AN ACT RELATING TO TRADITIONAL AND CUSTOMARY RIGHTS"; and

S.B. No. 155, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED",

passed First Reading by title and were recommitted to the Committee on Housing and Hawaiian Homes.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 45), 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 Cobb, seconded by Senator Campbell 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 COMMISSION ON JUDICIAL DISCIPLINE AND RETIREMENT (CONSTITUTIONAL AMENDMENT OF ARTICLE VI)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 46), recommending that Senate Bill No. 50, 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 Campbell 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 DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 50, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 47), recommending that Senate Bill No. 1122, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1122, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RETIREMENT SYSTEM", passed First Reading and was recommitted to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 48), recommending that Senate Bill No. 106, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 106, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR ALTERNATE ENERGY SOURCES FOR HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 49), recommending that Senate Bill No. 108, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter 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 THE HAWAII NATURAL ENERGY INSTITUTE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 50), recommending that Senate Bill No. 540 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 540, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII LARGE FISHING VESSEL PURCHASE, CONSTRUCTION, RENOVATION, MAINTENANCE AND REPAIR LOAN REVOLVING FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 51), recommending that Senate Bill No. 624, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator Yim moved that Stand. Com. Rep. No. 51 be received and placed on file, seconded by Senator Carpenter and carried.

Senator Yim then moved that S.B. No. 624, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Carpenter.

Senator Abercrombie then offered the following amendment to S.B. No. 624, S.D. 1:

"Amend the bill by amending SECTION 1 on lines 9 through 16 on page 2 to read:

"Monthly catch reports, except for coral, shall not be considered a "public record" as defined in section

92-50. Upon request by any person the department shall compile and make available for inspection by the public information derived from an aggregate of a sufficient number of commercial fishermen such that the monthly fish catch reports pertaining to the amount of fish caught, the type of fish caught, and the primary producer values for such catches sold shall not reveal the identity of an individual fisherman."

Senator Abercrombie moved that the amendment be adopted, seconded by Senator Kawasaki.

Senator Abercrombie then spoke in favor of the motion as follows:

"Mr. President, this was an inadvertent situation. Coral is not normally thought of to be in the same category as fish, in terms of definition; but for purposes of licensure and regulation, both in our Hawaii Revised Statutes and in the federal government, coral comes under the definition of fish along with all the other kinds of fish that are normally thought of as being part of the catch.

"The bill is directed toward protecting the legitimate trade secrets and confidential information of licensed individual commercial fisherman and, inasmuch as the coral catch, if you will, in the state, is also regulated and involves only one business person or business group in one particular area specifically defined, there is nothing that would be inhibited in terms of their continuing their business activities by the adoption of the amendment.

"Mr. President, if we fail to adopt the amendment, what would happen is that, inadvertently, what is now public information would become secret. It would become as if it was a trade secret, and it is obviously well within the acknowledged interest of the state to pay particular attention as to what is happening with and to and for the coral industry. Inasmuch as there's such an abiding and commanding public interest involved in that, we would not want to, by inadvertence, make that information secret information.

"So, Mr. President, all this amendment does is see that the intent of the bill is carried through in its totality, without mistakenly exempting one particular aspect--to wit, coral, which was not intended in the first place when the bill was drafted.

"Thank you, Mr. President."

At 12:29 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 12:32 o'clock p.m.

The motion to adopt the amendment was put by the Chair and carried.

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 624, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF COMMERCIAL FISH CATCH REPORTS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 624, S.D. 2.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 52), recommending that Senate Bill No. 625, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 625, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 53), recommending that Senate Bill No. 626, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 626, S.D. 1.

Senator Yim, for the majority of

the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 54), recommending that Senate Bill No. 627, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 627, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 55), recommending that Senate Bill No. 629, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 629, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 56), recommending that Senate Bill No. 529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 529, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FISH AGGREGATING BUOY PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill which was introduced on Friday, January 26, 1979:

Senate Bill Referred to:
No. 233 Committee on Judiciary

The President made the following re-referral of a bill which was introduced on Thursday, February 1, 1979:

Senate Bill Referred to:
No. 390 Committee on Judiciary

The President made the following re-referral of a bill which was introduced on Friday, February 2, 1979:

Senate Bill Referred to:
No. 450 Committee on Judiciary

The President then made the following re-referral of a bill which was introduced on Tuesday, February 13, 1979:

Senate Bill Referred to:
No. 1731 Committee on Judiciary, then
 to the Committee on Ways and Means

At 12:37 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 5:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 5:10 o'clock p.m..

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 23 to 25) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 23), returning Senate Concurrent Resolution No. 31 which was adopted by the House of Representatives on February 28, 1979, was placed on file.

A communication from the House (Hse. Com. No. 24), transmitting House Concurrent Resolution No. 40, H.D. 1, which was adopted by the House of Representatives on February 28, 1979, was placed on file.

By unanimous consent, H.C.R. No. 40, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING THE DESIGNATION OF THE MCKINLEY HIGH SCHOOL 'FAIRGROUNDS' AS THE PERMANENT SITE OF THE ANNUAL STATE FARM FAIR AND COMMENDING MCKINLEY HIGH SCHOOL FOR SUPPORTING THE STATE FARM FAIR", was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 25), transmitting House Concurrent Resolution No. 44, which

was adopted by the House of Representatives on February 28, 1979, was placed on file.

By unanimous consent, H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING HAWAII'S DELEGATION TO THE UNITED STATES CONGRESS TO SPONSOR AND SUPPORT LEGISLATION RELATING TO THE FARM OWNERSHIP PROGRAM LOANS OF THE FEDERAL FARMERS HOME ADMINISTRATION", was referred to the Committee on Agriculture.

STANDING COMMITTEE REPORTS

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 57), recommending that Senate Bill No. 117, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 117, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 58), recommending that Senate Bill No. 250 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 250, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS COMMUNITY ACTION AGENCIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 59), recommending that Senate Bill No. 375, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 375, 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 Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 60), recommending that Senate Bill No. 1722 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 1722, 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 on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
Excused, 4 (Anderson, Chong, George and Toyofuku).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 61), recommending that Senate Bill No. 1742 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1742, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 62), recommending that Senate Bill No. 137, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell 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 HEALTH CARE", passed Second Reading and was referred to the Committee on Judiciary.

Senators Campbell and Young, for the Committee on Education and the Committee on Housing and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 63), recommending that Senate Bill No. 151, as amended in S.D. 1, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the joint report of the Committees

was adopted and S.B. No. 151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN EDUCATION PROGRAM", passed First Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 64), recommending that Senate Bill No. 152, as amended in S.D. 1, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 152, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS", passed First Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 65), recommending that Senate Bill No. 295, as amended in S.D. 1, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", passed First Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 66), recommending that Senate Bill No. 330, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 330, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD COOPERATIVES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 67), recommending that Senate Bill No. 339 pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 339, entitled: "A BILL FOR AN ACT RELATING TO

DEPARTMENT OF HEALTH EMPLOYEES' ANNUITY CONTRACTS", passed Second Reading and was referred to the Committee on Human Resources.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 68), recommending that Senate Bill No. 517, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 517, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS", was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 69), recommending that Senate Bill No. 690 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 690, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF THE CONDOMINIUM COMMISSION", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 70), recommending that Senate Bill No. 1032, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1032, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONDOMINIUMS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 71), recommending that Senate Bill No. 1487, as amended in S.D. 1, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Kawasaki 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 ELECTION OF THE BOARD OF

TRUSTEES FOR THE OFFICE OF HAWAIIAN AFFAIRS", passed First Reading and was referred to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 72), recommending that Senate Bill No. 641 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 641, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF KAHOMA STREAM FLOOD CONTROL PROJECT, LAHAINA, COUNTY OF MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 73), recommending that Senate Bill No. 687, as amended in S.D. 1, be referred to the Committee on Judiciary.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR RIGHTS", was referred to the Committee on Judiciary.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 74), recommending that Senate Bill No. 1369, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.B. No. 1369, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INDEMNIFICATION OF TEACHERS, COUNSELORS, AND SCHOOL ADMINISTRATORS IN THE DEPARTMENT OF EDUCATION", passed First Reading and was recommitted to the Committee on Ways and Means.

Senators Carpenter and Abercrombie, for the Committee on Health and the Committee on Higher Education, presented a joint report (Stand. Com. Rep. No. 75), recommending that Senate Bill No. 495, as amended in S.D. 1, pass First Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter,

seconded by Senator Abercrombie and carried, the joint report of the Committees was adopted and S.B. No. 495, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF A NURSING CONTINUING EDUCATION FUND", passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 76), recommending that Senate Bill No. 26 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 26, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VIII, SECTION 5)", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 77), recommending that Senate Bill No. 289, be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 289, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 78), recommending that Senate Bill No. 292 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 292, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 79), recommending that Senate Bill No. 25 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 25, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX ASSESSMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVIII)", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 80), recommending that Senate Bill No. 293 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 293, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 81), recommending that Senate Bill No. 290, pass First Reading and be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 290, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", passed First Reading and was referred to the Committee on Judiciary.

At 5:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:18 o'clock p.m.

ADJOURNMENT

At 5:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 1, 1979.

TWENTY-SIXTH DAY

Thursday, March 1, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Doctor Carl Hansen, District Superintendent, Hawaii Conference of the United Church of Christ, after which the Roll was called showing all Senators present, with the exception of Senator Yee, who was excused.

The President announced that he had read and approved the Journal of the Twenty-Fifth Day.

At 11:36 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

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

Senator Kawasaki, on behalf of the members of the Fifth Senatorial District, introduced a group from the Filipino Federation of America and the Filipino Federation Youth Association.

Senator Carroll introduced 23 seniors from St. Louis High School, accompanied by their teacher Mr. Rod Santos.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. No. 26 and 27) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 26), transmitting House Concurrent Resolution No. 90 which was adopted in the House of Representatives on February 28, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING ANDREW J. CHANG UPON HIS APPOINTMENT TO THE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION", was adopted.

A communication from the House (Hse. Com. No. 27), transmitting House Concurrent Resolution No. 91 which was adopted in the House of Representatives on February 28, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING HEARTIEST

CONGRATULATIONS AND COMMENDING LAWRENCE 'LARRY' H. GINOZA UPON HIS SELECTION AS THE HULA BOWL'S 1978 SPORTSMAN OF THE YEAR", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 186 to 188) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 186), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING TO CONDUCT A STUDY ON THE INDIGENT BURIAL PROGRAM", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 186 was referred to the Committee on Human Resources.

A resolution (S.R. No. 187), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE IMPACT OF FEDERAL AID ON HAWAII'S STATE AND LOCAL GOVERNMENTS", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 187 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 188), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF USING REVERSIBLE LANES ON THE LIKELIKE HIGHWAY", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 188 was referred to the Committee on Transportation.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 82), informing the Senate that Senate Concurrent Resolution Nos. 33 to 36, Senate Resolution Nos. 173 to 185 and Standing Committee Report Nos. 43 to 81 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 83) recommending that Senate Bill No. 46, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 46, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 84) recommending that Senate Bill No. 399, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki 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 ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 85) 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 Toyofuku, seconded by Senator Yamasaki 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 NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 86) recommending that Senate Bill No. 436, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 87) recommending that Senate Bill No. 539, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and

S.B. No. 539, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUATION OF LANAKILA REHABILITATION CENTER'S WAHIAWA DAY ACTIVITY PROGRAM FOR SEVERELY DISABLED ADULTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 88) recommending that Senate Bill No. 601, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON MANPOWER AND FULL EMPLOYMENT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 89) recommending that Senate Bill No. 615, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 90) recommending that Senate Bill No. 666, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 91) recommending that Senate Bill No. 750, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 750, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE TRANSPORTATION OF THE ELDERLY, DISABLED, HANDICAPPED, AND OTHER DISADVANTAGED PERSONS, INCLUDING PRESCHOOL CHILDREN ON KAUAI, MAUI, AND HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 92) recommending that Senate Bill No. 791, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 791, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTINUE THE WORK ACTIVITY PROGRAM FOR SEVERELY DISABLED ADULTS AT LANAKILA REHABILITATION CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 93) recommending that Senate Bill No. 914, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, Stand. Com. Rep. No. 93 and S.B. No. 914, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", were recommitted to the Committee on Human Resources.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 94) recommending that Senate Bill No. 1282 pass Second Reading and be referred to the Committee on Judiciary.

By unanimous consent, action on Stand. Com. Rep. No. 94 and S.B. No. 1282 was deferred to the end of the calendar.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 95) recommending that Senate Bill No. 1508, pass Second Reading and be referred to the Committee on Ways and Means.

By unanimous consent, action on Stand. Com. Rep. No. 95 and S.B. No. 1508 was deferred to the end of the calendar.

Senator Toyofuku, for the Committee on Human Resources, presented a report

(Stand. Com. Rep. No. 96) recommending that Senate Bill No. 1719 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1719, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 97) recommending that Senate Bill No. 1720 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1720, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 98) recommending that Senate Bill No. 1737 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1737, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

At 11:41 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.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 99) recommending that Senate Bill No. 5 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 5, entitled: "A BILL FOR AN ACT RELATING TO TWELVE MEMBER JURY (CONSTITUTIONAL AMENDMENT)", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 5.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 100) recommending that Senate Bill No. 10, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 10, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 101) 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 O'Connor, seconded by Senator Cobb 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 OPEN LEGISLATIVE COMMITTEE MEETINGS (CONSTITUTIONAL AMENDMENTS OF ARTICLE III)", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 14, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 102) recommending that Senate Bill No. 1017 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1017, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE JUSTICE FOR VICTIMS PROGRAM IN HAWAII COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 103) recommending that

Senate Bill No. 1207 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1207, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DRUG REHABILITATION PROGRAM AT OAHU PRISON", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 104) recommending that Senate Bill No. 1288 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1288, 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 105) recommending that Senate Bill No. 1335, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1335, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NARCOTICS AND DANGEROUS DRUGS CONTROL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 106) recommending that Senate Bill No. 1728, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1728, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 107) recommending that Senate Bill No. 1730, as amended in S.D. 1, pass Second Reading and be

referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1730, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, A TORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 108) recommending that Senate Bill No. 255, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 255, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EXPANSION OF PRE-VOCATIONAL, DAY ACTIVITY TRAINING PROGRAMS FOR DEVELOPMENTALLY DISABLED ADULTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 109) recommending that Senate Bill Nos. 242, 382, 387, 467, 821, and 1007 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and,

S.B. No. 242, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF MOLOKAI REHABILITATION FACILITY AT KAUNAKAKAI, MOLOKAI";

S.B. No. 382, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CHORE SERVICES FOR THE ELDERLY AND HANDICAPPED AT MAUI REHABILITATION CENTER";

S.B. No. 387, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SOCIAL REHABILITATION PROGRAMS AND PROJECTS FOR THE HANDICAPPED AND DISABLED AT THE MOLOKAI REHABILITATION FACILITY AT KAUNAKAKAI, MOLOKAI";

S.B. No. 467, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR GRANTS-IN-AID TO THE WELFARE RECIPIENT ADVISORY COUNCIL FOR THEIR NEIGHBOR ISLAND PROGRAMS";

S.B. No. 821, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO HAWAII KAI COMMUNITIES COUNCIL FOR THE ESTABLISHMENT OF A HUMAN SERVICES CENTER IN HAWAII KAI, OAHU"; and

S.B. No. 1007, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HILO INTERIM HOME, HAWAII";

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 110) recommending that Senate Bill No. 454, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 454, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAUAI EASTER SEAL SOCIETY TO CONTINUE THEIR CHILD CARE AND DEVELOPMENT PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 111) recommending that Senate Bill No. 665, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki 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 INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 112) recommending that Senate Bill No. 1723 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on S.B. No. 1723.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 113) recommending that Senate Bill No. 1736 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 1736, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that was introduced on February 13, 1979:

Senate Bill Referred to:

No. 1046 Committee on Judiciary, then to the Committee on Ways and Means

RE-REFERRAL OF A HOUSE CONCURRENT RESOLUTION

The President made the following re-referral of a concurrent resolution that was received on February 28, 1979:

House
Concurrent
Resolution Referred to:

No. 9 Committee on Economic Development

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

THIRD READING

Senate Bill No. 6:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 6, entitled: "A BILL FOR AN ACT RELATING TO JURY TRIAL IN CIVIL MATTERS (CONSTITUTIONAL AMENDMENTS OF ARTICLE 1, SECTION 13)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 11:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 11, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 12:

By unanimous consent, action on S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE TERM OF OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR (CONSTITUTIONAL AMENDMENTS OF ARTICLE V)", was deferred until Friday, March 2, 1979.

Senate Bill No. 15, S.D. 1:

By unanimous consent, action on S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", was deferred until Friday, March 2, 1979.

Senate Bill No. 34:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 34, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 10)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 42, S.D. 1:

By unanimous consent, action on S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", was deferred until Friday, March 2, 1979.

Senate Bill No. 45:

By unanimous consent, action on S.B. No. 45, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", was deferred until Friday, March 2, 1979.

Senate Bill No. 48:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 48, entitled: "A BILL FOR AN ACT

RELATING TO PLAIN LANGUAGE (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 13)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Standing Committee Report No. 94 (S.B. No. 1282):

Senator Toyofuku moved that Stand. Com. Rep. No. 94 be adopted and S.B. No. 1282 pass Second Reading and be referred to the Committee on Judiciary, seconded by Senator Yamasaki.

At this time, Senator Abercrombie rose to speak against S.B. No. 1282 as follows:

"Mr. President, I rise to speak against S.B. No. 1282, that is to say, speaking against its passing its Second Reading and being referred to the Committee on Judiciary, knowing full well that there is in fact a second committee which will look at the bill, on what I believe to be the sound grounds that if someone has a particular contention to make about a bill that is well worth the effort of the committee which will receive the bill, should it pass, to at least note the possibility of objection and perhaps give it more attention than it might otherwise have.

"In this particular instance, Mr. President, you will note in the committee report that we are moving into the area of a misdemeanor for benefits less than \$200 in the class C felony benefits more than \$200 in the making of false statements or representations on unemployment compensation insurance. This area is so subject to interpretation and misinterpretation as what are indeed the facts that have the threat of a class C felony, it seems to me, is to move into the area of cruel and unusual punishment and to move into the area of suppression, far beyond what is warranted and so, therefore, I would urge that the Body not pass this bill on to the Committee on Judiciary."

The motion was put by the Chair and Stand. Com. Rep. No. 94 was adopted and, Roll Call vote having been requested, S.B. No. 1282, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Chong and Kawasaki). Excused, 1 (Yee).

Standing Committee Report No. 95 (S.B. No. 1508):

Senator Toyofuku moved that Stand. Com. Rep. No. 95 be adopted and S.B. No. 1508 pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Yamasaki.

Senator Abercrombie then rose to speak in favor of S.B. No. 1508 as follows:

"Mr. President, I would like to speak in favor of S.B. No. 1508, noting as I have that I do not concur with the intentions of the bill.

"In this particular instance, I believe that it is important for the Ways and Means Committee to receive the bill noting that we are involved here with a change in the State Retirement System.

"In this particular instance, it happens to involve the police force in particular, as the committee report says, in essence, the enactment of the bill will allow a police officer to retire after 20 years of service.

"This whole area of retirement, not necessarily with the police alone, is so fraught with economic and social consequences for the state, especially including those who may think they are benefiting from such measures, that I think it's worth the particular attention of the Ways and Means Committee to consider whether these kinds of things are wise before a complete reexamination of the State Retirement System which I believe the Ways and Means Committee chairman is contemplating at this time. So, on that basis, I would urge that the bill be passed on to Ways and Means Committee."

Senator Kawasaki then added as follows:

"Mr. President, before vote is taken, I completely concur with the previous speaker on this bill and he can be assured that the Ways and Means Committee will give it the closest scrutiny. In any case, I would like to register a 'No' vote on this."

The motion was put by the Chair and Stand. Com. Rep. No. 95 was adopted and, Roll Call vote having been requested, S.B. No. 1508, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

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

At 12:23 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.

At this time, Senator Abercrombie, Chairman of the Committee on Higher Education, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 29, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE BOARD OF REGENTS, UNIVERSITY OF HAWAII (CONSTITUTIONAL AMENDMENT OF ARTICLE X, SECTION 6)";

S.B. No. 143, entitled: "A BILL FOR AN ACT RELATING TO THE DISCRETIONARY FUND ACCOUNTABILITY BY THE UNIVERSITY OF HAWAII";

S.B. No. 336, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER";

S.B. No. 344, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF FUNDS WITHIN THE UNIVERSITY OF HAWAII";

S.B. No. 997, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND";

S.B. No. 1299, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII";

S.B. No. 1463, entitled: "A BILL FOR AN ACT RELATING TO THE WOMEN'S ATHLETIC PROGRAM OF THE UNIVERSITY OF HAWAII";

S.B. No. 1469, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING EDUCATION FOR WOMEN";

S.B. No. 1534, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII'S DENTAL HYGIENE PROGRAM";

S.B. No. 1688, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF IMPROVEMENTS AT MAUI COMMUNITY COLLEGE";

S.B. No. 1810, entitled: "A BILL FOR AN ACT RELATING TO HAWAII ASIAN PACIFIC INSTITUTE";

S.B. No. 717, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ADULT EDUCATION TO THE SYSTEM OF COMMUNITY COLLEGES";

S.B. No. 718, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ADULT EDUCATION TO THE COLLEGE

OF CONTINUING EDUCATION AND COMMUNITY SERVICE";

S.B. No. 837, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTIONS 3 AND 6, TO REQUIRE SENATE APPROVAL OF APPOINTMENT OF PRESIDENT OF THE UNIVERSITY OF HAWAII AND SUPERINTENDENT OF EDUCATION"; and

S.B. No. 1780, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HIGHER EDUCATION COUNCIL",

and the President granted the waiver.

Senator O'Connor, Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of a Decision-Making Hearing on the following measures:

S.B. No. 1230, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING";

S.B. No. 1197, entitled: "A BILL FOR AN ACT RELATING TO SHOPLIFTING";

S.B. No. 1811, entitled: "A BILL FOR AN ACT RELATING TO PROHIBITED INVESTMENT";

S.B. No. 1191, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS";

S.B. No. 1195, entitled: "A BILL FOR AN ACT RELATING TO THEFT";

S.B. No. 596, entitled: "A BILL FOR AN ACT RELATING TO THEFT";

S.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING";

S.B. No. 504, entitled: "A BILL FOR AN ACT RELATING TO COMPUTER CRIMES";

S.B. No. 553, entitled: "A BILL FOR AN ACT RELATING TO OBSTRUCTION OF PUBLIC SAFETY COMMUNICATIONS";

S.B. No. 549, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS"; and

S.B. No. 920, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS",

and the President granted the waiver.

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. 330, entitled: "A BILL FOR

AN ACT RELATING TO RESIDENTIAL LEASEHOLD COOPERATIVES";

S.B. No. 495, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF A NURSING CONTINUING EDUCATION FUND";

S.B. No. 690, entitled: "A BILL FOR AN ACT RELATING TO THE CREATION OF THE CONDOMINIUM COMMISSION"; and

S.B. No. 1032, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD CONDOMINIUMS",

and the President granted the waiver.

At this time, Senator Anderson rose to state as follows:

"Mr. President, I'd just like to state for the record, again and again and again, that it's impossible to divide up 24 senators by three or four, five major committees--and the committee attendance this year has been the lowest I've ever seen it--and it's not because the Senators, I'm sure, don't want to attend some of these meetings, but you just cannot.

"If you look at the roster, each one of us including the majority, I believe, belong to six and seven committees and there's no way that you can cut yourself up six and seven ways to attend all these committees. I'm sure somewhere the public is going to become aware of our absence and begin to wonder if we're interested in some of the issues that are being put forth or what they consider very major.

"The waivers the Chair is granting are pretty often and I would be fearful if somebody from, say the neighbor islands or Windward

or Leeward who is anticipating coming down for a decision-making hearing only to have it waived without any notice--I'm just concerned for the Senate image at this time, Mr. President, as we get near the deadline and we're all trying to conform to deadlines that we don't have a black eye with the public."

The President then replied as follows:

"I think, Senator Anderson, your point is well taken to this degree, but, I believe, the first time in the history, as I've noticed in this illustrious Body, so many bills have been introduced and the opportunity of committee chairmen scheduling almost all bills in their committees is almost unheard of; that it does give an opportunity that all ideas that have been introduced by every member of this Body, including the minority, are being given consideration.

"I think, in view of that consideration, the hours that have been asked of the committee chairmen to put in have been very long and arduous; and I think the production at the end of 60 days will determine whether or not we have served properly the public interest.

"All I want to say is that I do want to caution all the committee chairmen at this time--if possible, that all arrangements should be made through the majority leader so as to minimize the number of conflicts involved in the various meetings."

ADJOURNMENT

At 12:31 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 2, 1979.

TWENTY-SEVENTH DAY

Friday, March 2, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Ernest Gouveia, SSCC, Pastor of St. Augustine Church, after which the Roll was called showing all Senators present with the exception of Senators Hara, Wong and Yee, who were excused.

The Vice-President announced that the President had read and approved the Journal of the Twenty-Sixth Day.

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

Senator Carroll introduced fourteen seniors from St. Louis High School with their teacher, Mr. Rod Santos.

Senator Carroll then introduced forty-five students from the fifth grade at Manoa School, with their teachers, Mrs. H.V. Minette, Mrs. Karen Watanabe, and the Security Aide, Mr. Cash.

Senator Mizuguchi introduced a group of students from Waipahu High School, with their teachers, Mrs. Tina Isbister and Mrs. Sonia Honda.

Senator Chong then introduced Mr. Lawrence Zerkel, Director of the Hawaiian Islands Public Radio Corporation.

Senator Yamasaki introduced nine students from the Inter-relations/Multi-Cultural Club at Baldwin High School, Maui, and those who accompanied them, Ms. Shirley Evangelista and Ms. Mary Jarnesky.

Senator Young then introduced forty-three students from the Fukuoka Seinan Gakuen University Glee Club, from Fukuoka, Japan, together with their director, Professor Haruo Furukawa and the Reverend Richard Okamoto of the Pali View Baptist Church of Honolulu.

At 11:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair at which time the Glee Club offered two musical renditions.

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

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 96), transmitting a report prepared by the State Law Enforcement Planning Agency as a supplement to the Juvenile Justice Plan of 1974, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 28 to 35) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 28), transmitting House Concurrent Resolution No. 52, which was adopted by the House of Representatives on March 1, 1979, was placed on file.

By unanimous consent, H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PURSUE THE ESTABLISHMENT OF AN OLYMPIC TRAINING CENTER AND SPORTSMEDICINE CLINIC IN HAWAII WITH THE U.S. OLYMPIC COMMITTEE", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 29), transmitting House Bill No. 4, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 4, 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 referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 30), transmitting House Bill No. 19, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 19, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House

(Hse. Com. No. 31), transmitting House Bill No. 22, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 22, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 32), transmitting House Bill No. 39, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 39, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A RESEARCH DISSEMINATION PILOT PROJECT", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 33), transmitting House Bill No. 99, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson 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.

A communication from the House (Hse. Com. No. 34), transmitting House Bill No. 147, H.D. 1, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 147, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 35), transmitting House Bill No. 982, which passed Third Reading in the House of Representatives on March 1, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed First Reading by title and was referred to the Committee on Ways and Means.

At 11:49 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.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 37 and 38) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 37), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE NEED FOR AND THE FEASIBILITY OF A CONVENTION CENTER IN THE STATE", was jointly offered by Senators Kuroda, Cayetano, Takitani, Chong, Yim, Cobb, Toyofuku, Yamasaki, Carpenter, Kawasaki, Wong, Hara, Abercrombie, Saiki, Ushijima, Campbell, Yee, Ajifu, Soares and Carroll.

By unanimous consent, S.C.R. No. 37 was referred to the Committee on Tourism.

A concurrent resolution (S.C.R. No. 38), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO RECOMMEND THAT STATES WHICH HAVE PREVIOUSLY RATIFIED THE FEDERAL EQUAL RIGHTS AMENDMENT BE HELD TO THAT DECISION IN ACCORDANCE WITH CONSTITUTIONAL TRADITION", was offered by Senator Chong.

By unanimous consent, S.C.R. No. 38 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 189 to 195) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 189), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE NEED FOR AND THE FEASIBILITY OF A CONVENTION CENTER IN THE STATE", was jointly offered by Senators Kuroda, Cayetano, Takitani, Chong, Yim, Cobb, Toyofuku, Yamasaki, Carpenter, Campbell, Wong, Soares, Abercrombie, Saiki, Ushijima, Mizuguchi, O'Connor, Kawasaki, Yee, Ajifu and Carroll.

By unanimous consent, S.R. No. 189 was referred to the Committee on Tourism.

A resolution (S.R. No. 190), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO INVESTIGATE THE FEASIBILITY OF ALLOWING SECONDARY STUDENTS WHO HAVE DROPPED OUT OF SCHOOL OR WHO ARE POTENTIAL DROPOUTS TO ENROLL IN VOCATIONAL EDUCATION COURSES WITHIN OUR COMMUNITY COLLEGE SYSTEM", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 190 was referred jointly to the Committee on Education and the Committee on Higher Education.

A resolution (S.R. No. 191), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE HONOULIULI DOSHIKAI COMMUNITY ASSOCIATION FOR ITS COMMUNITY BEAUTIFICATION PROJECT AND FOR PLACING HONOULIULI ON THE MAP AS 'HAWAII'S GOLDEN BEND IN THE ROAD'", was jointly offered by Senators Kuroda, Young, Cayetano, Mizuguchi, Chong, Cobb, Takitani, Carpenter, Yamasaki, Ushijima, Campbell, Toyofuku, Wong, George, Hara, O'Connor, Kawasaki, Anderson, Yee, Ajifu, Soares, Abercrombie, Yim, Saiki and Carroll.

On motion by Senator Kuroda, seconded by Senator Young and carried, S.R. No. 191 was adopted.

A resolution (S.R. No. 192), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF HAWAIIAN ELECTRIC COMPANY'S LONG-RANGE PLANS FOR THE PROVISION OF ELECTRICAL ENERGY", was offered by Senator Chong.

By unanimous consent, S.R. No. 192 was referred jointly to the Committee on Public Utilities and the Committee on Economic Development.

A resolution (S.R. No. 193), entitled: "SENATE RESOLUTION URGING CONGRESS TO RECOMMEND THAT STATES WHICH HAVE PREVIOUSLY RATIFIED THE FEDERAL EQUAL RIGHTS AMENDMENT BE HELD TO THAT DECISION IN ACCORDANCE WITH CONSTITUTIONAL TRADITION", was offered by Senator Chong.

By unanimous consent, S.R. No. 193 was referred to the Committee on Judiciary.

A resolution (S.R. No. 194), entitled: "SENATE RESOLUTION RECOGNIZING

AND COMMENDING THE 'NUCLEAR ARMS: CONSCIENCE, LAW AND SURVIVAL' FORUM FOR ITS OUTSTANDING EFFORTS TO ALERT HAWAII'S PUBLIC TO THE POTENTIAL DANGERS OF NUCLEAR WEAPON STORAGE NEAR POPULATION CENTERS AND FOR PRESENTING ISSUES RELATING TO THE NUCLEAR ARMS RACE AND THE DISARMAMENT QUESTION", was jointly offered by Senators Chong and Abercrombie.

By unanimous consent, S.R. No. 194 was referred to the Committee on Intergovernmental Relations.

At 11:55 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.

A resolution (S.R. No. 195), entitled: "SENATE RESOLUTION RELATING TO COMPULSORY MILITARY SERVICE", was jointly offered by Senators Chong and Yim.

By unanimous consent, S.R. No. 195 was referred to the Committee on Intergovernmental Relations.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 114), informing the Senate that Senate Resolution Nos. 186 to 188 and Standing Committee Report Nos. 83 to 113 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 115), 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 Cayetano, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 115 and S.B. No. 1096, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 116), recommending that Senate Bill No. 1097, 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 Abercrombie and carried, Stand. Com. Rep. No. 116 and S.B. No. 1097, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 117), recommending that Senate Bill No. 1098, 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 Abercrombie and carried, Stand. Com. Rep. No. 117 and S.B. No. 1098, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 118), recommending that Senate Bill No. 1099, 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 Abercrombie and carried, Stand. Com. Rep. No. 118 and S.B. No. 1099, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 119), recommending that Senate Bill No. 1100, 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 Abercrombie and carried, Stand. Com. Rep. No. 119 and S.B. No. 1100, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 120), recommending that Senate Bill No. 1101, 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 Abercrombie

and carried, Stand. Com. Rep. No. 120 and S.B. No. 1101, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 121), 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 Cayetano, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 121 and S.B. No. 1102, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 122), recommending that Senate Bill No. 1103, 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 Abercrombie and carried, Stand. Com. Rep. No. 122 and S.B. No. 1103, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 123), recommending that Senate Bill No. 1104, 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 Abercrombie and carried, Stand. Com. Rep. No. 123 and S.B. No. 1104, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 124), recommending that Senate Bill No. 1105, 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 Abercrombie and carried, Stand. Com. Rep. No. 124 and S.B. No. 1105, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 125), recommending that Senate Bill No. 1106, 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 Abercrombie and carried, Stand. Com. Rep. No. 125 and S.B. No. 1106, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 126), recommending that Senate Bill No. 1108, 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 Abercrombie and carried, Stand. Com. Rep. No. 126 and S.B. No. 1108, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", were recommitted to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 127), recommending that Senate Bill No. 677 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 677, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 128), recommending that Senate Bill No. 678 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 678, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 129), recommending that Senate Bill No. 680 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 680, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 130), recommending that Senate Bill No. 681 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 681, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 131), recommending that Senate Bill No. 683 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 683.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 132), recommending that Senate Bill No. 758 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed

Second Reading and was placed on the calendar for Third Reading on Monday, March 5, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 758.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 133), recommending that Senate Bill No. 1333 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1333, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 134), recommending that Senate Bill No. 53, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 53, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE APPELLATE COURT (CONSTITUTIONAL AMENDMENTS OF ARTICLE VI)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 135), recommending that Senate Bill No. 1292 pass First Reading by title and be recommitted to the Committee on Judiciary.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1292, entitled: "A BILL FOR AN ACT RELATING TO SUFFRAGE AND ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTIONS 5 AND 6)", passed First Reading by title and was recommitted to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following re-referral of a bill that had been introduced on Friday, January 26, 1979:

Senate Bill Referred to:

No. 122 Committee on Health, then to the Committee on Ways and Means

MATTERS DEFERRED
FROM MARCH 1, 1979

Senate Bill No. 12:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 12, entitled: "A BILL FOR AN ACT RELATING TO THE TERM OF OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR (CONSTITUTIONAL AMENDMENTS OF ARTICLE V)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson).
Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 15, S.D. 1:

By unanimous consent, consideration of S.B. No. 15, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 42, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 42, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson).
Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 45:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 45, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hara, Wong and Yee).

THIRD READING

Senate Bill No. 50, S.D. 1:

By unanimous consent, consideration of S.B. No. 50, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 624, S.D. 2:

On motion by Senator Yim, seconded

by Senator Carpenter and carried, S.B. No. 624, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE OF COMMERCIAL FISH CATCH REPORTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 625, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 625, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL FISHING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 626, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 626, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 627, S.D. 1:

Senator Yim moved that S.B. No. 627, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Carroll then spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of this bill with reservations. The impact of this bill is to remove the spiny lobster from state regulation; that is, from the regulatory impact of state statute and place it within rules and regulations of the fish and game division of the Department of Land and Natural Resources.

"I note with interest that the reason that this has been removed is to facilitate the ability of the Division of Fish and Game to determine the size of the animals which are protected under this section of our Hawaii Revised Statutes.

"The regulation which they seek

to follow and which they are following, measures essentially the body of the shell of the lobster--the area called the carapace which is roughly from the head and the thorax of that animal. At the same time that they seek to regulate this particular animal, they have the power and they are exempting, fishing of the lobster out of season in the Leeward Islands.

"In addition to allowing the fishing out of season in the Leeward Islands, they are also giving permits to de-tail the lobster and bring them in without the carapace and without the ability to, in effect, measure the poundage.

"Now, in the situation...and I'm fully cognizant of this, and this is the reason I'm raising this point, with this regulation, there is no way to prosecute for violation of taking the animals that are in violation of their regulation; because of the fact that the carapace is gone and they can always claim that the tail, while it may appear to be small, was indeed attached to the carapace of a three and a quarter inch lobster, that is a three and a quarter inch carapace. This also, potentially, could lead to the retention of shorts or the lobsters which do not meet the size requirements.

"Now, I do not pretend to stand on this floor and tell the Division of Fish and Game how to run the shop, but I suggest, Mr. President, that we must proceed with extreme caution in this area, particularly because of the fact that we have thousands of pounds of lobsters that are being taken at the present time in the Leeward Islands.

"Lobster studies are being done and there are studies that are following what is happening, but the studies are running abreast of, rather than in advance of, the harvesting of this particular resource.

"I would like to emphasize, Mr. President, that these resources should be held by this state in the public trust; and I do not say that they are not, but I think that we must be very cautious. When we move in this area, we should be extremely careful to note the impact of this change in the law. And I can assure this Honorable Body and Division of Fish and Game and the fishermen that I will be taking a personal and first hand look at the catches that are coming in as I am able to do so.

"With these reservations, Mr. President, I urge that we vote 'aye'. Thank you."

Senator Abercrombie then stated as follows:

"Mr. President, I rise to speak against this bill. For the reasons the previous speaker has stated, but he draws a different conclusion than I do.

"The conclusions I draw up from the remarks he made which is similar to the views that I hold, I do not see why... I do not see the rationale for continuing this harvesting when we are having studies made at the present time as to what the impact might be.

"A result of this kind of an approach would be that we may very well have a result that says, 'Well, we've destroyed everything, because we kept on doing what we shouldn't have done.' We shouldn't have done it and the report concludes that something else, some other process should have been utilized. We find that we are disenabled then from implementing whatever recommendations come forward in this area, especially where the Leeward Islands are concerned.

"I realize that for many people it's an abstraction--it is for me. My only contact with the Leeward Islands has been through presentation made by the Department of Interior at Fort DeRussy last year, but the presentation that they did make was so impressive to me that since that time, whenever items came forward in respect to the Leeward Islands, I have determined that I should try to urge people to respect the area until such time as we are able to have an environmental assessment. That's not too far off. We're not talking something ten or fifteen years down the line.

"Respect the environmental integrity of the area until we can make a proper assessment as to what mankind invasion should be there in respect of the economic benefit that may be derived. Therefore, I urge that there is no necessity for this bill at this time.

"If it was an imperative, an absolute imperative, I might feel otherwise; but it is not an imperative. It is a convenience and it is a convenience that can easily be subject to abuse. Given the fact that there is economic circumstances involved here, I think the impetus will be too abused of this law, if it is passed.

"Therefore, I would urge that on the grounds that it is not a necessity, that it is not imperative, that we're not compelled at this time to do this, that there is strong evidence that a waiting period on this will produce

a more rational vision of what is the right thing to do in respect of our commercial ventures in these areas, that we vote 'no'.

"Thank you, Mr. President."

Senator Carroll then responded as follows:

"Mr. President, I rise partially to rebut, and just partially to state that I agree with the previous speaker.

"The only reason that I am voting 'aye' on this measure is because of the fact, if I'm not mistaken, that the Division of Fish and Game are putting people on the boats to go up there during the coming fishing season. So, there actually will be a state agent on board the boats. In their absence, I would in fact vote 'no' on this measure. So I think that potentially at least for large scale abuse at this time is relatively small; but otherwise, I agree very much with the Senator from Manoa."

The President directed the Clerk to note the presence of Senator Hara.

The motion was then put by the Chair and carried, and S.B. No. 627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM SIZES OF FISH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Wong and Yee).

At 12:12 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.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Senate Bill No. 15, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 15, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Anderson). Excused, 3 (Hara, Wong and Yee).

Senate Bill No. 50, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B.

No. 50, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Hara, Wong and Yee).

At this time, Senator Campbell, for the Committee on Education, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

S.B. No. 261, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT AINA HAINA ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 262, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT ALIOLANI ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 263, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT NIU VALLEY INTERMEDIATE SCHOOL, HONOLULU, HAWAII";

S.B. No. 425, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT WAIALAE ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 426, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAISER HIGH SCHOOL, HONOLULU, HAWAII";

S.B. No. 427, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR KAHALA ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 428, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAIMUKI INTERMEDIATE SCHOOL, HONOLULU, HAWAII";

S.B. No. 770, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT KALANI HIGH SCHOOL, HONOLULU, HAWAII";

S.B. No. 771, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR IMPROVEMENTS AT ANUENUE ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 855, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NIU VALLEY INTERMEDIATE SCHOOL, OAHU";

S.B. No. 856, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOKO HEAD ELEMENTARY SCHOOL, OAHU";

S.B. No. 857, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANI HIGH SCHOOL, OAHU";

S.B. No. 858, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAIMUKI INTERMEDIATE SCHOOL, OAHU";

S.B. No. 859, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOKULANI SCHOOL, OAHU";

S.B. No. 860, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII SCHOOL FOR THE DEAF AND BLIND";

S.B. No. 861, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ANUENUE ELEMENTARY SCHOOL, OAHU";

S.B. No. 862, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALIOLANI SCHOOL, OAHU";

S.B. No. 863, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AINA HAINA SCHOOL, OAHU";

S.B. No. 1308, entitled, "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRD SENATORIAL DISTRICT"; and

S.B. No. 1310, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CASTLE HIGH SCHOOL SPECIAL MOTIVATION PROGRAM",

and the President granted the waiver.

ADJOURNMENT

At 12:27 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, March 5, 1979.

TWENTY-EIGHTH DAY

Monday, March 5, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Jun Ehara, Harris United Methodist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Seventh Day.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 97) transmitting the Fifth Annual Progress Report on Mental Health Services for Children and Youth prepared by the Department of Health, pursuant to Section 321-176, HRS, was read by the Clerk and was referred to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 36 to 38) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 36) transmitting House Bill No. 158, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 37) transmitting House Bill No. 177 which passed Third Reading in the House of Representatives on March 2, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 177, 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.

A communication from the House (Hse. Com. No. 38) transmitting House Bill No. 600, H.D. 1, which passed Third Reading in the House of Representatives on March 2, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B.

No. 600, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 39 and 40) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE PROTECTION OF HAWAII'S SUGAR INDUSTRY AS A MATTER OF COMPELLING STATE INTEREST AND URGING ALL THE PEOPLE OF HAWAII, INCLUDING BUSINESS ESTABLISHMENTS, TO ACTIVELY SUPPORT THE INDUSTRY", was jointly offered by Senators Takitani, Yamasaki, Hara, Soares, Chong, Young, George, Carroll and Saiki.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 40), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES EXCLUDE HAWAII'S STATE-CHARTERED BANKS FROM THE RESERVE REQUIREMENTS OF ANY FEDERAL RESERVE MEMBERSHIP LEGISLATION UNDER CONSIDERATION", was jointly offered by Senators Cobb, Ushijima, Yamasaki and Carpenter.

By unanimous consent, S.C.R. No. 40 was referred to the Committee on Consumer Protection and Commerce.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 196 to 202) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 196), entitled: "SENATE RESOLUTION REQUESTING THE STATE LEGISLATIVE REFERENCE BUREAU TO STUDY THE SUBSTITUTION OF LIQUID FUEL TAX TO REPLACE THE MOTOR VEHICLE WEIGHT TAX", was jointly offered by Senators Hara, Cobb, Saiki, Takitani, Yamasaki, Ushijima, Soares, Ajifu, Carpenter, Young, Campbell, Abercrombie, Kawasaki and George.

By unanimous consent, S.R. No. 196 was referred jointly to the Committee on Transportation and the Committee on Legislative Management.

A resolution (S.R. No. 197), entitled: "SENATE RESOLUTION COMMENDING THE 1979 TEEN HEALTH FAIR", was jointly offered by Senators Saiki, George, Takitani, Chong, Kuroda, Hara, Toyofuku, Carpenter, Soares, Cobb, Ajifu, Carroll, Young, Cayetano, Yamasaki, Ushijima, Campbell and Mizuguchi.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 197 was adopted.

A resolution (S.R. No. 198), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO CALL UPON TOURIST RELATED AGENCIES TO DEVISE A PILOT PROGRAM IN TOURIST EDUCATION AND INCLUDE THIS CURRICULUM IN SOCIAL STUDIES AND CAREER DEVELOPMENT AND GUIDANCE PROGRAMS AT ALL GRADE LEVELS", was jointly offered by Senators Soares, Ajifu, Carroll, Yim, Saiki, George, Campbell and Chong.

By unanimous consent, S.R. No. 198 was referred jointly to the Committee on Education and the Committee on Tourism.

A resolution (S.R. No. 199), entitled: "SENATE RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE AND DECLARE A 'DRINK PRIMO DAY' AND URGING THE JOSEPH SCHLITZ BREWING COMPANY TO CONTINUE PRODUCTION OF PRIMO HAWAIIAN BEER AT ITS BREWERY IN AIEA, HAWAII", was jointly offered by Senators Takitani, Yamasaki, Hara, Soares, Chong, Carroll and Saiki.

By unanimous consent, S.R. No. 199 was referred to the Committee on Economic Development.

A resolution (S.R. No. 200), entitled: "SENATE RESOLUTION DECLARING THE PROTECTION OF HAWAII'S SUGAR INDUSTRY AS A MATTER OF COMPELLING STATE INTEREST AND URGING ALL THE PEOPLE OF HAWAII, INCLUDING BUSINESS ESTABLISHMENTS, TO ACTIVELY SUPPORT THE INDUSTRY", was jointly offered by Senators Takitani, Yamasaki, Hara, Soares, Chong, Young, George, Carroll and Saiki.

By unanimous consent, S.R. No. 200 was referred to the Committee on Agriculture.

A resolution (S.R. No. 201), entitled: "SENATE RESOLUTION ENCOURAGING THE CREATION OF A SINGLE UNIFIED AGRICULTURAL COOPERATIVE ASSOCIATION FOR VEGETABLE GROWERS ON MAUI AND COMMENDING THE TWO EXISTING ASSOCIATIONS FOR INITIATING MERGER ACTIONS", was jointly offered by Senators Takitani, Yamasaki, Hara, Soares, Chong, Young, George, Carroll and Saiki.

By unanimous consent, S.R. No. 201 was referred to the Committee on Agriculture.

A resolution (S.R. No. 202), entitled: "SENATE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES EXCLUDE HAWAII'S STATE-CHARTERED BANKS FROM THE RESERVE REQUIREMENTS OF ANY FEDERAL RESERVE MEMBERSHIP LEGISLATION UNDER CONSIDERATION", was jointly offered by Senators Cobb, Ushijima, Yamasaki and Carpenter.

By unanimous consent, S.R. No. 202 was referred to the Committee on Consumer Protection and Commerce.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 136), informing the Senate that Senate Concurrent Resolution Nos. 37 and 38, Senate Resolution Nos. 189 to 195 and Standing Committee Report Nos. 115 to 135 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 137) recommending that Senate Bill No. 1706 be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.B. No. 1706, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX", was referred to the Committee on Ways and Means.

At 11:41 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.

Senator Yim, for the Committee on Economic Development, moved that Stand. Com. Rep. No. 138 be adopted and Senate Bill No. 113, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Carpenter.

At this time, Senator Yim rose to speak in favor of S.B. No. 113 and stated as follows:

"Mr. President, I think we all can agree that there is a need to diversify the economy of our state.

"Recent technical and economic factors have combined to present us with an exciting opportunity that

holds potential for the development of an industry that would provide employment and income for the state and at the same time be compatible with Hawaii's environmental objectives. This opportunity lies in the design and manufacture of high-technology electronic products.

"The expansion of this industry would have a number of positive effects.

"It would provide meaningful, high paying employment for our citizens. In a recent report published by DPED, it was conservatively estimated that a \$60 million industry with a minimum of 1,000 jobs could be created within five years. In addition to technicians, these jobs would provide opportunities for students of the University of Hawaii Department of Electrical Engineering, where more than 90% of the graduates are forced to leave Hawaii to find employment in their field.

"Secondly, the development of this industry would provide an expanded economic base that would increase our exports and decrease our dependence on imported products. Currently, we are importing millions of dollars of the same type of equipment that can be produced here in Hawaii.

"Thirdly, electronics will increase Hawaii's state and county tax revenues. Within five years the additional annual tax revenues generated by this industry could be well in excess of two million dollars.

"Hawaii has the opportunity to expand its electronics industry right now.

"Two Hawaiian companies are already working in this field. For example, the blue box on the Clerk's desk is part of an orbiting satellite that is used for high speed data transmission between computers.

"It was made in a shop on Keeaumoku Street and was designed by a graduate of the University. It weighs less than thirty pounds and sells for about \$10,000.

"The satellite company on the mainland that uses this product has stated that it is essential for the state-of-the-art data transmission. Adtech Inc. of Honolulu is the only company in the world making this product.

"Intellect Inc., another Hawaii electronics company, is designing and building an air-traffic control communication system for Sperry-Univac that will be installed at Kimpo Airport in Korea.

"In a recently published study by the Economic Development Division of DPED, entitled: 'Expanding Hawaii's Electronics Industry,' it was shown that Hawaii has what people in electronics industry want and that industry is the type we could

use in our islands.

"Implicit in building a high technology industry is a commitment to research and development. DPED Economic Development Division staff have assisted in organizing the non-profit Hawaii Institute of Electronics Research or 'HIER' for short. HIER will take the pure research produced by the University of Hawaii and turn it into applied research and development oriented toward producing products that Hawaii companies can build and sell overseas.

"As a result of the combined efforts of HIER and the DPED, several companies are now considering Hawaii as a new location for their operations. These include Computer Transmission Corporation, Ford Aerospace, TRW Electronics, Varian Associates and Sperry-Univac.

"In addition, the first electronic engineers from the People's Republic of China to visit the United States will be staying in Hawaii for approximately six months and will be working with HIER. These scientists from the Peking Solid State Device Research Institute will be attending special training programs provided by the institute prior to the continuation of their trip and extended research on the mainland.

"However, in spite of these encouraging results, it appears that firms on the mainland are suffering from many misconceptions about our state. Many corporate executives seem to view Hawaii as an isolated group of islands with a strife torn labor force and a government that is anti-business. Many view Hawaii as a beautiful place for an exotic vacation, but not a place to carry on serious business.

"An aggressive program of promotion is planned by DPED to overcome these misconceptions and to point out the opportunities in establishing electronics activities in Hawaii.

"Senate Bill 113, S.D. 1, will provide funding to allow the Department of Planning and Economic Development to carry out its role in developing the electronics industry which has great potential for Hawaii.

"Thank you, Mr. President."

Senator Carroll then rose in support of the measure and added as follows:

"Mr. President, first of all, I'd like to ask that the remarks of the chairman, just given, be incorporated by reference and adopted as my own for the purposes of the journal.

"I'd like to state further that, typically,

I'm not in favor of using taxpayers' dollars for research and development, and I have spoken against these types of measures, but, in this particular case, because of the nature of this industry and because of the fact that it is being implemented on a very highly professional and very highly successful basis, and when these people who are involved have come to us and asked that we fund the types of studies that will be done to further this industry, that we would be remiss in not giving them the assistance that they are asking; and it is again, in a sense, to that type of help that Orville and Wilbur Wright would have asked for back in the early 1900's; and I think we should all vote 'aye' on this measure.

"Thank you."

The motion was put by the Chair and Stand. Com. Rep. No. 138 was adopted and S.B. No. 113, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ELECTRONICS INDUSTRY DEVELOPMENT PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 139) recommending that Senate Bill No. 792, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 792, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOHOL TAX INCENTIVE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 140) recommending that Senate Bill No. 951, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 140 was adopted and, Roll Call having been requested, S.B. No. 951, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DATA BASE AND AN INTEGRATED INDUSTRIAL ENGINEERING AND POWER MACHINE OPERATOR TRAINING PROGRAM FOR THE GARMENT INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Carroll).

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 141) recommending that Senate Bill No. 974 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 141 was adopted and S.B. No. 974, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESEARCH AND DEVELOPMENT OF GEOTHERMAL FLUIDS IN COMBINATION WITH BIOMASS ENERGY PROJECTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 142) recommending that Senate Bill No. 987 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 142 was adopted and S.B. No. 987, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO INITIATE A STUDY OF THE FEASIBILITY OF OBTAINING LIQUID FUEL FROM BIOCONVERSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 143) recommending that Senate Bill No. 1085, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter 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 GASOHOL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 144) recommending that Senate Bill No. 1224, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1224, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PLANNING, CONSTRUCTION, AND PURCHASE OF EQUIPMENT FOR A STATE FLASH FISHERY FREEZING AND COOLING FACILITY", passed Second

Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 145) recommending that Senate Bill No. 1389 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1389, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 146) recommending that Senate Bill No. 1427 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 146 was adopted and, Roll Call having been requested, S.B. No. 1427, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC ISLANDS DEVELOPMENT COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Yim, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 147) recommending that Senate Bill No. 1430, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the majority of the Committee was adopted and S.B. No. 1430, 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 Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1430, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 148) recommending that Senate Bill No. 1697, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the

report of the Committee was adopted and S.B. No. 1697, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HONOLUA WATERSHED PROJECT, WEST MAUI SOIL CONSERVATION DISTRICT, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 149) recommending that Senate Bill No. 1741 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1741, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Yim and Chong, for the Committees on Economic Development and Public Utilities, presented a joint report (Stand. Com. Rep. No. 150) recommending that Senate Bill No. 1153 pass Second Reading and be referred to the Committee on Ways and Means.

Senator Carpenter then rose to ask for a ruling of the Chair on a possible conflict of interest and stated as follows:

"Mr. President, I'd like to declare that I am an employee of C. Brewer and Company; in particular, a division called Hawaiian Egronomics Company (International). While I have not participated in projects related to Standing Committee Report No. 150, it's possible I could be involved in that in the future. I'd like to ask the Chair for a ruling, please."

The President then ruled that there is no conflict, and Senator Carpenter was allowed to vote on the measure.

On motion by Senator Yim, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.B. No. 1153, entitled: "A BILL FOR AN ACT RELATING TO TAX EXEMPTION FOR BIOMASS ENERGY PRODUCTION", passed Second Reading and was referred to the Committee on Ways and Means.

At 11:53 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.

Senators Kawasaki and Yamasaki, for the Committees on Government Operations and Efficiency and Legislative Management,

presented a joint report (Stand. Com. Rep. No. 151) recommending that Senate Bill No. 165, 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 Yamasaki and carried, the joint report of the Committees was adopted and S. B. No. 165, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE REVIEW OF ADMINISTRATIVE RULES AND REGULATIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 152) recommending that Senate Bill No. 391, 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 Toyofuku and carried, the report of the Committee was adopted and S.B. No. 391, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 153) recommending that Senate Bill Nos. 448, 764, 979, 1183, 1256, 1257, 1260 and 1598 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and

S.B. No. 448, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF HAWAII";

S.B. No. 764, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS IN THE COUNTY OF HAWAII";

S.B. No. 979, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR CIP PROJECTS IN THE COUNTY OF HAWAII";

S.B. No. 1183, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO THE COUNTY OF HAWAII";

S.B. No. 1256, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE COUNTY OF HAWAII";

S.B. No. 1257, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR CAPITAL IMPROVEMENT PROJECTS IN THE COUNTY OF HAWAII";

S.B. No. 1260, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A BOAT RAMP IN LAUPAHOEHOE, HAWAII"; and

S.B. No. 1598, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE COUNTY OF HAWAII",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 154) recommending that Senate Bill No. 1793 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 1793, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 155) recommending that Senate Bill No. 1819 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 1819, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID FOR THE INSTALLATION OF FLAMINGO STREET WATER MAIN, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 156) recommending that Senate Bill No. 1292, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

Senator O'Connor then moved that Stand. Com. Rep. No. 156 be received and placed on file, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUFFRAGE AND ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTIONS 5 and 6)", passed Second Reading and

was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 157) recommending that Senate Bill No. 124, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 124, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN ALCOHOLISM TREATMENT FUND", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Saiki).

At 12:01 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.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 158) recommending that Senate Bill No. 229 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 229, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX EXEMPTION FOR PROSTHETIC DEVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 159) recommending that Senate Bill No. 475, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 475, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTAL EXAMINERS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 160) recommending that Senate Bill No. 552 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kawasaki, seconded

by Senator Toyofuku and carried, the report of the Committee was adopted and S.B. No. 552, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 161) recommending that Senate Bill No. 834 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 834, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KAPIOLANI CHILDREN'S MEDICAL CENTER, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 162) recommending that Senate Bill No. 1210 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1210, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY FOR VOLUNTEERS", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Saiki).

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 163) recommending that Senate Bill No. 1324, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1324, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 164) recommending that Senate Bill No. 1521 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the

report of the Committee was adopted and S.B. No. 1521, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF THE SALE OF PRESCRIPTION DRUGS FROM THE GENERAL EXCISE LAW", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 165) recommending that Senate Bill No. 1540, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Carpenter and Campbell, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 166), recommending that Senate Bill No. 1665, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.B. No. 1665, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE UNITED CEREBRAL PALSY ASSOCIATION OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:26 o'clock p.m.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 167) recommending that Senate Bill No. 1763, as amended in S.D. 1, pass First Reading and be placed on the calendar for Second and Third Reading.

By unanimous consent, Stand. Com. Rep. No. 167 and S.B. No. 1763, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INFORMATION", were recommitted to the Committee on Health.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 168) recommending that Senate Bill No. 1769, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the

report of the Committee was adopted and S.B. No. 1769, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 169) recommending that Senate Bill No. 950, 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. 950, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means, seconded by Senator Takitani.

Senator Abercrombie then rose to speak against the measure and stated as follows:

"Mr. President, I rise to speak against this bill moving to Ways and Means. The bill is entitled, 'A Bill for an Act Making an Appropriation for Waikiki Improvements'.

"Mr. President, you may be aware that one of the television stations has instituted a series based on Senator Proximire's idea of the Golden Fleece Awards. I was very honored to have the opportunity to nominate the first Golden Fleece Award and I nominated this particular item.

"The people of this state are ill-served by the Waikiki Improvement Association and others, asking for two and a half million dollars from the taxpayers of the state, when they are unwilling to support a hotel room tax which would take care of not only this particular item or the items included in it which are for the benefit of those who do not have it before them.

"Utility wiring, Kalakaua Avenue sidewalk, redevelopment beautification, minipark acquisition, storm drainage, etc., all this infrastructure, Mr. President, should be taken care of by means of designating funds coming from hotel room tax to this purpose.

"I found it interesting, Mr. President, that during our trip to the Big Island to attempt to come to grips with some of the problems with diversified agriculture, exporting crops from our state, we have found just in the last year alone the introduction of 21 different insect species, at least two or three of which pose a threat to the viability of major export industries in the state.

"We find ourselves in higher education having to devote more and more money to dealing with the problems that come about inevitably as a result of millions upon millions of people coming to our islands, so that while we are blessed with the historical circumstances of nature, blessed with the capacity to provide enjoyment and recreation for these many millions of people--our visitor friends, at the same time there are very clearly problems which result from it, which can only be aided and assisted, but with their cooperation as well.

"Therefore, in this particular instance, it ill behooves the State of Hawaii to provide funds at this point in time. One of the answer's clearly there--let our visitor friends join with us in providing for the necessary capital interest structure so that the continued enjoyment that they have will not cost the taxpayers of this state in an irreparable way. Thank you."

Senator Kawasaki added as follows:

"Mr. President, I must say that I wholeheartedly concur with the thoughts expressed by the good Senator from the Sixth Senatorial District.

"I am a little concerned about this bill. Primarily, because in this bill is a deletion of the requirement by the City and County of Honolulu to provide their 20% contribution to the cost of the improvements. With the real property assessment program now being under the purview of the City and County of Honolulu and all the respective counties, I think, if the assessment program was done very methodically and efficiently and the underassessed properties were brought up to their proper assessed valuations, there'll be a windfall of funds for all counties--not only Honolulu county but all counties--and I think the county cannot be excused because of the financial straits at the present time. I think they will be very much able to provide their 20% contribution that's required.

"Secondly, the hotel industry, making record profits, room occupancy at its highest level you couldn't even get a room in Waikiki without reservations way ahead of time, I'm not quite convinced that the hotel industry could not contribute their just share of providing for some of these improvements.

"I note that the Hilton Hawaiian Village, for example, wants to increase their hotel rooms by about 1700 rooms added to what they have today, which means a horrendous problem in traffic congestion and the burden on the sewer system and everything else. This will eventually have to be paid by the City and County of Honolulu--the taxpayers of the state, generally.

"All of these requirements for improvements to meet the capacity that's going to be

taxed because of additional hotel rooms; all of these costs are eventually going to come to us if we open the door by this two and a half million dollar grant.

"I think the hotel industry could contribute something to it; the City and County, certainly, with the new assessed valuation program in their purview could contribute their 20%.

"For these reasons, I would have to vote against this bill."

Senator Carroll then rose to speak in support of the measure and stated as follows:

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

"Mr. President, I'm really shocked, in a sense, to hear anyone speaking against Waikiki improvements at this particular time. We've just gone through a period of very heavy rains; we've seen our citizens virtually having to paddle out of their basements; our roads clogged; storm drains overflowed. We've been promising them for years and years and years that there would be widening of Kuhio Avenue; that we would have adequate storm drains and that we would have the types of improvements which make Waikiki a decent place to live; and, I think, Mr. President, the fact that some people have a differing opinion about a room tax really is not germane to this particular issue; and I think that to punish the people who live in Waikiki in order to further the fight for something that has a tangible but not direct relationship to the people who are living in Waikiki is to do a great disservice to the residents there.

"Now, I understand how the various members of the Senate who have spoken previously feel about this, and I'm not certain that I totally disagree with some of the things that they have said, but, the purpose of this particular bill is to provide these improvements and these improvements are long overdue; and I think it's about time that this Body and the one across the way and the City and County stop using Waikiki as a political football.

"These monies are properly appropriated; they have been appropriated in the past and not released. I think that this measure is needed, it's necessary, and I urge that everyone vote 'aye' on this particular measure. I think that to do anything less than this is really not to fulfill our duty as Senators in this state. Thank you."

Senator Yee added his remarks as follows:

"Mr. President, I rise to speak in favor of the bill and support my colleague Senator John Carroll and his remarks.

"I also want to add another item of discussion --the reason the 20% was deleted is because the problem in Waikiki today stems from the state and the city administrations' inability to get together. As a result, the people that live in Waikiki have suffered all these years because this bill was passed about four or five years ago and the general consensus was that it was needed.

"Because of the conflicts between the two administrations, the problems were not resolved and, therefore, this bill now eliminates the county participation so that the state has full responsibility for proceeding with improvements."

Senator Abercrombie then stated as follows:

"Mr. President, by way of rebuttal, in terms of disservice to the people of Waikiki, as one of the previous speakers well knows, my views on this in respect of Waikiki improvements are totally known to the voters of Waikiki; and inasmuch as I follow one of the previous speakers in the number of votes garnered in that district and was fortunate enough to be slightly ahead of the last speaker in that district, it seems to me that the people in Waikiki are perfectly cognizant, those who live there, of the issues at stake.

"It seems to me that the people there, not only are cognizant of it, but are desirous that the hotel industry in particular, which has impinged upon their living without contributing anything in the way of any *kokua* back to them, be brought into line on this and stop holding the state hostage, on the spurious grounds of a so-called fair share contribution of taxes.

"If all of us were dealing with a fair share, inasmuch as some of us work harder than others, why fair share is much more difficult to determine than would appear to be on the surface.

"Now, anyone who has gone through Waikiki knows that there have been projects, contrary to all the propaganda that exist in the newspapers, there have been projects going forward in Waikiki, virtually daily for the past five years, or if that is not the case, it means that someone must be trucking signs around on Ala Wai Boulevard and on Lewers Street, on Kuhio which says, 'Another Job,' 'Jobs for your Community,' and the Governor's name and the Mayor's name prominently displayed on each of these sign boards. There are people working there everyday and they have great machines and I know they're there because you have to drive around them everyday.

"So, for five years now I've been hearing how there are no projects going on in Waikiki; and I can't get down the street with the number of projects that are going on to improve the drainage and all the rest of it.

"So, the fact of the matter is that there have been projects going on in Waikiki; there have been projects which have improved the drainage and so on in Waikiki. What we're talking about here is an infrastructure that goes beyond these projects. In these particular instances, the arguments that hold forth about a state plan for tourism, which inevitably involve a high capital infrastructure, expenditures are going to require the assistance of our visitor friends in aiding and assisting us.

"What we have in effect, Mr. President, in addition to the tens of thousands of people who live in Waikiki as a permanent population--a permanent population 365 days a year of some 60,000 plus people, none of whom are contributing to the capital expenditures necessary for these kinds of projects, all of whom I'm sure would be willing to, gladly so, in order to keep on having the availability here in the State of Hawaii of the kinds of goods and services that they enjoy as visitors.

"I might indicate also in this regard, Mr. President, that we are now facing a situation of condominiums being bought up by people from all over the world. We are facing a situation where deregulation has enabled people, for example, from Australia to reach these shores much more easily than before, in terms of finances; we are finding a situation in which people, for example, from Australia are buying condominiums near golf courses so that they can rent these condominiums out as hotels, using them as hotels for people from Australia and other areas of the Far East. We are not deriving any hotel room tax from these areas. It is taking places out of the housing market.

"We are finding ourselves more and more everyday in a situation in which there is not only a squeeze for people who want to buy homes but a squeeze for people who rent. More and more of those of us who rent are unable to find a place to live. We are unable to find a place to live unless we double up, triple up, quadruple up and then pay double and triple and quadruple what the place is worth. More and more places are being torn down, more and more places are being converted into condominiums in order to accommodate this new circumstance of condominiums being used as hotels.

"We are faced with situations of time-sharing going on. We are faced, in other words, with a housing and a renting and a property crisis for the citizens of our state, which is being obstinately resisted by the hotel industry--the welfare of the people of this state who provide the labor for the people who make their profits out of the sea and the sun and the land that exist here that were given to us by nature, not by the Sheraton Corporation, not by Kenji Osano who sits in Tokyo today paying his lawyers for his perjury trial out of the profits that he makes in Waikiki, not for the merchant princes in Chicago or in New York or in Phoenix.

"When the Mauna Kea Hotel was sold, it moved from New York to Chicago. It stayed on the shores of the Kona Coast in Hawaii but its control moved from New York to Chicago. The people who were involved in these circumstances care less what happens to the captive colonial population in the State of Hawaii.

"Now, there is going to take place, and is taking place right now, the confluence of forces in terms of renters and the propertyless against those who utilize our resources, both physical and in terms of our human resources, a confluence ..."

At this time, Senator Kuroda asked that Senator Abercrombie yield to a question.

The President remarked as follows:

"Senator Abercrombie, I would like you to confine your remarks to the bill presently before the Body. I know your explanation can be dealt with when the Ways and Means Committee devises the means and the opportunity to find out the funding mechanism for taking care of the projects outlined in the bill. If your remarks can be confined to these particular instances, the Chair would appreciate it."

Senator Abercrombie replied as follows:

"Mr. President, I was under the impression I was doing that, but, I will most certainly redirect my remarks if they were not in that area and I will most certainly yield to a question from the Senator from the Fourth District."

Senator Kuroda then asked:

"Would you let the Chairman of the Tourism Committee say a few words in support of the bill?"

Senator Abercrombie replied that he will.

The President then remarked and asked as follows:

"Senator Kuroda, there will be an opportunity for further discussion.

"Senator Abercrombie, will you continue?"

In answer thereto, Senator Abercrombie stated:

"I wasn't aware of the fact that I was speaking, was going to preclude the Chairman from speaking in favor of it. I thought only you could do that, Mr. President, and I'm sure you're disinclined to do that kind of thing. The fact of the matter remains that it is pertinent, Mr. President, to discuss the matters that I have outlined, in the context I have outlined, because unless and until we come to grips with the economic realities and the psychic realities that are fast developing as a result of these economic realities, we are going to find ourselves, very shortly, and by that I don't mean five years or ten years down the line, I'm talking in weeks and months, very shortly, in a situation which constitutes social dynamite.

"I guarantee you that the propertyless in this state, those who have worked all their lives long and now find themselves squeezed in every which way financially, having purchased condominiums, having found themselves desiring to live in the Waikiki area and in other tourist destination areas--those people will be combining their efforts to see that this state and the people in it are not utilized by major corporations of international dimensions for their benefit and their benefit alone; and that we would have to stay here and accept the boom that they may, at their will, offer to us.

"We will direct the destiny of the state. If we do not, then we might as well give up our citizenship, we may as well give up our sovereignty and hand it over to international conglomerates who will therefore direct our destiny in this state. That is the kind of thing that is at stake with such a bill.

"Many times, Mr. President, and I conclude with this, many times, something which seems innocuous on the surface, something which seems safe to proceed with on the surface, something which seems politically involved on the surface, carries with it a far deeper message, carries with it implications that go far beyond the measure itself. That is the reason, Mr. President, why I stand today and speak at this point in the process of the moving of this bill. Thank you."

Senator Anderson then expressed his concern as follows:

"Mr. President, I'd like to commend

the Chairman of the Tourism Committee for passing out this measure. I concur with the measure and I concur with the deletion of the 20%.

"The projects that are going on in Waikiki today that the Senator has to detour around are, in most cases, the expenditure of the nine million dollars that this Body and the Body across the hall passed some years ago. It got into a hang up and then finally was allowed through the City Council to be expended for flood projects and sewer projects. So, we've already appropriated nine million dollars. This is a continuation of two and a half million dollars.

"Speaking of economic realities, the economic reality is, if we don't keep Waikiki alive, whether we like tourism or not, we are bound to die. Waikiki is still the Golden Egg. It still provides the tremendous amount of dollars that support the high level of government spending in the state and will for many years to come. I don't think it's fair for any Senator to stand on this floor, or any politician, and say that the Waikiki hotel owners, be they in Chicago or be they in Tokyo, have not agreed in the past to pay their fair share.

"Some years ago, this Body and the one across the hall passed out a new concept called the 'Waikiki Improvement Assessment Program.' The Waikiki improvement approach was that rather than just assessing property on property value, it included the improvements as well, which meant that the tremendous multimillion dollar hotels would pay a tremendous disproportionate share of dollars in income for the city and the state. The city was consulted and because of the lack of action of the administration and the City Council, the Waikiki improvement concept, which put a tremendous burden on the hotels and the commercial enterprises, died.

"The hotel owners agreed and bought the Waikiki improvement, the people agreed and bought the concept, but, because it wasn't called 'tourist tax,' because it wasn't called 'hotel room tax,' because it was an alternative provided by another body other than the city, it was argued against and never implemented. The people in Waikiki did agree to go along, the people in Waikiki did agree to pay a higher assessment and more than their fair share. I think it's right to say that the burden of the problem lays on the steps of City Hall and not the people in Waikiki.

"There are 25 members in this Body and there are 51 across the hall. Thirteen are needed for this so-called 'hotel room tax' and 26 across the hall. So, if the good Senator or anybody who favors these other approaches can muster up 13 votes and 26, that question then is better addressed in another piece of legislation. The two

and a half million dollars here continues in this interim basis where the city and the state and the legislature continue to squabble; but, until that time, I think we ought to spend every dollar we can to help the people in Waikiki. Thank you."

Senator Chong then added his remarks as follows:

"Mr. President, as the fourth Senator representing the Waikiki area, I just would like to observe that all four of us are not on the Tourism Committee and I, for one, would like to explore this bill further in Ways and Means."

Senator Cayetano then stated as follows:

"Mr. President, looking at the referral sheet, I note that this bill passes Second Reading and is referred to the Ways and Means Committee. Listening to the debate today, I assume that this ground will not be covered during the hearing."

Senator Kawasaki remarked as follows:

"Mr. President, ordinarily, we would not belabor passage or nonpassage of a bill on Second Reading and referred to another committee, in this case, referral to the Ways and Means Committee, but, as the good Senator from the Sixth District has said, there is tremendous impact on the voting of this bill, at least in a way, or a precedent that it's going to set now.

"I want to, one thing, very clearly clarify with or without the tourist tax, we're not debating the merits of the tourist tax. We're saying that while these improvements may be needed, and I think they are needed. In my particular case, I do not agree with the language of the bill deleting the requirement of the City and County to put up their proportionate share because, very shortly, as I said, they're going to be in a financial position to be able to put up their 20% contribution.

"As you know, a week ago the hotel industry just raised their room rates again to something quite high, as a matter of fact I'm a little concerned about the room rates as it's going to affect our local kamaainas who are going to use these hotels throughout the state. I'm saying that the hotel industry is very well able to contribute something to improvements that are going to enhance their Waikiki district.

"The fact that we need some of these improvements, and they have not as yet been implemented, has not stopped plans of the big hotels with their giant

improvements; for example, the Bishop Estate Complex of shopping centers fronting the Royal Hawaiian Hotel. It's not stopping Hilton Hawaiian Village to go through with their 1700 additional room plans.

"So, my point here is that the hotels don't seem to be, at this point, stopped by the problem that we are going to be confronting--further taxing of our sewer facilities, our drainage, our street improvements and so forth. They are going ahead with their plans and proudly they envisage a great continued era of great expansion making money for their industries.

"I feel that both of these sectors, the County of Honolulu and the hotel industry, are very well able to contribute something to the cost of improvements and this is my point of disagreement."

Senator Kuroda then rose to speak in favor of the bill and stated as follows:

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

"I think that we have spent considerable time on this bill and as the Chairman of the Senate Ways and Means Committee mentioned, it will go to Ways and Means for additional discussion.

"You know, it is rather interesting, that there are three very important industries--the federal expenditure is of great importance and we find criticism of military presence on this island; agriculture enjoyed great popularity and great wealth in the past and now we're trying to do everything to help agriculture; tourism is doing a tremendously good business in Hawaii and so now we pick on the most popular subject and that is the tourism industry and the hotel room tax.

"What this bill does is to provide funds so that we can improve Waikiki as a place. It has nothing to do with the hotel tax. Let's argue that some other time.

"The Vice President brought out a very interesting subject, the matter of the increase in hotel room rates. Do you know, Mr. Vice President, by the increase in the hotel room tax, the hotel industry has added additional income to the state coffer; that is in a sense a contribution by the hotel industry. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 950, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIKIKI IMPROVEMENTS", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senators Toyofuku and Ushijima, for the Committees on Human Resources and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 170) recommending that Senate Bill No. 406, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Ushijima and carried, the joint report of the Committees was adopted and, Roll Call having been requested, S.B. No. 406, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU TO PROVIDE TRANSPORTATION FOR CERTAIN MOBILITY HANDICAPPED CLIENTS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING, STATE OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 171) recommending that Senate Bill No. 1472, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1472, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE SEX ABUSE TREATMENT CENTER", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 172) recommending that Senate Bill No. 1764, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, S.B. No. 1764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER", passed Second Reading and was referred to the Committee on Ways

and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

At this time, Senator Kawasaki rose on a point of information and stated as follows:

"Mr. President, I rise on the point of information or point of inquiry, if you will, on Standing Committee Report No. 172 that we have already voted on, on which I voted 'no.'"

"I note on the Standing Committee Report that there are quite a few signatures with reservations and one 'I do not concur.' Are these three votes recorded as 'yes' votes on the standing committee's recommendations?"

The President then replied as follows;

"Yes, if they haven't indicated to the Chair, they may sign the report one way, and as we often know, they vote a different way when it comes to the floor. I would assume that the vote stand as indicated by the individuals wishing to vote against the measure."

Senators Carpenter and Campbell, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 173) recommending that S.B. No. 613 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.B. No. 613, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 174) recommending that Senate Bill No. 231 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 231, entitled: "A BILL FOR AN ACT RELATING TO HOME HEALTH CARE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 175) recommending that Senate Bill No. 384 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded

by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 384, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GRANTS-IN-AID TO MOLOKAI GENERAL HOSPITAL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 176) recommending that Senate Bill No. 965 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 965, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX EXEMPTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 177) recommending that Senate Bill No. 1537 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO KAPIOLANI CHILDREN'S MEDICAL CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 178) recommending that Senate Bill No. 1785 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1785, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM REAL PROPERTY TAXES FOR PERSONS WITH IMPAIRED SIGHT OR HEARING AND PERSONS TOTALLY DISABLED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 179), recommending that Senate Bill No. 453, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 453, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE POLICY ADVISORY BOARD FOR ELDERLY AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 180), recommending that Senate Bill No. 1392 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1392, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR EMPLOYMENT SERVICE FEES", 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. 181), recommending that Senate Bill No. 518, 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 Chong and carried, the report of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 518, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTIONS", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 182), 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 Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 656, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 183), recommending that Senate Bill No. 748 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 748, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION SITES", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cayetano).

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 184), recommending that Senate Bill No. 778 pass Second Reading and be referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 778, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES", passed Second Reading and was referred jointly to the Committee on Judiciary and the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 185), recommending that Senate Bill No. 163 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO STUDIES CONDUCTED BY THE STATE AND ITS POLITICAL SUBDIVISIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 163.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 186), recommending that Senate Bill Nos. 600, 640 and 643 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and

S.B. No. 600, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WATER SYSTEM PROJECTS, COUNTY OF HAWAII";

S.B. No. 640, entitled: "A BILL FOR

AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR PLANS AND CONSTRUCTION OF A COMMUNITY CENTER AT KULA, COUNTY OF MAUI"; and

S.B. No. 643, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF WATER PROJECTS, COUNTY OF MAUI",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 187), recommending that Senate Bill No. 664 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.B. No. 664, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 188), recommending that Senate Bill No. 753, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 753, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PURCHASING CREDITS FOR MILITARY SERVICE UNDER THE EMPLOYEES' RETIREMENT SYSTEM", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 189), recommending that Senate Bill No. 756, as amended in S.D. 1, pass Second Reading and was referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 756, S.D. 1, 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 190), recommending that Senate Bill No. 816, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 816, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KAPAHULU MULTIPURPOSE SENIOR CENTER, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 191), recommending that Senate Bill No. 1258, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1258, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SERVICES AND PROGRAMS RELATED TO THE ELDERLY, HAWAII COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 192), recommending that Senate Bill No. 1274, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1274, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 193), recommending that Senate Bill No. 1306, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1306, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENTS, WAIMANALO COMMUNITY MULTI-PURPOSE CENTER", passed Second Reading and

was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 194), recommending that Senate Bill Nos. 1307 and 1692 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and

S.B. No. 1307, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY REPAIRS AND MAINTENANCE, WAIMANALO COMMUNITY SERVICES CENTER"; and

S.B. No. 1692, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF AN ELDERLY DAY CARE CENTER, MAUI",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 195), recommending that Senate Bill No. 1394 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1394, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TITLE XX CHILD CARE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 196), 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 1397, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVELING EXPENSES OF STATE OFFICIALS", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 197), recommending that Senate Bill No. 1399, as amended in S.D. 1, pass Second Reading and be

referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1399, 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 198), recommending that Senate Bill No. 1406, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1406, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO HALE OPIO, KAUAI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 199), recommending that Senate Bill No. 1412, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.B. No. 1412, 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 on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 200), recommending that Senate Bill No. 1465, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1465, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A DISPLACED HOMEMAKER PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 201), recommending that Senate Bill No. 1528 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1528, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NEW FACILITIES, EASTER SEAL SOCIETY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 202), recommending that Senate Bill No. 1605, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1605, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR SENIOR CITIZENS HOUSING FACILITY IN NAALEHU, ISLAND OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 203), recommending that Senate Bill No. 483 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 204), recommending that Senate Bill Nos. 466, 815, 833, 940, 1009, 1010, 1039, 1040 and 1041 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and

S.B. No. 466, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR RESTORATION OF HALE PA'I (PRINTING HOUSE) AT LAHAINA, MAUI";

S.B. No. 815, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND CONSTRUCTION

OF A CARETAKER'S COTTAGE AT WAAHILA RIDGE STATE PARK, OAHU";

S.B. No. 833, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR KULIOUOU VALLEY PARK, OAHU";

S.B. No. 940, entitled: "A BILL FOR AN ACT MAKING A SUPPLEMENTAL APPROPRIATION FOR THE DEVELOPMENT OF RAINBOW BAY RECREATIONAL AREA AND PARK AT AIEA BAY, PEARL HARBOR, OAHU";

S.B. No. 1009, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OLD KONA AIRPORT STATE PARK";

S.B. No. 1010, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION ADJACENT TO HAPUNA BEACH STATE PARK";

S.B. No. 1039, entitled: "A BILL FOR AN ACT RELATING TO KAILUA PARK - NORTH KONA, HAWAII";

S.B. No. 1040, entitled: "A BILL FOR AN ACT RELATING TO HOOLULU PARK - HILO, HAWAII"; and

S.B. No. 1041, entitled: "A BILL FOR AN ACT RELATING TO PAHOA PARK - PUNA, HAWAII";

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 205), recommending that Senate Bill No. 1594, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION PERMIT FEES", 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. 206), recommending that Senate Bill No. 654 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 654, 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 Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 654.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 207), recommending that Senate Resolution No. 19, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 19, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF THE IMPACT OF THE INDUSTRIAL LOAN COMPANY GUARANTY ACT", 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. 208), recommending that Senate Resolution No. 68, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 68, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF PUBLIC CONCERNS RELATING TO HORIZONTAL PROPERTY REGIMES", was referred to the Committee on Legislative Management.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 209), recommending that Senate Bill No. 92, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie 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 THE IMPROVEMENT OF THE BIRTH SITE OF KING KAMEHAMEHA I", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 210), recommending that Senate Bill No. 762, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 762, S.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO THE WAILOA RIVER PARK", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 211), recommending that Senate Bill No. 929, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 929, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE FRIENDS OF WAIPAHU CULTURAL GARDEN PARK'S EDUCATIONAL EXHIBITS PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 212), recommending that Senate Bill No. 1225, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1225, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR PLANNING AND DESIGNING A MEETING-GENERAL PURPOSE ROOM AT THE McCULLY RECREATION CENTER, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 213), recommending that Senate Bill No. 1423, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 1423, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF WEST BEACH, EWA, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF SENATE BILLS

The President made the following re-referral of a bill that was introduced on Friday, January 26, 1979:

Senate Bill Referred to:

No. 122 Committee on Health, then to the Committee on Ways and Means

The President made the following referral of a bill that was introduced on Tuesday, February 6, 1979:

Senate Bill Referred to:

No. 495 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Ways and Means

The President made the following referral of a bill that was introduced on Monday, February 12, 1979:

Senate Bill Referred to:

No. 870 Jointly to the Committee on Transportation and the Committee on Public Utilities

The President made the following referral of bills that were introduced on Tuesday, February 13, 1979:

Senate Bill Referred to:

No. 1035 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 1115 Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means

No. 1650 Committee on Judiciary

THIRD READING

Senate Bill No. 5:

Senator O'Connor moved that S.B. No. 5, having been read throughout, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Anderson rose to inquire of the Chairman of the Committee on Judiciary as follows:

"Mr. Chairman, has the Judiciary budget reflected an increase and can we accommodate the additional cost of larger panels?"

Senator O'Connor replied: "All the panels presently are twelve men."

Senator Anderson further inquired: "Yes, but this allows an expansion for lesser crime, which means greater numbers?"

Senator O'Connor then remarked: "No, that's not correct. The only expansion would be in the area of misdemeanors between six and twelve months and there are some of those; but any of those can demand a jury trial today and many of them do. So you should not see any expansion

in the requirement for jury budget in the Judiciary because of this bill."

The motion was put by the Chair and carried, and S.B. No. 5, entitled: "A BILL FOR AN ACT RELATING TO TWELVE MEMBER JURY (CONSTITUTIONAL AMENDMENT)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 10, S.D. 1:

By unanimous consent, S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was deferred until Tuesday, March 6, 1979.

Senate Bill No. 14, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 14, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN LEGISLATIVE COMMITTEE MEETINGS (CONSTITUTIONAL AMENDMENTS OF ARTICLE III)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1723:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 1723, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 683:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 683, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 758:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 758, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

At 1:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:07 o'clock p.m.

At 1:10 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate stood in recess until 6:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 6:00 o'clock p.m., with all Senators present.

At 6:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

At 6:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 9:30 o'clock p.m., tonight.

NIGHT SESSION

The Senate reconvened at 9:30 o'clock p.m., with all Senators present, with the exception of Senators Toyofuku and Ushijima, who were excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 39 to 60) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 39), transmitting House Bill No. 153, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 153, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOMES COMMISSION ACT LANDS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 40), transmitting House Bill No. 165, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse.

Com. No. 41), transmitting House Bill No. 171, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 171, 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.

A communication from the House (Hse. Com. No. 42), transmitting House Bill No. 184, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 184, entitled: "A BILL FOR AN ACT RELATING TO THE WATER CARRIER LAW", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 43), transmitting House Bill No. 279, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 279, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL EMPLOYMENT AGENCIES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 44), transmitting House Bill No. 288, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 45), transmitting House Bill No. 597, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 597, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES", passed First

Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 46), transmitting House Bill No. 598, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 598, 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.

A communication from the House (Hse. Com. No. 47), transmitting House Bill No. 599, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 599, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 48), transmitting House Bill No. 601, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 601, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 49), transmitting House Bill No. 602, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 602, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 50), transmitting House Bill No. 604, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B.

No. 604, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 51), transmitting House Bill No. 866, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 866, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 52), transmitting House Bill No. 1191, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1191, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARRIAGE", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 53), transmitting House Bill No. 1429, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1429, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 54), transmitting House Bill No. 1473, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1473, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 55), transmitting House Bill No. 1562, H.D. 1, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1562, 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 Hawaiian Homes.

A communication from the House (Hse. Com. No. 56), transmitting House Bill No. 1649, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1649, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 57), transmitting House Bill No. 1687, which passed Third Reading in the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 58), transmitting House Concurrent Resolution No. 99, which was adopted by the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING MAX PARUBRUB FOR HIS ACHIEVEMENT OF THE RANK OF EAGLE SCOUT", was adopted.

A communication from the House (Hse. Com. No. 59), transmitting House Concurrent Resolution No. 100, which was adopted by the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING SHAY K. YANAGI FOR HIS ACHIEVEMENT OF THE RANK OF EAGLE SCOUT", was adopted.

A communication from the House (Hse. Com. No. 60), transmitting House Concurrent Resolution No. 101, which was adopted by the House of Representatives on March 5, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R.

No. 101, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING EDWARD KALANIHAPO DeLIMA FOR HIS ACHIEVEMENT OF THE RANK OF EAGLE SCOUT", was adopted.

STANDING COMMITTEE REPORTS

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 214) recommending that Senate Bill No. 118, as amended in S.D. 1, pass First Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Kawasaki, seconded by Senator Cayetano 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 PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 215) 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 Kawasaki, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 429, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING STANDARDS FOR PURCHASE OF SERVICES, GRANTS, AND SUBSIDIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 216) recommending that Senate Bill No. 517, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator O'Connor and carried, the report of the Committee was adopted and S.B. No. 517, S.D. 1, 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.

Senators Kawasaki and Yamasaki, for the Committees on Government Operations and Efficiency and Legislative Management, presented a joint report (Stand. Com. Rep. No. 217) recommending that Senate Bill No. 87, 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 Yamasaki and carried, the joint report of the Committees was adopted and S.B. No. 87, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 87, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 218) recommending that Senate Bill No. 334, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 334, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONSTRUCTION OF A GYMNASIUM COMPLEX IN KEAUKAHA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 219) recommending that Senate Bill No. 408, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 408, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE AQUARIUM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 220) recommending that Senate Bill No. 761, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 761, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF HISTORIC PROPERTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 221) recommending that Senate Bill No. 959,

as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 959, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE STATE FOUNDATION FOR HISTORY AND THE HUMANITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 222) recommending that Senate Bill No. 1037, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1037, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", passed Second Reading and was referred to the Committee on Economic Development.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 223) recommending that Senate Bill No. 1259, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1259, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PANAewa COMMUNITY CENTER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 224) recommending that Senate Bill No. 1305 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1305, entitled: "A BILL FOR AN ACT MAKING A GRANT-IN-AID FOR VARIOUS PARK IMPROVEMENTS, CITY AND COUNTY OF HONOLULU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 225) recommending that Senate Bill

No. 1529, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1529, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAPAKAHI NORTH KOHALA STATE PARK COMPLEX, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 226) recommending that Senate Bill No. 1590, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and S.B. No. 1590, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL ARMS FIRING RANGES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 227) recommending that Senate Bill No. 1591 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1591, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 228) recommending that Senate Bill No. 1739 pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1739, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 229) recommending that Senate Bill No. 143, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 143, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRETIONARY FUND ACCOUNTABILITY BY THE UNIVERSITY OF HAWAII", passed First Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 230) recommending that Senate Bill No. 344, 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 Campbell 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 TRANSFER OF FUNDS WITHIN THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 231) recommending that Senate Bill No. 411, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 411, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF OVERHEAD COSTS IN UNIVERSITY OF HAWAII GRANTS", passed First Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 232) recommending that Senate Bill No. 1469 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Abercrombie, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1469, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CONTINUING EDUCATION FOR WOMEN", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 233) recommending that Senate Bill No. 32, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the

report of the Committee was adopted and S.B. No. 32, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 2)", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 234) recommending that Senate Bill No. 121, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 121, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUATION OF THE PROTECTION AND ADVOCACY SYSTEM ESTABLISHED FOR DEVELOPMENTALLY DISABLED PERSONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 235) recommending that Senate Bill No. 401 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 401, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 236) recommending that Senate Bill No. 451 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 237) recommending that Senate Bill Nos. 470, 942, 964, 1379, 1445, 1511, 1690 and 1773 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and

S.B. No. 470, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANSION, RENOVATION AND IMPROVEMENTS OF BUILDINGS AT J.W.

CAMERON CENTER, WAILUKU, MAUI";

S.B. No. 942, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO WAHIAWA GENERAL HOSPITAL, WAHIAWA, OAHU";

S.B. No. 964, entitled: "A BILL FOR AN ACT RELATING TO CIP APPROPRIATION FOR THE NEW ACUTE CARE FACILITY AT HILO HOSPITAL";

S.B. No. 1379, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO SAINT FRANCIS HOSPITAL, OAHU";

S.B. No. 1445, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FACILITY IMPROVEMENT PROJECTS IN THE FOURTH SENATORIAL DISTRICT";

S.B. No. 1511, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO KUAKINI MEDICAL CENTER";

S.B. No. 1690, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH FACILITY PROJECTS LOCATED IN THE COUNTY OF MAUI"; and

S.B. No. 1773, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAII STATE VETERANS HOME",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 238) recommending that Senate Bill Nos. 874, 876, 988, 1005, 1474 and 1777 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and

S.B. No. 874, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO COMMUNITY BASED SERVICES FOR THE MENTALLY RETARDED FOR EXPANSION OF DAY ACTIVITY PROGRAMS FOR MENTALLY RETARDED PERSONS";

S.B. No. 876, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO WAIMANO TRAINING SCHOOL AND HOSPITAL FOR EXPANSION OF DAY ACTIVITY PROGRAMS FOR MENTALLY RETARDED PERSONS";

S.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO MENTAL RETARDATION";

S.B. No. 1005, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE HILO ASSOCIATION TO HELP RETARDED CITIZENS FOR GROUP-HOME TREATMENT OF DEAF-BLIND MULTI-HANDICAPPED CHILDREN AT HILO, HAWAII";

S.B. No. 1474, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EXPANDED EMERGENCY ROOM SERVICES AT THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER, OAHU"; and

S.B. No. 1777, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SERVICES AND PROGRAMS RELATED TO NUTRITION",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 239) recommending that Senate Bill No. 500, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 500, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 240) recommending that Senate Bill No. 984 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 984, entitled: "A BILL FOR AN ACT RELATING TO HILO HOSPITAL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 241) recommending that Senate Bill No. 400 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 400, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand.

Com. Rep. No. 242) recommending that Senate Bill No. 845, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 845, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO TAXATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 243) recommending that Senate Bill No. 998, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 998, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FACILITATE THE TRAINING OF NEIGHBOR ISLAND EMERGENCY MEDICAL PERSONNEL IN ADVANCED LIFE SUPPORT EMERGENCY MEDICAL CARE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 244) recommending that Senate Bill No. 1023, as amended in S.D. 1, and Senate Bill No. 1270, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and

S.B. No. 1023, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENOVATION OF THE OLD KONA HOSPITAL", and

S.B. No. 1270, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KA'U HOSPITAL, HAWAII",

were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 245) recommending that Senate Bill No. 1244 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1244, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR A GRANT-IN-AID FOR THE HAWAII MEDICAL ASSOCIATION-EMERGENCY MEDICAL SERVICES PROGRAM FOR THE PERIOD JULY 1, 1979 - JUNE 30, 1980", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 246) recommending that Senate Bill No. 1323 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1323, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 247) recommending that Senate Bill No. 1536, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1536, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR REHABILITATION HOSPITAL OF THE PACIFIC", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 248) recommending that Senate Bill No. 1634, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1634, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 249) recommending that Senate Bill No. 1694, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1694, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT KALAUPAPA SETTLEMENT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 250) recommending that Senate Bill No. 1695 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1695, entitled: "A BILL FOR AN ACT RELATING TO DAMIEN MEMORIAL CHAPEL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 251) recommending that Senate Bill No. 1700, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1700, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 252) recommending that Senate Bill No. 1771, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1771, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 253) recommending that Senate Bill No. 1774, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1774, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CHILDREN'S HOSPITAL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 254) recommending that Senate Bill Nos. 193, 1025 and 1079 pass First Reading

by title and be recommitted to the Committee on Public Utilities.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and

S.B. No. 193, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES";

S.B. No. 1025, entitled: "A BILL FOR AN ACT RELATING TO DEREGULATION OF MOTOR CARRIERS"; and

S.B. No. 1079, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES",

passed First Reading by title and were recommitted to the Committee on Public Utilities.

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 255) recommending that Senate Bill No. 218 pass Second Reading and be referred to the Committee on Human Resources.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and S.B. No. 218, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITY WORKS", passed Second Reading and was referred to the Committee on Human Resources.

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 256) recommending that Senate Bill No. 519 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, S.B. No. 519, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Toyofuku and Ushijima).

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 257) recommending that Senate Bill No. 1062, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1062, S.D. 1, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR THE ADDITIONAL STAFFING OF THE PUBLIC UTILITIES DIVISION", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Toyofuku and Ushijima).

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 258) recommending that Senate Bill No. 1070, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1070, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF A COMPUTERIZED SYSTEM FOR THE PUBLIC UTILITIES COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Toyofuku and Ushijima).

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 259) recommending that Senate Bill No. 1071, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1071, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STAFFING OF THE PUBLIC UTILITIES COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Toyofuku and Ushijima).

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 260) recommending that Senate Bill No. 1613, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1613, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL

EXPENSES", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Toyofuku and Ushijima).

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 261) recommending that Senate Bill No. 1753 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and, Roll Call having been requested, S.B. No. 1753, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Kawasaki and Soares). Excused, 2 (Toyofuku and Ushijima).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1753.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 262) recommending that Senate Bill No. 675, 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 Kawasaki and carried, the report of the Committee was adopted and S.B. No. 675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 675, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 263) recommending that Senate Bill No. 1316, 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 Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1316, S.D. 1.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 264) recommending that Senate Bill No. 839, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 265) recommending that Senate Bill No. 973, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 973, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 266) recommending that Senate Bill No. 1539, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 267) recommending that Senate Bill No. 1778 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1778, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES; QUALIFICATION; LICENSES; FEES; TITLE; EXISTING LICENSED NURSES; VERIFICATION OF LICENSES", passed Second Reading and was referred to

the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 268) recommending that Senate Bill No. 221 pass Second Reading and be referred to the Committee on Judiciary.

By unanimous consent, action on Stand. Com. Rep. No. 268 and S.B. No. 221, entitled, "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS", was deferred to the end of the calendar.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 269) recommending that Senate Bill No. 309, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 309, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERIC DRUG SUBSTITUTION", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 270) recommending that Senate Bill No. 446 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.B. No. 446, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was referred to the Committee on Judiciary.

Senators Carpenter and Campbell, for the Committees on Health and Education, presented a joint report (Stand. Com. Rep. No. 271) recommending that Senate Bill No. 567 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.B. No. 567, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 272) recommending that Senate Bill No. 146, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 146, 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 Hawaiian Homes, presented a report (Stand. Com. Rep. No. 273) recommending that Senate Bill No. 149 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 274) recommending that Senate Bill No. 157, as amended in S.D. 1, pass First Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 275) recommending that Senate Bill No. 158, as amended in S.D. 1, pass First Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 276) recommending that Senate Bill No. 270 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded

by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 270, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLD RENTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 277) recommending that Senate Bill No. 494, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 278) recommending that Senate Bill No. 688 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 668, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO THE KILANI MANOR HOUSING PROJECT, WAHIAWA, OAHU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 279) recommending that Senate Bill No. 1036 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1036, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO ALU LIKE, INC., FOR NATIVE HAWAIIANS UNDER NATIVE AMERICAN PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 280) recommending that Senate Bill No. 1236 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1236, entitled: "A BILL FOR AN ACT RELATING TO GAINS FROM THE SALE OF A RESIDENCE", passed Second Reading and was referred to the Committee

on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 281) recommending that Senate Bill No. 1451, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 1451, 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 Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1451, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 282) recommending that Senate Bill No. 1457, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 1457, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE HAWAIIAN LOAN GUARANTEE FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 283) recommending that Senate Bill No. 1459, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 1459, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POWERS OF COUNTIES WITH RESPECT TO LOW AND MODERATE INCOME HOUSING PROGRAMS AND THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUCH PROGRAMS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 284) recommending that Senate Bill No. 1480, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 1480, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 285) recommending that Senate Bill No. 1482 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1482, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOUSING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 286) recommending that Senate Bill No. 1546 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1546, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 287) recommending that Senate Bill No. 1702 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1702, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES: QUIET TITLE ACTIONS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 288) recommending that Senate Bill No. 1744 pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1744, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CLUSTER DEVELOPMENTS WITHIN RURAL AND AGRICULTURAL LAND USE

DISTRICTS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 289) recommending that Senate Bill No. 1757 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and S.B. No. 1757, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 290) recommending that Senate Bill No. 1222, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1222, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY OF COMMERCIAL FISHING OPERATIONS IN THE LEEWARD ISLANDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 291) recommending that Senate Bill No. 1223, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1223, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADMINISTRATIVE SERVICES FOR THE MIDWAY FISHERY BASE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 292) 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1436, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A WATER LINE TO MOKAUEA

ISLAND, HONOLULU", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 293) recommending that Senate Bill No. 164 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 164, entitled: "A BILL FOR AN ACT TO AMEND CHAPTER 27, HAWAII REVISED STATUTES, RELATING TO STATE FUNCTIONS AND RESPONSIBILITIES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 294) recommending that Senate Bill Nos. 471, 812, 817 and 829 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and,

S.B. No. 471, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS TO NUU WAILUA WATER SYSTEM AT KEAWAE, COUNTY OF MAUI";

S.B. No. 812, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INSTALLATION OF 8-INCH WATER MAINS AND APPURTENANCES IN KAIMUKI, OAHU";

S.B. No. 817, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE INSTALLATION OF 8-INCH WATER MAINS AND APPURTENANCES IN PALOLO, OAHU"; and

S.B. No. 829, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANNING AND INSTALLATION OF WATER MAINS AND HYDRANTS IN KAIMUKI, OAHU",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 295) recommending that Senate Bill No. 402 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted

and S.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENT TO THE CITY AND COUNTY OF HONOLULU UNDER SECTION 70-111, HAWAII REVISED STATUTES, FOR ADVANCES MADE BY IT FOR THE STATE'S SHARE OF THE COST OF IMPROVEMENTS ASSESSED AGAINST PUBLIC AND EXEMPT LANDS IN THE VARIOUS IMPROVEMENT DISTRICTS WITHIN THE CITY AND COUNTY OF HONOLULU AND MAKING APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 296) recommending that Senate Bill No. 403 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator O'Connor and carried, the report of the committee was adopted and, Roll Call having been requested, S.B. No. 403, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID TO THE CITY AND COUNTY OF HONOLULU FOR IMPROVEMENTS TO KUHIO AVENUE, WAIKIKI, OAHU", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Kawasaki). Excused, 2 (Toyofuku and Ushijima).

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 297) recommending that Senate Bill No. 407 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 407, 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 Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 298) recommending that Senate Bill No. 525 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 525, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION

FOR WATER DEVELOPMENT PROJECTS, HAWAII COUNTY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 299) recommending that Senate Bill No. 835 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 835, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 300) recommending that Senate Bill No. 581 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 301) recommending that Senate Bill No. 586 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 586, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF COUNTIES OF THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 302) recommending that Senate Bill No. 592 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 592, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", passed Second Reading and was referred to the Committee on Consumer Protection and

Commerce.

Senator Ushijima, for the majority of the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 303) recommending that Senate Bill No. 632 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator O'Connor and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, S.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO ADULT THEATERS, BOOKSTORES, AND CABARETS", passed Second Reading and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Toyofuku and Ushijima).

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 304) recommending that Senate Bill No. 704 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 704, 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 Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 305) recommending that Senate Bill No. 705 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 705, entitled: "A BILL FOR AN ACT RELATING TO THE DISBURSEMENT OF TRAFFIC FINES AND FORFEITURES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 306) recommending that Senate Bill No. 710 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 710, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", passed Second Reading

and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 307) recommending that Senate Bill No. 1011 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1011, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KEHENA DITCH WATER PROJECT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 308) recommending that Senate Bill No. 765 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 765, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FLOOD DAMAGE ON THE ISLAND OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 309) recommending that Senate Bill No. 1313 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1313, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 310) recommending that Senate Bill No. 1466, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1466, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 311) recommending that Senate Bill No. 18, as amended in S.D. 1, pass Second Reading and be referred to

the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 18, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION AND FINANCE (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 4)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 312) recommending that Senate Bill No. 181, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 181, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 313) recommending that Senate Bill No. 395, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 395, 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 314) recommending that Senate Bill No. 1281, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1281, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL LEGAL SERVICES", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and Mizuguchi, for the majority of the Committees on Human Resources and Transportation, presented a joint report (Stand. Com. Rep. No. 315) recommending that Senate Bill No. 1391 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, the joint report of the majority of the Committee was adopted and, Roll Call having been requested, S.B. No. 1391, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Toyofuku and Ushijima).

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 316) recommending that Senate Bill No. 172, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 317) recommending that Senate Bill No. 179, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WITNESS EXPENSES BY THE PUBLIC PROSECUTOR OR COUNTY ATTORNEY, AND BY THE PUBLIC DEFENDER", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 318) 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 O'Connor, seconded by Senator Cobb 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 CRIMINAL INJURIES COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 319) recommending that Senate Bill Nos. 642, 1385 and 1691 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded

by Senator Yim and carried, the report of the Committee was adopted and,

S.B. No. 642, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF SIDEWALK AT HANA HIGHWAY, LOWER PAIA, COUNTY OF MAUI";

S.B. No. 1385, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR INTERSECTION IMPROVEMENT AT PLUMERIA ROAD, HAWAII BELT ROAD, HAWAII COUNTY"; and

S.B. No. 1691, entitled: "A BILL FOR AN ACT MAKING APPROPRIATION FOR INCREMENTAL RESURFACING OF KAMEHAMEHA V HIGHWAY TOWARD EAST END, MOLOKAI",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 320) recommending that Senate Bill No. 538, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 538, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Mizuguchi and Ushijima, for the Committees on Transportation and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 321) recommending that Senate Bill No. 853, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, the joint report of the Committees was adopted and S.B. No. 853, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND CHAPTER 249, HAWAII REVISED STATUTES, RELATING TO VEHICULAR TAXES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 322) recommending that Senate Bill No. 958, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted

and S.B. No. 958, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ASSESSMENT, PLANNING AND CONSTRUCTION OF A BOAT RAMP AT HONUAPU, KA'U, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 323) recommending that Senate Bill No. 1024, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1024, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SAFETY IMPROVEMENTS TO THE HAWAII BELT HIGHWAY BETWEEN MILOLII AND HONAUNAU, KONA", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 324) recommending that Senate Bill No. 1087, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1087, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A COASTAL HIGHWAY BETWEEN PUNA AND HILO", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 325) recommending that Senate Bill No. 1371, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1371, 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 Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 326) recommending that Senate Bill No. 1437 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1437, entitled: "A BILL FOR AN ACT

RELATING TO MOPEDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 327) recommending that Senate Bill No. 1614, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1614, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EMERGENCY TELEPHONES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the majority of the Committee on Transportation, presented a report (Stand. Com. Rep. No. 328) recommending that Senate Bill No. 1716, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the majority of the Committee was adopted and S.B. No. 1716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE TRANSPORTATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 329) recommending that Senate Bill No. 1758, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1758, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 330) recommending that Senate Bill No. 153, 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 Cayetano and carried, the report of the Committee was adopted and S.B. No. 153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED", passed Second Reading and was referred to

the Committee on Ways and Means.

Senators Takitani and Yim, for the Committees on Agriculture and Economic Development, presented a joint report (Stand. Com. Rep. No. 331) recommending that Senate Bill No. 1155 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Yim and carried, the joint report of the Committees was adopted and S.B. No. 1155, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A FEASIBILITY STUDY FOR A STATE FACILITY TO TRANSPORT AND USE AGRICULTURAL WASTE IN LAND RECLAMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 332) recommending that Senate Bill No. 59, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 59, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE DEVELOPMENT AND IMPLEMENTATION OF A STATEWIDE MASTER PLAN FOR THE DIVERSIFIED AGRICULTURAL INDUSTRY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 333) 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 Takitani, seconded by Senator Hara and carried, the report of the majority of the Committee was adopted and S.B. No. 64, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SEED, FEED AND FORAGE RESEARCH PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 334) 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 Takitani, seconded by Senator Hara 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 AGRICULTURAL PARKS", passed Second Reading and was

referred to the Committee on Ways and Means.

Senator Takitani, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 335) recommending that Senate Bill No. 245 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the majority of the Committee was adopted and S.B. No. 245, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR CONSTRUCTION OF IMPROVEMENTS AT MAUI VACUUM COOLING PLANT, MAUI", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 336) recommending that Senate Bill No. 249 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 249, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR STATEWIDE YOUNG FARMERS' PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 337) recommending that Senate Bill No. 251 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 251, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ERADICATION OF FRUIT FLY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 338) recommending that Senate Bill No. 1409, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 1409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", passed

Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1409, S.D. 1.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 339) recommending that Senate Bill No. 1456, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 1456, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR PEST CONTROL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the majority of the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 340) recommending that Senate Bill No. 1530 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the majority of the Committee was adopted and S.B. No. 1530, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE CROPS FOR KOHALA, HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 341) recommending that Senate Bill No. 1599, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 1599, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A PILOT STUDY TO DETERMINE THE FEASIBILITY OF ASEPTIC PACKAGING AND STORAGE STABILITY OF GUAVA, PAPAYA AND PASSION FRUIT PUREES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 342) recommending that Senate Bill No. 1657, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B.

No. 1657, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 343) recommending that Senate Bill No. 1660, as amended in S.D. 1, pass Second Reading and was referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.B. No. 1660, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SUBSIDY TO COOPERATIVE SUGAR PROCESSORS", 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. 344) recommending that Senate Bill No. 209, 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 Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 209, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", 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. 345) recommending that Senate Bill No. 658, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 658, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", 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. 346) recommending that Senate Bill No. 659 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 659, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY",

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. 347) recommending that Senate Bill No. 889, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY", 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. 348) recommending that Senate Bill No. 891 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 891, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", 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. 349) recommending that Senate Bill No. 893, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 893, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", 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. 350) recommending that Senate Bill No. 1115, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1115, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", 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. 351) recommending that Senate Bill No. 1492, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1492, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", 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. 352) recommending that Senate Bill No. 1545 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1545, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES LICENSURE FEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 353) recommending that Senate Bill No. 709, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 709, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PERMITS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 354) recommending that Senate Bill No. 1611, 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. 354 and S.B. No. 1611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred to the end of the calendar.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 355) recommending that Senate Bill No. 663, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and

carried, the report of the majority of the Committee was adopted and S.B. No. 663, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 356) recommending that Senate Bill No. 1755, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1755, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and Young, for the Committees on Human Resources and Housing and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 357) recommending that Senate Bill No. 667 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the joint report of the Committees was adopted and S.B. No. 667, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and Young, for the Committees on Human Resources and Housing and Hawaiian Homes, presented a joint report (Stand. Com. Rep. No. 358) recommending that Senate Bill No. 1483 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Young and carried, the joint report of the Committees was adopted and S.B. No. 1483, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 359) recommending that Senate Bill No. 23, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 23, S.D. 1, entitled: "A BILL FOR

AN ACT RELATING TO EXPENDITURE CEILING (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 8 AND 9)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 360) recommending that Senate Bill No. 25, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 25, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX ASSESSMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVIII)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 361) recommending that Senate Bill No. 31, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 31, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 362) recommending that Senate Bill No. 169, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb 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 INTAKE SERVICE CENTERS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 363) 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 O'Connor, seconded by Senator Cobb 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 POLITICAL CONTRIBUTION DESIGNATION FROM

INCOME TAX LIABILITY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 364) recommending that Senate Bill No. 773 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 773, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADULT DOMICILIARY CARE AND BOARDING HOME OPERATORS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 365) recommending that Senate Bill No. 708 pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Kuroda, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 708, entitled: "A BILL FOR AN ACT RELATING TO INTERGOVERNMENTAL PROCEDURES AFFECTING LAND USE", passed Second Reading and was referred to the Committee on Economic Development.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 366) recommending that Senate Bill Nos. 248, 252, 530, 559, 927, 928, 1209, 1301, 1401, 1450, 1475, 1478, 1490, 1662, 1664, 1699, 1798 and 1799 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and,

S.B. No. 248, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC AND ASIAN AFFAIRS COUNCIL FOR THE STATE OF HAWAII";

S.B. No. 252, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII FOUNDATION FOR HISTORY AND HUMANITIES";

S.B. No. 530, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN EAST HAWAII ART AND CULTURAL CENTER, HAWAII";

S.B. No. 559, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAIIAN ISLANDS PUBLIC RADIO";

S.B. No. 927, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION TO PROVIDE A GRANT-IN-AID TO THE FETU AO ORGANIZATION";

S.B. No. 928, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII MULTI-CULTURAL CENTER'S EDUCATIONAL EXHIBITS PROGRAM";

S.B. No. 1209, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE HONOLULU SYMPHONY SOCIETY";

S.B. No. 1301, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII THEATER FESTIVAL";

S.B. No. 1401, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE 75TH ANNIVERSARY COMMISSION";

S.B. No. 1450, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION";

S.B. No. 1475, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WAIANAE COAST CULTURE AND ARTS SOCIETY, OAHU";

S.B. No. 1478, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PRODUCTION OF A DOCUMENTED HISTORICAL RECORD OF THE OKINAWANS IN HAWAII";

S.B. No. 1490, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MONTHLY MINI-CONFERENCES ON HAWAIIAN VALUES";

S.B. No. 1662, entitled: "A BILL FOR AN ACT RELATING TO THE SCIENCE AND ENGINEERING FAIR";

S.B. No. 1664, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE KALIHI-PALAMA CULTURE AND ARTS SOCIETY, INCORPORATED";

S.B. No. 1699, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU THEATRE FOR YOUTH";

S.B. No. 1798, entitled: "A BILL FOR AN ACT ESTABLISHING A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII"; and

S.B. No. 1799, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNCIL ON PORTUGUESE HERITAGE",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 367) recommending that

Senate Bill No. 28, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 28, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF THE BOARD OF EDUCATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE X, SECTION 3)", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 368) recommending that Senate Bill No. 235 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 235, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOUNDATION ON CULTURE AND THE ARTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 369) recommending that Senate Bill No. 542, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 542, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR CLERICAL POSITIONS IN THE DEPARTMENT OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 370) recommending that Senate Bill No. 563, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young 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 HANDICAPPED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 371) recommending that Senate Bill No. 714, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report

of the Committee was adopted and S.B. No. 714, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE QUALIFYING EXAMINATION FOR STUDENTS SEEKING HIGH SCHOOL CERTIFICATES OF GRADUATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 372) recommending that Senate Bill No. 930 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 930, entitled: "A BILL FOR AN ACT RELATING TO TRAINED SCHOOL BUS AIDES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 373) recommending that Senate Bill No. 1059 pass Second Reading and be referred to the Committee on Government Operations and Efficiency.

By unanimous consent, action on Stand. Com. Rep. No. 373 and S.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", was deferred to the end of the calendar.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 374) recommending that Senate Bill No. 1501 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 1501, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NEEDS FUNDS FOR THE PUBLIC SCHOOLS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 375) recommending that Senate Bill No. 1666, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and S.B. No. 1666, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOARD OF EDUCATION EMPLOYEES OR STAFF", passed Second Reading and was referred to the Committee on

Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 376) recommending that Senate Bill No. 1721, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1721, S.D. 1, entitled: "A BILL FOR AN ACT ESTABLISHING A TWENTIETH ANNIVERSARY HAWAII STATEHOOD CELEBRATION COMMITTEE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 377) recommending that Senate Bill Nos. 246, 261, 262, 263, 379, 380, 383, 389, 425, 426, 427, 428, 464, 465, 499, 515, 558, 576, 577, 579, 637, 644, 770, 771, 796, 797, 798, 799, 800, 801, 802, 804, 805, 806, 807, 808, 809, 818, 819, 822, 823, 824, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 875, 1201, 1266, 1308, 1310, 1373, 1384, 1443, 1473, 1495, 1500, 1667, 1668, 1687, 1693 and 1823 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and,

S.B. No. 246, entitled: "A BILL FOR AN ACT TO PROVIDE FUNDS FOR ONE COUNSELOR POSITION AT HANA HIGH AND ELEMENTARY SCHOOL, MAUI SCHOOL DISTRICT";

S.B. No. 261, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT AINA HAINA ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 262, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT ALIHOLOANI ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 263, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT NIU VALLEY INTERMEDIATE SCHOOL, HONOLULU, HAWAII";

S.B. No. 379, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR CAMPUS AIDES AT MAUI HIGH SCHOOL, MAUI SCHOOL DISTRICT";

S.B. No. 380, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR THE CONTINUATION OF THE CHILDREN'S LIBRARIAN PROGRAM AT WAILUKU LIBRARY";

S.B. No. 383, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONTINUED OPERATION OF MAUI HUI MALAMA, INC.";

S.B. No. 389, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IAO SCHOOL, MAUI";

S.B. No. 425, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT WAIALAE ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 426, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAISER HIGH SCHOOL, HONOLULU, HAWAII";

S.B. No. 427, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAHALA ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 428, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAIMUKI INTERMEDIATE SCHOOL, HONOLULU, HAWAII";

S.B. No. 464, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ADDITIONAL SECURITY FENCING AT KAHULUI SCHOOL, MAUI SCHOOL DISTRICT";

S.B. No. 465, entitled: "A BILL FOR AN ACT MAKING SUPPLEMENTAL APPROPRIATION FOR IMPROVEMENTS TO EXTEND DRIVEWAY AT KULA ELEMENTARY SCHOOL, MAUI SCHOOL DISTRICT";

S.B. No. 499, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR ROOSEVELT HIGH SCHOOL, OAHU";

S.B. No. 515, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A LIBRARIAN POSITION FOR PEARL CITY HIGH SCHOOL, OAHU";

S.B. No. 558, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PERMANENT SPECTATOR BLEACHERS AT WAIPAHU HIGH SCHOOL ATHLETIC FIELD";

S.B. No. 576, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAAULO SCHOOL";

S.B. No. 577, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR HONOKAA HIGH AND ELEMENTARY SCHOOL";

S.B. No. 579, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LAUPAHOEHOE HIGH AND ELEMENTARY SCHOOL";

S.B. No. 637, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT ROOSEVELT HIGH SCHOOL, HONOLULU, HAWAII";

S.B. No. 644, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR VARIOUS SCHOOL PROJECTS, MAUI SCHOOL DISTRICT";

S.B. No. 770, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT KALANI HIGH SCHOOL, HONOLULU, HAWAII";

S.B. No. 771, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT ANUENUE ELEMENTARY SCHOOL, HONOLULU, HAWAII";

S.B. No. 796, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT JARRETT INTERMEDIATE SCHOOL, OAHU";

S.B. No. 797, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT AINA HAINA SCHOOL, OAHU";

S.B. No. 798, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT ALIOLANI SCHOOL, OAHU";

S.B. No. 799, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT HAWAII SCHOOL FOR DEAF AND BLIND, OAHU";

S.B. No. 800, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT ANUENUE ELEMENTARY SCHOOL, OAHU";

S.B. No. 801, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAIMUKI HIGH SCHOOL, OAHU";

S.B. No. 802, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT PALOLO ELEMENTARY SCHOOL, OAHU";

S.B. No. 804, entitled: "A BILL FOR

AN ACT MAKING AN APPROPRIATION FOR A CAPITAL IMPROVEMENT PROJECT AT NIU VALLEY INTERMEDIATE SCHOOL, OAHU";

S.B. No. 805, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT LIHOLIHO ELEMENTARY SCHOOL, OAHU";

S.B. No. 806, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT LILUOKALANI ELEMENTARY SCHOOL, OAHU";

S.B. No. 807, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KALANI HIGH SCHOOL, OAHU";

S.B. No. 808, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 809, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KAIMUKI INTERMEDIATE SCHOOL, OAHU";

S.B. No. 818, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 819, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECT AT KAISER HIGH SCHOOL, OAHU";

S.B. No. 822, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT HOKULANI ELEMENTARY SCHOOL, OAHU";

S.B. No. 823, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT WAIALAE ELEMENTARY SCHOOL, OAHU";

S.B. No. 824, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS AT KOKO HEAD ELEMENTARY SCHOOL, OAHU";

S.B. No. 854, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WAIALAE ELEMENTARY SCHOOL, OAHU";

S.B. No. 855, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR NIU VALLEY INTERMEDIATE SCHOOL, OAHU";

S.B. No. 856, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KOKO HEAD ELEMENTARY SCHOOL, OAHU";

S.B. No. 857, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANI HIGH SCHOOL, OAHU";

S.B. No. 858, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAIMUKI INTERMEDIATE SCHOOL, OAHU";

S.B. No. 859, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOKULANI SCHOOL, OAHU";

S.B. No. 860, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HAWAII SCHOOL FOR THE DEAF AND BLIND";

S.B. No. 861, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ANUENUE ELEMENTARY SCHOOL, OAHU";

S.B. No. 862, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ALIOLANI SCHOOL, OAHU";

S.B. No. 863, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AINA HAINA SCHOOL, OAHU";

S.B. No. 864, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SPECIAL NEEDS FUNDS FOR PUBLIC SCHOOLS";

S.B. No. 875, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO RELOCATE A BASEBALL DIAMOND AT CAMPBELL HIGH SCHOOL";

S.B. No. 1201, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR IMPROVEMENTS AT BLANCHE POPE ELEMENTARY SCHOOL, OAHU";

S.B. No. 1266, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A COMMUNITY SCHOOL AT VOLCANO, HAWAII";

S.B. No. 1308, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRD SENATORIAL DISTRICT";

S.B. No. 1310, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CASTLE HIGH SCHOOL SPECIAL MOTIVATION PROGRAM";

S.B. No. 1373, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES

FOR THE FISCAL YEAR ENDING JUNE 30, 1979";

S.B. No. 1384, entitled: "A BILL FOR AN ACT RELATING TO KOHALA HIGH AND ELEMENTARY SCHOOL, HAWAII";

S.B. No. 1443, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL IMPROVEMENT PROJECTS IN THE FOURTH SENATORIAL DISTRICT";

S.B. No. 1473, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A CAFETORIUM FOR NANAKULI HIGH SCHOOL, OAHU";

S.B. No. 1495, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN ALTERNATIVE EDUCATION PROGRAM FOR THE LEEWARD DISTRICT";

S.B. No. 1500, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION FOR THE CONVERSION OF HIGH SCHOOL TRACKS TO ALL-WEATHER TRACKS";

S.B. No. 1667, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KAISER HIGH SCHOOL, OAHU";

S.B. No. 1668, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE 7TH SENATORIAL DISTRICT, OAHU";

S.B. No. 1687, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCHOOL PROJECTS LOCATED IN MAUI SCHOOL DISTRICT";

S.B. No. 1693, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PLANS AND CONSTRUCTION OF A THREE CLASSROOM BUILDING AT WAIHEE SCHOOL, MAUI SCHOOL DISTRICT"; and

S.B. No. 1823, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS IN THE THIRD SENATORIAL DISTRICT",

passed Second Reading and were referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 378) recommending that Senate Bill No. 122 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 122, entitled: "A BILL

FOR AN ACT RELATING TO DOMICILIARY CARE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 379) recommending that Senate Bill No. 751 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 751, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE AND AMENDING CHAPTER 392, HAWAII REVISED STATUTES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 380) recommending that Senate Bill No. 1738, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed Second Reading and was referred to the Committee on Judiciary.

Senators Ushijima and Kawasaki, for the Committees on Intergovernmental Relations and Government Operations and Efficiency, presented a joint report (Stand. Com. Rep. No. 381) recommending that Senate Bill No. 670 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kawasaki, seconded by Senator Kuroda and carried, the joint report of the Committees was adopted and S.B. No. 670, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 382) recommending that Senate Bill No. 286, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTSIDE EMPLOYMENT FOR PUBLIC EMPLOYEES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 383) recommending that Senate Bill No. 434, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki 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 LEAVES OF ABSENCE OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 384) recommending that Senate Bill No. 583, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 583, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION OF PAYMENTS TO MULTI-UNIT RETIREMENT HOMES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 385) recommending that Senate Bill No. 754, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 754, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 386) recommending that Senate Bill No. 1158, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1158, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST RETIREMENT BENEFITS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 387) recommending that Senate Bill No. 1329, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki 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 VOCATIONAL REHABILITATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and O'Connor, for the Committees on Human Resources and Judiciary, presented a report (Stand. Com. Rep. No. 388) recommending that Senate Bill No. 618, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Yamasaki and carried, the joint report of the Committees was adopted and S.B. No. 618, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 389) recommending that Senate Bill No. 868, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 868, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL AVIATION", passed First Reading and was recommitted to the Committee on Transportation.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 390) recommending that Senate Bill No. 1322, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 391) recommending that Senate Bill No. 870, as amended in S.D. 1, pass First Reading and be recommitted to the Committee on Transportation.

By unanimous consent, action on Stand. Com. Rep. No. 391 and S.B. No. 870, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 392) recommending that Senate Bill No. 26, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 26, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VIII, SECTION 5)", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 393) recommending that Senate Bill No. 137, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 137, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 394) recommending that Senate Bill No. 151, S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb 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 HAWAIIAN EDUCATION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 395) recommending that Senate Bill No. 295, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 295, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 396) recommending that Senate Bill No. 152, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 152, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 397) 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 O'Connor, seconded by Senator Cobb 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 THE JUDICIARY BUDGET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 398) recommending that Senate Bill No. 117, S.D. 1, as amended in S.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 117, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 399) recommending that Senate Bill No. 1242 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1242, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", passed Second Reading and was referred to the Committee on Ways and Means.

At 9:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:36 o'clock p.m.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 400) recommending that Senate Bill No. 1047, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

Senator O'Connor moved that Stand. Com. Rep. No. 400 be received and placed on file, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1047, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12, COUNTIES)", passed Second Reading and was referred jointly to the Committee on Ways and Means and the Committee on Public Utilities.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 401) recommending that Senate Bill No. 1192, as amended in S.D. 1, pass Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor moved that Stand. Com. Rep. No. 401 be received and placed on file, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1192, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12, STATE)", passed Second Reading and was referred jointly to the Committee on Ways and Means and the Committee on Public Utilities.

At 9:38 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:39 o'clock p.m.

RE-REFERRAL OF SENATE BILLS

The President made the following referral of a bill that was introduced on Friday, January 26, 1979:

Senate Bill Referred to:
No. 122 Committee on Health

The President made the following referral of a bill that was introduced on Monday, February 12, 1979:

Senate Bill Referred to:

No. 870 Committee on Transportation

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Standing Committee Report No. 268 (S.B.
No. 221):

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, Stand. Com. Rep. No. 268 and S.B. No. 221, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS", were re-committed to the Committee on Health.

Standing Committee Report No. 354 (S.B.
No. 1611):

Senator Carpenter moved that Stand. Com. Rep. No. 354 be received and placed on file, seconded by Senator Abercrombie and carried.

On motion by Senator Carpenter, seconded by Senator Abercrombie and carried, S.B. No. 1611, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Standing Committee Report No. 373 (S.B.
No. 1059):

Senator Kawasaki moved that Stand. Com. Rep. No. 373 be received and placed on file, seconded by Senator Campbell and carried.

By unanimous consent, the referral of S.B. No. 1059 to the Committee on Government Operations and Efficiency was waived.

On motion by Senator Kawasaki, seconded by Senator Campbell and carried, S.B. No. 1059, entitled: "A BILL FOR AN ACT

RELATING TO PAU HANA YEARS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 7, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1059.

Standing Committee Report No. 391 (S.B.
No. 870):

Senator Mizuguchi moved that Stand. Com. Rep. No. 391 be received and placed on file, seconded by Senator Yim and carried.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 870, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", passed First Reading and was referred jointly to the Committee on Transportation and the Committee on Public Utilities.

At 9:42 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:44 o'clock p.m.

At this time, Senator Mizuguchi rose to state as follows:

"Mr. President, before adjourning for the evening, we'd like to thank and show appreciation to the staff that have worked so hard in assisting the Senate in the lateral movement of bills to the final committee."

ADJOURNMENT

At 9:50 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, March 6, 1979.

TWENTY-NINTH DAY

Tuesday, March 6, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Ronald F. K. Ching of the Kaimuki Evangelical Church, after which the Roll was called showing all Senators present.

The President announced that he had not read the Journal of the Twenty-Eighth Day.

Senator George introduced to the members of the Senate forty-five members of the Sophomore Class at Kamehameha Schools, together with their teacher, Ms. Virginia Bail.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 41 and 42) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 41), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE STATE AND COUNTIES REFRAIN FROM APPLYING ADDITIONAL COST REQUIREMENTS TO SUGAR CANE PRODUCTION COOPERATIVE ASSOCIATIONS", was jointly offered by Senators Carpenter, Kuroda, Yee, Toyofuku, Ushijima, Yamasaki, Takitani and Abercrombie.

By unanimous consent, S.C.R. No. 41 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 42), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A MORATORIUM ON ADDITIONAL ANTI-POLLUTION REQUIREMENTS FOR THE HILO COAST PROCESSING COMPANY", was jointly offered by Senators Carpenter, Kuroda, Hara, Yamasaki, Yee, Chong, Toyofuku, Takitani and Abercrombie.

By unanimous consent, S.C.R. No. 42 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 203 to 214) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 203), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE UNIVERSITY

OF HAWAII'S DEPARTMENT OF DRAMA AND THEATRE", was jointly offered by Senators Abercrombie and Campbell.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, S.R. No. 203 was adopted.

Senator Abercrombie introduced to the members of the Senate Mr. James Brandon, Director of the Asian Theatre Program at the University of Hawaii.

A resolution (S.R. No. 204), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO INVESTIGATE PRESENT PROCEDURES FOR MONITORING THE STATE'S LOAN PROGRAMS", was jointly offered by Senators Carpenter, Cobb, Toyofuku, Kuroda, Yee, Chong, Takitani, Abercrombie and Cayetano.

By unanimous consent, S.R. No. 204 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 205), entitled: "SENATE RESOLUTION REQUESTING A MORATORIUM ON ADDITIONAL ANTI-POLLUTION REQUIREMENTS FOR THE HILO COAST PROCESSING COMPANY", was jointly offered by Senators Carpenter, Kuroda, Chong, Hara, Yamasaki, Yee, Toyofuku, Takitani and Abercrombie.

By unanimous consent, S.R. No. 205 was referred to the Committee on Agriculture.

A resolution (S.R. No. 206), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE COST EFFECTIVENESS OF AND OTHER RAMIFICATIONS OF THE USE OF HEALTH PARAPROFESSIONALS", was jointly offered by Senators Carpenter, Kuroda, Abercrombie, Hara, Chong, Yamasaki, Wong, Yee, Toyofuku and Takitani.

By unanimous consent, S.R. No. 206 was referred to the Committee on Health.

A resolution (S.R. No. 207), entitled: "SENATE RESOLUTION REQUESTING THAT THE STATE AND COUNTIES REFRAIN FROM APPLYING ADDITIONAL COST REQUIREMENTS TO SUGAR CANE PRODUCTION COOPERATIVE ASSOCIATIONS", was jointly offered by Senators Carpenter, Kuroda, Yee, Toyofuku, Yamasaki, Chong, Takitani and Ushijima.

By unanimous consent, S.R. No. 207 was referred to the Committee on Agriculture.

A resolution (S.R. No. 208), entitled: "SENATE RESOLUTION SUGGESTING THAT CONSIDERATION BE GIVEN TO ENTERTAINING BIDS FROM COMMERCIAL

LENDING INSTITUTIONS FOR CONTRACTS TO MONITOR STATE LOAN PROGRAMS", was jointly offered by Senators Carpenter, Kuroda, Yee, Chong, Abercrombie, Cayetano and Cobb.

By unanimous consent, S.R. No. 208 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 209), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF COST COMPARISON FOR STATE OFFICE SPACE", was jointly offered by Senators Carpenter, Kuroda, Chong, Abercrombie, Hara, Yamasaki, Yee, Toyofuku, Takitani, Cayetano and Cobb.

By unanimous consent, S.R. No. 209 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 210), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON METHODS TO PREVENT ESCALATING TRAFFIC ACCIDENTS", was jointly offered by Senators Carpenter, Campbell, Chong, Kawasaki, Cobb, Takitani, Ushijima, Cayetano, Young, Ajifu and Abercrombie.

By unanimous consent, S.R. No. 210 was referred to the Committee on Transportation.

A resolution (S.R. No. 211), entitled: "SENATE RESOLUTION REQUESTING A SCHOOL FOR CREATIVE AND PERFORMING ARTS", was jointly offered by Senators Carpenter, Campbell, Chong, Abercrombie, Takitani, Yamasaki, Cayetano, Young and Ajifu.

By unanimous consent, S.R. No. 211 was referred to the Committee on Education.

At 11:10 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.

A resolution (S.R. No. 212), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF UTILIZATION AND STATUS OF CLIENT INFORMATION AND COMMUNICATION", was jointly offered by Senators Carpenter, Chong, Soares, Cobb, Takitani, Campbell, Saiki, Toyofuku, Yamasaki, Kuroda, Yee and Abercrombie.

By unanimous consent, S.R. No. 212 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 213), entitled: "SENATE RESOLUTION CONGRATULATING BENJAMIN B. DOMINGO ON HIS APPOINTMENT AS CONSUL AT THE PHILIPPINE CONSULATE GENERAL IN HONOLULU", was jointly offered by Senators Yee, Cayetano, Takitani, Toyofuku, Hara, Anderson, Saiki, Kuroda and Carpenter.

On motion by Senator Yee, seconded by Senator Cayetano and carried, S.R. No. 213 was adopted.

A resolution (S.R. No. 214), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING NINO J. MARTIN OF HAWAII PUBLIC TELEVISION FOR HIS OUTSTANDING PRODUCTION OF 'DAMIEN'", was jointly offered by Senators Chong, Carpenter, Takitani, Yamasaki, Ushijima, Cayetano, Young, Kuroda, Yim, Hara, Toyofuku, Cobb, Abercrombie and Ajifu.

On motion by Senator Chong, seconded by Senator Carpenter and carried, S.R. No. 214 was adopted.

Senator Chong then introduced to the members of the Senate Mr. Nino J. Martin, the honoree of the resolution; Mr. Terence Knapp, Professor at the University of Hawaii and also the star of the production; and Ms. Aldyth Morris, Playwright for "Damien". They were each presented with a certified copy of the resolution.

At 11:14 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:17 o'clock a.m.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 402), informing the Senate that Senate Concurrent Resolution Nos. 39 and 40, Senate Resolution Nos. 196 to 202 and Standing Committee Report Nos. 137 to 401 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

MATTER DEFERRED FROM MARCH 5, 1979

Senate Bill No. 10, S.D. 1:

By unanimous consent, consideration of S.B. No. 10, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was deferred until Wednesday, March 7, 1979.

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

Senator Saiki introduced former United States Representative Edith Green from Oregon.

Senator Kawasaki then introduced eight members of the Student Council at Red Hill Elementary School, with their Vice Principal, Mr. Richard Sagawa.

The President then introduced Mr. Roy Hatakenaka, who is the Chief Bailiff of the First Circuit Court and who has given twenty-five years service in the court system.

Senator Chong then introduced Ms. Susan Merchant, one of the Associate Producers of KHET-Hawaii Public Television.

At 11:22 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.

Senator Yim, in announcing a meeting of the Committee on Economic Development, stated as follows:

"Mr. President, your Committee on Economic Development will hold a Public Hearing this afternoon at 3:30 in Conference Room 6, regarding the Legislative Auditor's Report on the Department of Land and Natural Resources.

"Mr. President, it appears that we will need to hold another hearing at another date as neither the Chairman of the Board, Susumu Ono, nor any of the members of the Land Board would be available for today's hearing.

"The Chair is rather displeased over the fact that during this short 60-day session, we find the Governor sending his department heads out of state. So, Sus Ono will be away and will not be able to testify today.

"This is the second time that a department head has left the state at a time for critical decision-making. The other department head to be away from the state was Hideto Kono, Chairman of the Department of Planning and Economic Development, and therefore wasn't available at the time when we were making critical decisions.

"Mr. President, we contacted some of the Oahu members on the Land Board to attend the hearing, but they, too, were not available. So, another hearing may be required.

"At any rate, the Chair intends to go through with this public hearing anyway this afternoon. Thank you, Mr. President."

Senator Kawasaki then commented as follows:

"Mr. President, I would like to comment on the remarks made by the previous speaker.

"Mr. President, the members of the Committee on Economic Development will very shortly be voting on the confirmation of members to the various boards and commissions and also the department heads who may be subject to confirmation. I trust that they will be available at the time hearings are conducted on their confirmation and that they will be ready for questioning.

"Thank you, Mr. President."

ADJOURNMENT

At 11:32 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 7, 1979.

THIRTIETH DAY

Wednesday, March 7, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend William Masuda, Honpa Hongwanji Mission, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Ninth Day.

At this time, Senator Kawasaki introduced to the members of the Senate Mr. and Mrs. Charles Tenant from Rock Island, Illinois: Mr. Tenant is the National Chairman on Erosion Control and President of the Associated Landscape Contractors of America. Mr. and Mrs. Tenant were accompanied by Mr. Pat Kuniyoshi of P.G. Kuniyoshi Landscaping Maintenance and Nursery Company.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 98 and 99) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 98) transmitting a report prepared by the University of Hawaii on the Effort of the University of Hawaii to Develop and Implement Extended Instruction, in response to Act 243, Section 54C, Ninth State Legislature, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 99) transmitting the Interim Report on the Fisheries Development Master Plan Study, prepared by the Department of Land and Natural Resources, in response to H.R. No. 122 (1978), was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 61 and 62) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 61) transmitting House Concurrent Resolution No. 30, which was adopted in the House of Representatives on March 6, 1979, was placed on file.

By unanimous consent, H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RENEWED EFFORTS BY HAWAII'S CONGRESSIONAL DELEGATION FOR LEGISLATION TO ASSIST HAWAII'S

IMMIGRANT POPULATION", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 62) transmitting House Bill No. 734, which passed Third Reading in the House of Representatives on March 6, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", passed First Reading and was referred to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 43), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was jointly offered by Senators Kuroda, Mizuguchi, Cobb, Ushijima, Cayetano, Kawasaki, Chong, Toyofuku, Campbell, Yamasaki, Carpenter, George, Ajifu, Saiki, O'Connor, Soares and Yim was read by the Clerk.

By unanimous consent, S.C.R. No. 43 was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 215 to 217) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 215), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO EXPLORE THE FEASIBILITY OF CONVERTING WAIANAE HIGH SCHOOL TO THE STATE'S FIRST MARINE HIGH SCHOOL", was jointly offered by Senators Young, Cayetano, Carpenter, Kuroda, Abercrombie, Yamasaki, Takitani, Chong, Campbell and Ushijima.

By unanimous consent, S.R. No. 215 was referred to the Committee on Education, then to the Committee on Legislative Management.

A resolution (S.R. No. 216), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOMES LAND TO IMPLEMENT PROVISIONS TO ALLOW RESIDENTIAL HOMES AND SUPPORTING STRUCTURES ON AGRICULTURAL AND PASTORAL LOTS", was jointly offered by Senators Young, Cayetano, Carpenter, Kuroda, Mizuguchi, Abercrombie, Yamasaki, Takitani, Chong, Campbell and Ushijima.

By unanimous consent, S.R. No. 216 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 217), entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was jointly offered by Senators Kuroda, Chong, Cobb, Ushijima, Kawasaki, Toyofuku, Yamasaki, Carpenter, George, Ajifu, Saiki, O'Connor, Soares and Yim.

By unanimous consent, S.R. No. 217 was referred to the Committee on Transportation.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 403) informing the Senate that Senate Concurrent Resolution Nos. 41 and 42 and Senate Resolution Nos. 203 to 214 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 404) recommending that Senate Bill No. 9, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 9, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 9, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 405) recommending that Senate Bill No. 1118 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO FERRIES", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1118.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 406) recommending that Senate Bill No. 1506 pass First Reading by title and be recommitted to the Committee on Transportation.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1506, entitled: "A BILL FOR AN ACT RELATING TO THE OAHU METROPOLITAN PLANNING ORGANIZATION", passed First Reading by title and was recommitted to the Committee on Transportation.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 407) recommending that Senate Bill No. 1760 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1760, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1760.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 408) recommending that Senate Bill No. 1588, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1588, 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 Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1588, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 409) recommending that Senate Bill No. 1096, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1096, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1096, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 410) recommending that Senate Bill No. 1097, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1097, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1097, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 411) recommending that Senate Bill No. 1098, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1098, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1098, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 412) recommending that Senate Bill No. 1099, 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 Cayetano, seconded by Senator Kawasaki and carried, the

report of the Committee was adopted and S.B. No. 1099, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1099, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 413) recommending that Senate Bill No. 1100, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1100, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1100, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 414) recommending that Senate Bill No. 1101, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1101, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1101, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 415) recommending that Senate Bill No. 1102, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1102, S.D. 2, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1102, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 416) recommending that Senate Bill No. 1103, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S. B. No. 1103, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1103, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 417) recommending that Senate Bill No. 1104, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1104, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1104, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 418) recommending that Senate Bill No. 1105, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1105, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1105, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 419) recommending that Senate Bill No. 1106, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1106, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1106, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 420) recommending that Senate Bill No. 1108, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1108, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 9, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1108, S.D. 2.

ORDER OF THE DAY

RE-REFERRAL OF A SENATE BILL

The President made the following referral of a bill that was introduced on Tuesday, February 13, 1979:

Senate Bill Referred to:

No. 1332 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.

MATTER DEFERRED
FROM MARCH 6, 1979

Senate Bill No. 10, S.D. 1:

By unanimous consent, action on S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was deferred until Thursday, March 8, 1979.

THIRD READING

Senate Bill No. 1430, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Carpenter and carried, S.B. No. 1430, 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, 21. Noes, 3 (Abercrombie, Carroll and Toyofuku). Excused, 1 (Yim).

Senate Bill No. 163:

By unanimous consent, action on S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO STUDIES CONDUCTED BY

THE STATE AND ITS POLITICAL SUBDIVISIONS", was deferred until Thursday, March 8, 1979.

Senate Bill No. 654:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 654, 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 (Yim).

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.

ADJOURNMENT

At 11:52 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 8, 1979.

THIRTY-FIRST DAY

Thursday, March 8, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend T. Samuel Lee of the Aldersgate United Methodist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirtieth Day.

Senator Yee introduced to the members of the Senate sixty-five students from the Senior class at Hawaii Baptist Academy, together with their teachers, Ms. Susan Chaney and Mr. Hom.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 100 and 101) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 100), transmitting a report prepared by the Department of Planning and Economic Development and the Department of Budget and Finance in response to House Resolution No. 437 and House Concurrent Resolution No. 88 which requested a study and proposal on the establishment of a State Economic Planning System, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 101), transmitting the Annual Report of the Department of Hawaiian Home Lands for fiscal year 1977-78, which was prepared by that Department, was referred to the Committee on Housing and Hawaiian Homes.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 63 to 87) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 63), transmitting House Bill No. 79, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 79, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 64), transmitting House Bill No. 159, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 65), transmitting House Bill No. 284, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 284, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY EXAMINATION AND HOSPITALIZATION", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 66), transmitting House Bill No. 398, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 398, entitled: "A BILL FOR AN ACT RELATING TO CHOICE OF EVILS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 67), transmitting House Bill No. 399, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 399, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 68), transmitting House Bill No. 424, H.D. 1, which passed Third Reading in the House of Representatives

on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 424, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 69), transmitting House Bill No. 435, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 435, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 70), transmitting House Bill No. 445, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 445, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", passed First Reading by title and was referred jointly to the Committee on Intergovernmental Relations and the Committee on Transportation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 71), transmitting House Bill No. 450, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, Roll Call vote having been requested, H.B. No. 450, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION", passed First Reading by title and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

A communication from the House (Hse. Com. No. 72), transmitting House Bill No. 452, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 452, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 73), transmitting House Bill No. 480, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 480, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KEYS", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 74), transmitting House Bill No. 587, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 587, entitled: "A BILL FOR AN ACT RELATING TO WAGE AND HOUR LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 75), transmitting House Bill No. 588, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 588, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", passed First Reading by title and was referred jointly to the Committee on Human Resources and the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 76), transmitting House Bill No. 589, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 77), transmitting House Bill No. 595, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 595, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 78), transmitting House Bill No. 618, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 618, entitled: "A BILL FOR AN ACT RELATING TO DUTIES OF THE DEPARTMENT OF TRANSPORTATION", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 79), transmitting House Bill No. 696, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 696, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 80), transmitting House Bill No. 723, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 723, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House

(Hse. Com. No. 81), transmitting House Bill No. 861, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 861, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 82), transmitting House Bill No. 921, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 921, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 83), transmitting House Bill No. 923, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 923, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 84), transmitting House Bill No. 1004, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1004, entitled: "A BILL FOR AN ACT RELATING TO DURESS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 85), transmitting House Bill No. 1211, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, Roll Call vote having been requested, H.B. No. 1211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE

UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

A communication from the House (Hse. Com. No. 86), transmitting House Bill No. 1594, H.D. 1, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1594, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DAMIEN MEMORIAL CHAPEL", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 87), transmitting House Bill No. 1661, which passed Third Reading in the House of Representatives on March 7, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1661, 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.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 218 to 220) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 218), entitled: "SENATE RESOLUTION HONORING THE UNIVERSITY HIGH SCHOOL GIRLS STATE CHAMPIONSHIP SOFTBALL TEAM", was jointly offered by Senators Carroll, Kuroda, Yee, Cobb, Abercrombie, Ajifu, Takitani, Young, Kawasaki, Wong, George, Cayetano, Anderson, Carpenter, Yim, Saiki, Hara, Campbell, Chong, Toyofuku, Ushijima, Yamasaki, Mizuguchi, O'Connor and Soares.

On motion by Senator Carroll, seconded by Senator Yee and carried, S.R. No. 218 was adopted.

Senator Carroll then introduced to the members of the Senate the following members of the 1979 University High School Girls Softball Team: Jodi Paglinawan (Captain), Stephanie Hiraoka, Jo Ann Hiraoka, Darleen

Yoshioka, Alison Miyashiro, Shontel Sherwood, Leeshan Naholoholo, Paula Mauhili, Robin Moribayashi, Audrey Pagan, Hoku Haliniak, Nadine Nishioka, Aulii Stone, Lani Stone, Karen Yamaguchi, Lynn Hashimoto, Joann Carreira and Donna Fuller; together with their Head Coach, Corinne Chang, Assistant Coach, Nelson Yoshioka and Manager, Joann Hironaga. Senator Carroll then presented each of them with a certified copy of the resolution.

At 11:45 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.

A resolution (S.R. No. 219), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE HAWAII VOLUNTARY COST CONTAINMENT COMMITTEE", was jointly offered by Senators Ajifu, Mizuguchi, Young, Chong, Kawasaki, Cayetano, Abercrombie, Yamasaki, Takitani, Soares, Carroll, Yee and Saiki.

On motion by Senator Ajifu, seconded by Senator Mizuguchi and carried, S.R. No. 219 was adopted.

A resolution (S.R. No. 220), entitled: "SENATE RESOLUTION COMMENDING EAGLE SCOUTS EDWARD K. DELIMA, MAX G. PARUBRUB, AND SHAY K. YANAGI", was jointly offered by Senators Ajifu, Chong, Young, Kawasaki, Yamasaki, Takitani, Mizuguchi, Soares, Abercrombie, Carroll, Yee and Saiki.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 220 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 421), informing the Senate that Senate Concurrent Resolution No. 43, Senate Resolution Nos. 215 to 217 and Standing Committee Report Nos. 404 to 420 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 422), recommending that Senate Bill No. 3 pass First Reading by title and be recommitted to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the

report of the Committee was adopted and S.B. No. 3, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", passed First Reading by title and was recommitted to the Committee on Ways and Means.

Senator Cayetano, 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.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 52, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON JUDICIAL DISCIPLINE AND RETIREMENT (CONSTITUTIONAL AMENDMENT OF ARTICLE VI)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 424), recommending that Senate Bill No. 602, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 425), recommending that Senate Bill No. 615, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 426), recommending that Senate Bill No. 666, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 666, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 427), recommending that Senate Bill No. 677, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 428), recommending that Senate Bill No. 1737, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1737, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION".

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 7, 1979

Senate Bill No. 10, S.D. 1:

By unanimous consent, action on S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was deferred until Friday, March 9, 1979.

Senator Soares then rose on a point of personal privilege and stated as follows:

"Mr. President, I rise on a point of personal privilege as I think it is a drastic decision to make in deferring this bill again, after having my colleague here on my left go through rigorous training--hours and hours of research, hours and hours of studying all the laws that are on the books in front of you here--getting himself both physically and mentally ready for this encounter.

"I just am distraught to look across the hall here and see his opponent, the worthy Senator O'Connor, not present for this affray. I don't think it is right that my colleague here should go to the peak of condition, ready to do battle with everything he has grasped, and then the contest is called off.

"I do know that the gallery is here because of this; I know the cameras are here because of the affray that was scheduled, and I find that we are left without a contest and it surely would have given us the kind of color this

Honorable Body is so noted for..."

Senator Abercrombie then rose on a point of order and inquired if Senator Soares would identify the person he was speaking about as the pile of books on the desk partially hid the Senator back of it.

Senator Soares continued,

"Mr. President, I'm sure that Senator Abercrombie recognizes the colorful and dapper Senator Carroll...but nevertheless, I do think that when we do have these contests being primed the way we have, that we have to go ahead with the contest, have a debate, and allow these two athletes who have been training so hard to encounter in clean battle.

"Mr. President, I therefore hope that we will not have a chance to get stale waiting for these two to get up and really take on one another. Thank you very much."

Senate Bill No. 163:

Senator Ushijima moved that S.B. No. 163 be recommitted to the Committee on Intergovernmental Relations, seconded by Senator Kuroda.

Senator Ushijima then stated as follows:

"Mr. President, I'd like to make just a short statement concerning this recommitment.

"We have heard a great deal about deregulation in the session and I thought that this was one of the first bills to hit the Senate floor deregulating the big problems that some of our administrators run across, especially when we have statutes that nobody complies with, nobody bothers about.

"However, in the meantime, I received two strong letters from one of my colleagues from Manoa, stating that he sees little merit in this bill that should be kept in the books. So, in due deference to my colleague from Manoa, I have asked that this bill be recommitted to the Intergovernmental Relations Committee."

Senator Campbell then spoke in favor of the motion as follows:

"Mr. President, I would like to express appreciation to the Chairman of the Intergovernmental Relations Committee for consenting to defer consideration of this bill to this

session. If he had rejected my request, it would have been a legitimate action on his part, certainly as it relates to procedure.

"Mr. President, I share the feeling just expressed by the Chairman of the Committee, when he says that the law is not working. I tried several times myself to get the total amount of tax dollars spent on contractual studies by the state and I was unsuccessful.

"I applaud the move that the Chairman has just made to recommit Senate Bill No. 163, because I'm convinced that the present law should not be repealed, but should be modified, so that it would be workable. The main purpose of the present law is not only to avoid duplication, but to provide this Legislature with an accounting of the tremendous amount spent for these contractual studies; and the repeal of the law would deny us, in my judgment, these important avenues.

"Therefore, Mr. President, in my judgment, the solution to this problem is not repeal, but enforcement. Thank you very much."

Senator Ushijima then responded,

"Mr. President, I hope that this does not become one of the major bills of the session. I just want to assure the previous speaker that while it is recommitted, there is still hope that it might come out again, if you convince me that there is some merit to that bill; but you've got to pass the other Senator from Manoa first."

Senator Abercrombie then spoke in favor of the motion as follows:

"Mr. President, speaking in favor of this motion, I want to express my gratitude to Senator Campbell for catching us on this thing. Sometimes a train moves so fast that you're out of the station before you know it.

"I think it's pertinent that I speak for it because, as you notice on the committee report, my name is signed free and clear, thus giving the Chairman of the Committee every indication that I supported it when I simply did not pay sufficiently close attention at the time I signed free and clear.

"With Senator Campbell's admonition to wait a day, I had the opportunity to take another look at it and subsequently I did have some reservations about whether we should drop something because people came in to testify that they didn't care to live up to the law. It was an inconvenience.

"I can see that there are arguments for it, but as Senator Ushijima pointed out and very kindly so in my direction, that we should reconsider on that basis.

"Therefore, I guess it's just another lesson that you have enunciated yourself that sometimes, even though the name may be on the committee report, even if factors intervene in the meantime, it's our sense of integrity (that) demands of us to own up to what we've done or haven't done, or should have done. I think it would be in everyone's interest if we had another opportunity to look at this. I want to thank Senator Ushijima, particularly for his courtesy and kindness toward me on this.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 163, entitled: "A BILL FOR AN ACT RELATING TO STUDIES CONDUCTED BY THE STATE AND ITS POLITICAL SUBDIVISIONS", was recommitted to the Committee on Intergovernmental Relations.

THIRD READING

Senate Bill No. 87, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, S.B. No. 87, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (O'Connor).

Senate Bill No. 1753:

Senator Chong moved that S.B. No. 1753, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Abercrombie then spoke against the bill as follows:

"Mr. President, I see no need for this bill. The present law does not require the Public Utilities Commission to impose the high fine mentioned in the committee report. They have discretion; therefore, it obviates the introduction of the fine as a possibility. The penalty assessed in the bill, which is on page 5, lines 4 through 14, is \$62.50 per \$100,000 of gross income per month of violation. In my opinion, this fine is much too low and therefore I urge its defeat."

Senator Chong then responded as

follows:

"Mr. President, in the testimony on this administration measure, it was pointed out that the current fine structure may well exceed the so-called violations to the point that when a person does a very minor--when some of these truckers come in with very minor violations such as simply forgetting to renew their applications, the size of the resulting fine may well put them out of business.

"So, Mr. President, by putting this technical wordings into the bill, the administration felt that many people who have not filed their normal papers in a timely manner, would not suffer bankruptcy as a result of this type of oversight."

The motion was then put by the Chair and carried, and S.B. No. 1753, 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, 19. Noes, 5 (Abercrombie, Anderson, Carroll, Saiiki and Soares). Excused, 1 (O'Connor).

Senate Bill No. 675, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 675, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (O'Connor).

Senate Bill No. 1316, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1316, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (O'Connor).

Senate Bill No. 1451, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 1451, 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, 24. Noes, none. Excused, 1 (O'Connor).

Senate Bill No. 1409, S.D. 1:

Senator Takitani moved that S.B. No. 1409, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Hara.

Senator Kawasaki then spoke for the bill, noting certain reservations, as follows:

"Mr. President, while I'm voting for this bill, I have certain reservations and I would like the record to reflect what was related to me regarding the Chairman of this Agriculture Coordinating Committee--that that position will not be a new position; that is a responsibility assigned to someone who is already in the Governor's Office who is designated as Chairman of this Coordinating Committee.

"The other reservation that I have specifically is that no member from the public sector or the consumer elements of our population is represented. It is strictly people from the industry and from government service who are serving on this Agriculture Coordinating Committee. If we find, in subsequent years, that the public sector needs to be represented; specifically, someone representing consumers or someone representing the retail merchants, the supermarkets, etc., we would like to enlarge the membership to include these people.

"So, Mr. President, I will abide by the decision of the Chairman of the Committee on Agriculture and the members of that Committee, but I would like my concerns noted on the records. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1409, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (O'Connor).

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.

Senate Bill No. 1059:

By unanimous consent, action on S.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", was deferred until Friday, March 9, 1979.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 11 to 13) were read by the Clerk and were disposed of as follows:

A communication from George S. Moriguchi, Chief Planning Officer, City and County of Honolulu (Misc. Com. No. 11), transmitting the "notification" from the United States Department of Housing and Urban Development of their intent to provide Home Mortgage Insurance for the Palehua Hillside, Phases I, II and III, project, was referred to the Committee on Housing and Hawaiian Homes.

A communication from Ned Wiederholt, Acting Chief Planning Officer, City and County of Honolulu (Misc. Com. No. 12), transmitting the "notification" from the United States Department of Housing and Urban Development of their intent to provide Home Mortgage Insurance for the Village Park, Phase I, project, was referred to the Committee on Housing and Hawaiian Homes.

A communication from James A. Burgess (Misc. Com. No. 13), petitioning the State for "REDRESS OF GRIEVANCES", charging the Department of Regulatory Agencies and the Department of Planning and Economic Development for Expropriating, Usurping and Plagiarizing his trademark "Hawaii World Trade Center of the Pacific", and requesting a hearing in the Senate, was placed on file.

ADJOURNMENT

At 12:15 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 10, 1979.

THIRTY-SECOND DAY

Friday, March 9, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Matthew Alencastre, SS.CC., Pastor, Blessed Sacrament Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Twenty-Eighth and Thirty-First Days.

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

Senator Yee introduced 44 fifth grade students from Manoa Elementary School, accompanied by their teachers Mrs. Takahashi and Mrs. Tagawa.

Senator Toyofuku introduced the members of the Kapaa High School (Kauai) pep squad and their two advisors, Ms. Marie Nakamura and Ms. Jill Yoshimatsu, who are here in Honolulu to cheer their team on in the State AA Basketball Tournament.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 102 and 103) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 102) transmitting the 1978 Annual Report of the Energy Resources Coordinator, prepared by the State Energy Resources Coordinator (Director of Planning and Economic Development), pursuant to Section 196-4(11), HRS, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 103) transmitting a final report, January 1978, titled: "Carrying Capacity Action Research: A Case Study in Selective Growth Management, Oahu, Hawaii," submitted to the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, and prepared by the Department of Planning and Economic Development, was referred to the Committee on Economic Development.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 88 to 119) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 88) transmitting House Bill No. 168, which passed Third Reading

in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 168, entitled: "A BILL FOR AN ACT RELATING TO BALL OR MARBLE MACHINES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 89) transmitting House Bill No. 257, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 257, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORMS AND REPORTS", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 90) transmitting House Bill No. 282, H.D. 1, which passed Third Reading in the House of Representatives, on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 91) transmitting House Bill No. 365, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 365, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 92) transmitting House Bill No. 366, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 366, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS", passed First Reading by title and was referred to the Committee on

Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 93) transmitting House Bill No. 529, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 529, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed First Reading by title and was referred jointly to the Committee on Transportation and the Committee on Agriculture.

A communication from the House (Hse. Com. No. 94) transmitting House Bill No. 577, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 95) transmitting House Bill No. 727, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 727, entitled: "A BILL FOR AN ACT RELATING TO USE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES", passed First Reading by title and was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A communication from the House (Hse. Com. No. 96) transmitting House Bill No. 732, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 732, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 97) transmitting House Bill No. 750, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B.

No. 750, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 98) transmitting House Bill No. 1311, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1311, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 99) transmitting House Bill No. 1449 which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1449, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 100) transmitting House Bill No. 1607, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1607, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' HEALTH FUND", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 101) transmitting House Bill No. 1665, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 102) transmitting House Bill No. 1666, H.D. 1, which passed Third Reading in the House of Representatives

on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1666, 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.

A communication from the House (Hse. Com. No. 103) transmitting House Bill No. 45, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPS OF CIVILIAN WORKERS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 104) transmitting House Bill No. 107, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 107, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 105) transmitting House Bill No. 166, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 166, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 106) transmitting House Bill No. 278, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 278, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTMENT TAX CREDITS", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 107) transmitting House Bill No. 451, which passed Third Reading in the House of Representatives on March

8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 108) transmitting House Bill No. 498, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 498, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 109) transmitting House Bill No. 585, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 110) transmitting House Bill No. 643, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 643, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 111) transmitting House Bill No. 737, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 737, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 112) transmitting House Bill No. 742, H.D. 1, which passed Third

Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 742, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 113) transmitting House Bill No. 867, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 114) transmitting House Bill No. 988, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 115) transmitting House Bill No. 1186, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 116) transmitting House Bill No. 1505, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1505, 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 Tourism, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 117) transmitting House Bill

No. 1557, H.D. 1, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1557, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 118) transmitting House Bill No. 1673, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1673, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 119) transmitting House Bill No. 1674, which passed Third Reading in the House of Representatives on March 8, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 44), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE STATE LEGISLATURE AS THE PRIMARY POLICY MAKING BODY OF THE STATE AND CONFIRMING ITS SUPPORT OF THE CONSTRUCTION OF THE H-3 FREEWAY", was jointly offered by Senators Anderson, Hara, Toyofuku, Saiki, Young, Takitani, George, Yamasaki, Ushijima, Kawasaki, Ajifu, Soares, Cayetano and Yee and was read by the Clerk.

By unanimous consent, S.C.R. No. 44 was referred to the Committee on Transportation.

SENATE RESOLUTION

A resolution (S.R. No. 221), entitled: "SENATE RESOLUTION COMMENDING THE ILWU AND THE SUGAR INDUSTRY ON THE SUCCESSFUL CONCLUSION OF THEIR SUGAR NEGOTIATIONS", was jointly offered by Senators Yee, Yamasaki,

Cayetano and Hara, and was read by the Clerk.

On motion by Senator Yee, seconded by Senator Yamasaki and carried, S.R.No. 221 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 429), informing the Senate that Senate Resolution Nos. 218 to 220 and Standing Committee Report Nos. 422 to 428 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 430) recommending that Senate Bill No. 1422 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1422.

Senators Ushijima and Yim, for the majority of the Committees on Intergovernmental Relations and Economic Development, presented a report (Stand. Com. Rep. No. 431) recommending that Senate Bill No. 1164 pass Second Reading and be referred to the Committee on Judiciary.

Senator Ushijima moved that Stand. Com. Rep. No. 431 be received and placed on file, seconded by Senator Yim and carried.

Senator O'Connor, for the Committee on Judiciary stated that he had granted the waiver of the referral of S.B. No. 1164 to the Committee on Judiciary.

Senator Ushijima then moved that S.B. No. 1164 pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Yim.

Senator Abercrombie then rose to speak against the motion and stated as follows:

"Mr. President, I rise to speak against this bill being placed on the calendar for third reading.

"I'll develop arguments further should

this bill go forward as I expect it might.

"We went through a prolonged discussion in the recent past in the legislature concerning the transfer of development rights; and as with so many other things in legislative life, the things that can rapidly become panacea.

"The transfer of development rights idea has been utilized in other areas with differing degrees of success, depending on your point of view. The circumstances surrounding the transfer of development rights in the State of Hawaii, particularly in the City of Honolulu, leaves a good deal to be desired.

"I think that we're rushing into this situation much too fast and that we may very, very much regret, just as we have with various so-called designed districts and the variances that occur, regret the results.

"I have a good idea that this transfer of development rights is going to mean a virtual destruction of anything in the way of planning in this particular city. It may be of some use somewhere else, I don't know, but the City and County of Honolulu, I fear, will find the results of this so-called progressive measure to be the exact opposite. As a matter of fact, I think if the transfer of development rights bill passes, as it says in the committee report, this new concept in land use planning has potential far-reaching benefits to our community, I believe the results will be far-reaching, but if the benefits will be the same is quite another matter.

"As a matter of fact, I believe if this bill passes, the likelihood of needing a Department of Planning, a Planning Commission, or for that matter, needing anything other than a City Council that will indeed have to sit behind locked doors, will be obviated.

"Now, there's that pending, a thorough and complete discussion by way of study, of the transfer of development rights as it affects planning in the City and County of Honolulu for one, let alone the other counties, is in order before it should be passed. Thank you."

Senator Cayetano then added as follows:

"Mr. President, I realize that at this juncture, we are just placing the bill in passing second reading, but I also rise to speak against the bill.

"My recollection is that this bill, the referral of this bill, should have come to Ways and Means but, Mr. President, you did not refer it to Ways and Means and I didn't pursue the matter further.

"I join with the Senator from Manoa in calling for a study because the financial implications of this bill to the state are unknown.

"The creation of this new concept of transferable development rights may or may not have an impact on the state's finances when it comes to the question of eminent domain proceedings. I would prefer that we hold this bill until we look into that so that all of us can be informed before we do vote on it."

Senator Carroll then added as follows:

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

"Mr. President, it was my understanding when I signed this measure, with reservations, that it would be referred to Judiciary and I thought that we would get a crack at the bill there. And we were told by the people who testified and as the committee report indicates, there were a number of people all testifying in favor of it, that they would find the answers to various questions that we asked.

"This particular bill goes directly at one of the most troublesome problems that we have, at least in the Waikiki district, which is density. And as far as I can read this and as far as the answers that were given to us by the people who testified, they do not know what the impact of this type of a bill will be on an area such as Waikiki, where they already have a special design district ordinance in place. .

"Inasmuch as the question of density is so crucial to this day and time, and inasmuch as it was the testimony of these persons who are noted here that they would come before the Judiciary Committee, and inasmuch as there is absolutely no urgency to this matter, I think that to refer this, rather, to avoid the referral to Judiciary is to do a very unwise thing.

"I ask that this matter be referred to Judiciary, as it was originally proposed, and that we get the answers to the questions which have been asked, before we take any further action on the measure. I therefore urge that all vote 'no'."

Senator Ushijima then clarified the matter by stating as follows:

"Mr. President, at the hearing that we had in Intergovernmental Relations, there were quite many people that testified as to how useful this planning device would be and this, basically, was an enabling legislation.

"Now, because we have the in-house restriction as to movement of bills, I met with the Chairman of the Judiciary Committee.

Really, the purpose of this maneuver, basically, is that we stay within the confines of the in-house rules that we've made and that the Judiciary Committee is going to study this matter based upon all the information that we pass over to them.

"The purpose of separating the committee report, basically, was for the amendments to be submitted by the Judiciary Committee and at that time we can then debate as to the merits or demerits of this particular measure.

"I understand that with Kakaako and many of the other planning problems that we have right now, they felt that waiting for any kind of incubation period would be not for the best interest, so far as planning is concerned.

"That's the reason why this matter is being handled this way. Thank you."

At 11:54 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 Ushijima then rescinded his motion and Senator Yim withdrew his second.

Senator Ushijima moved that S.B. No. 1164, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS", be recommitted jointly to the Committees Intergovernmental Relations and Economic Development, seconded by Senator Yim, and so ordered by the President.

At 12:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

Senator Anderson then rose to state as follows:

"Mr. President, as I understand the movant, the final action that will determine this bill does in fact kill the bill for this session anyway.

"I was trying to see if an acceptable alternative might be the move of second reading to the committee and then between now and Monday night, when the deadline comes, to see if you couldn't satisfy the questions, whatever's been discussed and not agreed to.

"I think it's wrong, Mr. President, to kill this subject matter this legislative session and there seems to be no awareness as to whether there is a companion bill in the House. I'm sure that some Senators philosophically, or as it pertains to

the impact of their district, may be disagreeable, but, it's no more than a tool that would be used by the counties.

"We used this concept when we put together the Windward Regional Plan some four or five years ago as a strong possibility to maintain open space in Windward Oahu when we got into the Waiahole-Waikane, Kahuku, Kuilima areas.

"It's long overdue and I really think the city and county and all the counties of the state, in today's complex society, need all the tools at hand to make these complex decisions to preserve what's left of Hawaii. And I'm sure at times the application of this, if and when it ever does pass, will be, I'm sure, misused and at times we will be unhappy with the decision; but it's a tool that's enabling legislation and for us to kill this kind of legislation, and then be so critical of what's happening to our state, is somewhat contradictory and I would really hope that the majority leadership will seek out another vehicle or try to resolve this between now and Monday night, or, hopefully, find the companion bill in the House.

"This subject matter should not be put to sleep this year."

Senator Kuroda then stated as follows:

"Mr. President, in response to the statements made by the Senator from the Windward District, it is the majority caucus decision to lay this aside for now and I think it is only proper that some explanation be made in the use of the word 'kill' the bill.

"There is no deliberate attempt to stymie any meritorious legislation. This matter has been discussed very thoroughly in caucus and it is the consensus of the majority caucus, and with full discussion, that this matter should rest until next year. However, we will take on advisement the suggestion that the Senator has made, and should there be a vehicle that might permit us to further discuss this I'm sure we'll do this."

Senator Anderson then stated as follows:

"Mr. President, I'd just like to state then that since it was a caucus decision, one that I wasn't privy to, I'd like a negative vote cast for Anderson."

At 12: 40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12: 44 o'clock p.m.

Senator Abercrombie then added as follows:

"Mr. President, I would not like the impression left that the recommitment means that

it's being done for some arbitrary capricious reason.

"One of the reasons that we couldn't deal with anything by Monday morning is that my exposition to the committee alone on transfer of developments rights, a file of which I have of some five-year standing now, is very thick at the moment, each of these pages jam-packed with fact and figures that would relate to the transfer of development rights, I don't think it's possible to do that--the points made, the pros and cons, and I'm happy to and will in the next few days be sending on to the Senators a research paper that I had done for me on this, and some research papers done on other areas, as well as commentaries from the Symposium on Property Development Rights at the University in December, 1975, and so on. So, it's quite clear that the possible abuses, and especially in a local context to transfer development rights, require a thorough study. And that's the reason."

The President then stated that "the Chair has so ordered the bill as being recommitted to the Committees on Intergovernmental Relations and Economic Development."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. No. 432) recommending that Senate Bill No. 276 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 276, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 276.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 433) recommending that Senate Bill No. 594, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

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

Hawaii, the 48-hour notice was given on S.B. No. 594, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 434) recommending that Senate Bill No. 599, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 599, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 435) recommending that Senate Bill No. 614 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 614.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 436) recommending that Senate Bill No. 275 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 275.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 437) recommending that Senate Bill No. 621, as amended in S.D. 1, pass Second Reading and be placed

on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 621, 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 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 621, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 438) recommending that Senate Bill No. 671, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 671, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 12, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 671, S.D. 1.

ORDER OF THE DAY

MATTERS DEFERRED FROM MARCH 8, 1979

Senate Bill No. 10, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 10, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", was recommitted to the Committee on Judiciary.

Senate Bill No. 1059:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 1059, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", was recommitted to the Committee on Education.

THIRD READING

Senate Bill No. 9, S.D. 1:

Senator O'Connor moved that S.B. No. 9, S.D. 1, having been read throughout,

pass Third Reading, seconded by Senator Cobb.

The motion was put by the Chair and carried, and before the vote was announced, Senator Abercrombie rose on a point of clarification:

"Mr. President, speaking in favor of the bill, I just merely want to note for the record that while we are passing what many people believe to be an open primary, that is not in fact what most people understand the open primary to be; and I hope that when the wrath of the public comes down, they will realize that the legislature here, in particular, the Judiciary Committee, simply has done its best to implement what the Constitutional Convention put forward.

"There will be howls, I think of despair, when people think they're going to have an open primary as they understand it, and find out they don't have it. That's not the fault of the Judiciary Committee, it's the legislature that has to do with the Constitutional Convention faking out the electorate."

The Clerk announced that S.B. No. 9, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Yee).

Senate Bill No. 1118:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 1118, entitled: "A BILL FOR AN ACT RELATING TO FERRIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1760:

Senator Mizuguchi moved that S.B. No. 1760, having been read throughout, pass Third Reading, seconded by Senator Yim.

The motion was put by the Chair and carried, and before the vote was announced, Senator O'Connor rose on a point of clarification:

"Mr. President, I'm voting in favor of Senate Bill No. 1760, but I withdraw for the attention of the record to line 10 of page 1 of the bill in which it states that the Director of Transportation and his employees shall enforce orders, they should pursuant to rules, and all other laws of the state.

"I take it, the intent of this section, as has been historically understood, means that all the other laws of the state that these people are to enforce, are those that have to do with the Transportation Department and not all the other laws of the state in their entirety.

"With that understanding, I'm going to vote for this bill."

The Clerk announced that S.B. No. 1760, 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. 1588:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 1588, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", was recommitted to the Committee on Economic Development.

Senate Bill No. 1096, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1096, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

Senate Bill No. 1097, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1097, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1098, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1098, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of

Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1099, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1099, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1100, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1100, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1101, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1101, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", 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. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1102, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1103, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1103, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1104, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1104, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1105, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1105, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1106, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1106, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1108, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1108, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Abercrombie, on behalf of Senators Cobb, Kawasaki and himself, introduced to the members of the Senate Mr. Buck Buchwach who was sitting in the Senate gallery.

The President then made the following remarks:

"The Chair would like to make several comments dealing with the scheduling of bills for floor action.

"As everyone knows, Monday is the deadline for decking of all bills and we would appreciate it very much if the chairmen of the respective committees would have their reports prepared sometime between Saturday and Sunday so as to allow the print shop sufficient time to produce the record number of bills that is anticipated to come out of the committees.

"More importantly, I ask the Senators to be available over the weekend for

signatures so the particular reports can be signed and sent down.

"The other request that the Chair would like to make. In order to avoid errors in the legal kinds of language that are necessary in all bills, we are asking the committee chairmen to first present their bills to the majority attorney's office for final check, for submittal to the Clerk

of the Senate."

ADJOURNMENT

At 1:00 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, March 12, 1979.

THIRTY-THIRD DAY

Monday, March 12, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Stanley Kain, Executive Director of the Hawaii Council of Churches, after which the Roll was called showing all Senators present with the exception of Senator Yee, who was excused.

The President announced that he had read and approved the Journal of the Thirty-Second Day.

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

Senator Ajifu introduced seventeen students from the fourth, fifth and sixth grades at Kapunahala Elementary School, with their teacher, Mrs. Betty Higa and parents, Mrs. Ann Murdoch and Mrs. Betty Poliahu.

Senator Kawasaki then introduced Mr. and Mrs. Larry Newfeld and Mr. and Mrs. Ted Burnstein from St. Louis, Missouri, escorted by Mr. Tin Yau Goo from Honolulu.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 120 to 147) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 120), transmitting House Bill No. 287, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 287, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 121), transmitting House Bill No. 603, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 122), transmitting House Bill No. 716, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 716, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 123), transmitting House Bill No. 1654, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1654, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 124), transmitting House Bill No. 82, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 125), transmitting House Bill No. 189, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 189, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 126), transmitting House Bill No. 340, H.D. 1, which passed Third Reading in the House of Representatives

on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 340, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACILITIES FOR THE ELDERLY", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 127), transmitting House Bill No. 349, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 349, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 128), transmitting House Bill No. 356, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 356, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONFORFEITURE OF EMPLOYMENT RIGHTS FOR ABSENCE REQUIRED BY NATIONAL GUARD DUTY", passed First Reading by title and was referred jointly to the Committee on Intergovernmental Relations and the Committee on Human Resources.

A communication from the House (Hse. Com. No. 129), transmitting House Bill No. 357, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 130), transmitting House Bill No. 384, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 384, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UTILIZATION OF WASTE HEAT", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 131), transmitting House Bill No. 402, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 132), transmitting House Bill No. 403, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, Roll Call vote having been requested, H.B. No. 403, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed First Reading by title and was referred to the Committee on Judiciary on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Yee).

A communication from the House (Hse. Com. No. 133), transmitting House Bill No. 404, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 134), transmitting House Bill No. 422, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 422, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 135), transmitting House Bill No. 562, H.D. 2, which passed Third Reading in the House of Representatives

on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 562, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEATH BENEFITS UNDER THE WORKERS' COMPENSATION LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 136), transmitting House Bill No. 671, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 671, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 137), transmitting House Bill No. 707, H.D. 2, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 707, H.D. 2, entitled: "A BILL FOR AN ACT INCREASING INDEMNITY BENEFITS PAYABLE UNDER THE HAWAII WORKERS' COMPENSATION ACT", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 138), transmitting House Bill No. 1104, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1104, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FUNERAL ESCORTS", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 139), transmitting House Bill No. 1216, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 1216, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 140), transmitting House Bill No. 1341, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1341, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 141), transmitting House Bill No. 1459, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1459, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 142), transmitting House Bill No. 1494, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1494, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 143), transmitting House Bill No. 1637, H.D. 1, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1637, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ASSIGNMENT OF THE AQUACULTURAL FUNCTION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 144), transmitting House Bill No. 1640, which passed Third Reading

in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 145), transmitting House Bill No. 1659, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT PERSONNEL", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Health.

A communication from the House (Hse. Com. No. 146), transmitting House Bill No. 1677, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1677, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 147), transmitting House Bill No. 1668, which passed Third Reading in the House of Representatives on March 9, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO THE SALE AND USE OF PESTICIDES", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

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

The Senate reconvened at 11:42 o'clock a.m.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO CONTINUE THE 3-ON-2 PROGRAM AT THE CURRENT LEVEL OF IMPLEMENTATION UNTIL JUNE 30, 1981 AND TO COMPLETE AN EVALUATION OF THE PROGRAM AT EACH INDIVIDUAL SCHOOL BY THAT DATE", was offered by Senator Campbell and was read by the Clerk.

By unanimous consent, S.C.R. No. 45 was referred to the Committee on Education.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 222 to 227) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 222), entitled: "SENATE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO CONTINUE THE 3-ON-2 PROGRAM AT THE CURRENT LEVEL OF IMPLEMENTATION UNTIL JUNE 30, 1981 AND TO COMPLETE AN EVALUATION OF THE PROGRAM AT EACH INDIVIDUAL SCHOOL BY THAT DATE", was offered by Senator Campbell.

By unanimous consent, S.R. No. 222 was referred to the Committee on Education.

A resolution (S.R. No. 223), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO SUBMIT A STATUS REPORT ON THE NURSING DEGREE PROGRAM OF THE UNIVERSITY OF HAWAII", was jointly offered by Senators Campbell, Young, Cobb, Takitani and Ushijima.

By unanimous consent, S.R. No. 223 was referred to the Committee on Higher Education.

A resolution (S.R. No. 224), entitled: "SENATE RESOLUTION RELATING TO THE APPLICATION OF ELECTRONICS DATA PROCESSING (EDP) TECHNIQUES BY DOE", was offered by Senator Campbell.

By unanimous consent, S.R. No. 224 was referred to the Committee on Education.

A resolution (S.R. No. 225), entitled: "SENATE RESOLUTION RELATING TO NATURAL HAZARD EVALUATION AND EARTHQUAKE PREDICTION", was jointly offered by Senators Campbell and Hara.

By unanimous consent, S.R. No. 225 was referred to the Committee on Economic Development.

A resolution (S.R. No. 226), entitled: "SENATE RESOLUTION CONGRATULATING

AND EXTENDING BIRTHDAY GREETINGS TO GOVERNOR GEORGE R. ARIYOSHI", was jointly offered by Senators Hara, Carpenter, Yim, Carroll, Abercrombie, Wong, Young, Kuroda, Soares, Toyofuku, Saiki, Yamasaki, Anderson, Ajifu, Campbell, Chong, George, Ushijima, Takitani, O'Connor, Cobb, Yee, Mizuguchi, Cayetano and Kawasaki.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 226 was adopted.

A resolution (S.R. No. 227), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE MOSES MOKE AHUNA AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HIS FAMILY", was jointly offered by Senators Hara, Carpenter, Chong, Takitani, Toyofuku, Cobb, Saiki, Soares, Campbell, Anderson, Abercrombie, Ushijima, Cayetano, Young, Yamasaki, Kawasaki, Ajifu, Yee, George and Kuroda.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 227 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 439), informing the Senate that Senate Concurrent Resolution No. 44, Senate Resolution No. 221 and Standing Committee Report Nos. 430 to 438 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 440), recommending that Senate Bill No. 578 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 578, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2 OF THE CONSTITUTION OF THE STATE OF HAWAII TO CHANGE AMENDMENT APPROVAL REQUIREMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

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

the State of Hawaii, the 48-hour notice was given on S.B. No. 578.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 441), recommending that Senate Bill No. 1739, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS".

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 442), recommending that the Senate advise and consent to the nomination of Valentine A. Siefertmann as Adjutant General, in accordance with Governor's Message No. 44.

By unanimous consent, action on Stand. Com. Rep. No. 442 and Gov. Msg. No. 44 was deferred until Tuesday, March 13, 1979.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 443), recommending that Senate Concurrent Resolution No. 6 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS", was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 444), recommending that Senate Concurrent Resolution No. 10 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report

(Stand. Com. Rep. No. 445), recommending that Senate Bill No. 10, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 10, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 446), recommending that Senate Bill No. 271 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 271.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 447), recommending that Senate Bill No. 49, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 49, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 448), recommending that Senate Bill No. 51, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 449), recommending that Senate Bill No. 436, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 436, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 450), recommending that Senate Bill No. 552, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 451), recommending that Senate Bill No. 678, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 678, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 452), recommending that Senate Bill No. 984, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 984, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HILO HOSPITAL".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 453), recommending that Senate Bill No. 1537 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1537, entitled: "A BILL FOR AN ACT RELATING TO KAPIOLANI CHILDREN'S MEDICAL CENTER".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 454), recommending that Senate Bill No. 1540, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 455), recommending that Senate Bill No. 1594, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1594, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION PERMIT FEES".

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 456), recommending that Senate Bill No. 744, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 744, S.D. 2, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 744, S.D. 2.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 457), 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 Toyofuku, seconded by Senator Hara and carried, the report of the majority of the Committee was adopted and S.B. No. 1400, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1400, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 458), recommending that Senate Bill No. 1414, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 1414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1414, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 459), recommending that Senate Bill No. 1330, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1330, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND AND VISUALLY HANDICAPPED PERSONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1330, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 460), recommending that Senate Bill No. 1390, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.B. No. 1390, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1390, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 461), recommending that Senate Bill No. 25, S.D. 1, as amended

in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 25, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX ASSESSMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVIII)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 462), recommending that Senate Bill No. 153, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 153, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 463), recommending that Senate Bill No. 179, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WITNESS EXPENSES BY THE PUBLIC PROSECUTOR OR COUNTY ATTORNEY, AND BY THE PUBLIC DEFENDER".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 464) recommending that Senate Bill No. 209, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 209, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 465), recommending that Senate Bill No. 399, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 466), recommending that Senate Bill No. 481, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 481, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 467), recommending that Senate Bill No. 538, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 538, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL AIR PATROL".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 468), recommending that Senate Bill No. 618, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 618, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 469), recommending that Senate Bill No. 659, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 470) recommending that Senate Bill No. 835, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 471) recommending that Senate Bill No. 1742, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1742, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 472) recommending that Senate Bill No. 1758, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1758, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS".

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 473) recommending that Senate Bill No. 86, 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 Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 86, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 86, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 474) recommending that Senate Bill No. 17, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 17, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 475) recommending that Senate Bill No. 31, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 31, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 476) recommending that Senate Bill No. 53, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 53, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE APPELLATE COURT (CONSTITUTIONAL AMENDMENTS OF ARTICLE VI)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 477) recommending that Senate Bill No. 108, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATURAL ENERGY INSTITUTE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 478) recommending that Senate Bill No. 400, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 479) recommending that Senate Bill No. 586, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF COUNTIES OF THE STATE OF HAWAII".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 480) recommending that Senate Bill No. 663, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 481) recommending that Senate Bill No. 1115, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1115, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 482) recommending that Senate Bill No. 1373, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 483) recommending that Senate Bill No. 1389, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 484) recommending that Senate Bill No. 1483, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1483, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE

PROGRAM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 485) recommending that Senate Bill No. 1546, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 486) recommending that Senate Bill No. 1721, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1721, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A TWENTIETH ANNIVERSARY HAWAII STATEHOOD CELEBRATION COMMITTEE".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 487) recommending that Senate Bill No. 1764, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 488) recommending that Senate Bill No. 1800, 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 Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF THE TAX LAWS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1800, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 489) recommending that Senate Bill No. 3, 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 Kawasaki and carried, the report of the Committee was adopted and S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 490), recommending that Senate Bill No. 411, 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.B. No. 411, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF OVERHEAD COSTS IN UNIVERSITY OF HAWAII GRANTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 411, S.D. 2.

ORDER OF THE DAY

THIRD READING

Standing Committee Report No. 423 (S.B. No. 52, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki 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 COMMISSION ON JUDICIAL DISCIPLINE AND RETIREMENT (CONSTITUTIONAL AMENDMENT OF ARTICLE VI)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 424 (S.B. No. 602, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 424 was adopted and S.B. No. 602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 425 (S.B. No. 615, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 425 was adopted and S.B. No. 615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 426 (S.B. No. 666, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 426 was adopted and S.B. No. 666, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 427 (S.B. No. 677, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 427 was adopted and S.B. No. 677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 428 (S.B. No. 1737, S.D. 1):

By unanimous consent, consideration

of Stand. Com. Rep. No. 428 on S.B. No. 1737, S.D. 1, was deferred to the end of tonight's calendar.

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 Bill No. 1422:

Senator Toyofuku moved that S.B. No. 1422 be recommitted to the Committee on Human Resources, seconded by Senator Yamasaki.

Senator Toyofuku then stated that the companion House Bill had just been received by the Senate.

The motion was put by the Chair and carried and S.B. No. 1422, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SERVICE", was recommitted to the Committee on Human Resources.

Senate Bill No. 276:

Senator O'Connor moved that S.B. No. 276, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then inquired if the Chairman of the Committee on Judiciary would yield to a question and Senator O'Connor replied in the affirmative.

Senator Abercrombie then asked,

"I want to make sure that I understand the penalty situation here because if I'm correct in my conclusion, I would like to be against the bill. Is the property damage section...\$5,000 to \$10,000...is it possible that a ten to twenty year sentence would be involved, and over \$10,000, twenty years to life? And in the theft section, over \$10,000 would be ten to twenty years, and over \$20,000, twenty years to life?"

Senator O'Connor replied that that was correct.

Senator Abercrombie then spoke against the bill as follows:

"Mr. President, the reasons here involve the movement from a class B felony to class A felony. I understand the reasoning of the committee report in the sense that there may be a degree to which victims of high loss crimes find themselves with the possibility that, once in court, the defendant may have a term quite

similar to that which is for a much lower loss in terms of property damage and/or theft.

"Frankly, the inflationary changes that take place now, although its beyond my range, it is not unusual for an automobile to cost \$10,000, even though by any stretch of the imagination, it's probably worth about three.

"To cause \$10,000 worth of property damage, let's say under circumstances which do not allow the judge the kind of discretion that would be involved ordinarily...I can just use the car example again--supposing someone in a fit of rage or something of that nature, destroys the \$10,000 or \$11,000 automobile. It might be one thing to be reckless driving and so on--that kind of business--and it may be an unfortunate circumstance, but I hardly think that it's the same kind of thing as a professional criminal who may be involved in something light, and yet the person would face twenty years to life for such a thing.

"I think when we start relating money figures, the dollar amounts, to sentencing, as opposed to the particular context of the crime in sentencing, I think we're moving away from a prudent and just contemplation of what our justice system should involve itself in. It moves away from the area in which such discretion as may now presently be involved with prosecution and with judges and with defense attorneys. Such plea bargaining, as may be in the interests of the people of the state, will be put into a totally skewed situation.

"I cannot see that property damage and theft, when you're using figures like \$10,000 and \$20,000, and translating that into twenty years to life, makes remote sense.

"I think that we are allowing ourselves to become enamored at that point then of an attempt to be more hard-nosed in the prosecution of subsequent sentencing of thieves and those who commit property damage. That may, in itself, be commendable, but to simply substitute a class A felony as if it could be easily translated back onto the money figures, which I have noted, are much too easily arrived at, given the inflationary circumstances that exist today.

"Mr. President, I think that to do that kind of thing is anathema to what we are trying to accomplish here in the state of Hawaii, in terms of correction."

Senator Kawasaki then rose on a point of inquiry and asked if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor

replied that he would.

Senator Kawasaki then proceeded,

"Mr. President, the question I have for the Chairman of the Judiciary Committee is this: In the case of the offender specifically charged with a theft of some item costing \$10,000 or over and having no material criminal history background, does the judge generally sentence him to a probation period and not just impose the maximum penalties provided by law?"

Senator O'Connor replied as follows:

"Mr. President, the answer under our sentencing statutes depends entirely upon the person's history. If the person does not have a criminal background and it is a one-time offense, usually probation is awarded by the court--absent some other circumstances that have to do with that individual crime."

The motion was then put by the Chair and carried and S.B. No. 276, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Cayetano). Excused, 2 (Ajifu and Yee).

Senate Bill No. 594, S.D. 1:

Senator O'Connor moved that S.B. No. 594, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then inquired if the Chairman of the Judiciary Committee would yield to several questions, to which Senator O'Connor replied that he would.

Senator Abercrombie then asked, "What is the exact relationship of the Department of Health to the Honolulu Police Department in relation to the Division of Narcotics and Dangerous Drug Control?"

Senator O'Connor replied as follows:

"The Division of Dangerous Drug Control in the Department of Health is an investigatory division which concerns itself primarily with pharmacists, medical practitioners and pharmaceutical houses and their thrust is the investigation and regulation of those organizations. They operate under the Department

of Health for historical reasons. They work as a quasi law enforcement organization, both with a federal branch which is of similar nature to the Attorney General's office and the Honolulu Police Department."

Senator Abercrombie then questioned further, "What precisely is the loophole that exists--that the bill addresses itself to?"

Senator O'Connor answered as follows:

"The loophole is that for certain kinds of drugs, none of the available amounts under our penal code definition fit--and probably, the best example is LSD. Directing your attention to the existing definition which is shown there in Section 712-1241, if you think of LSD, it is dispensed in dosage units, as opposed to capsules, tablets, ampules or syrettes. Therefore, the dosage unit is one which would be utilized for such drugs which are evidently becoming common on the market."

Senator Abercrombie then queried if marijuana or any of its derivatives are included in this, and would it be related to dosage unit.

Senator O'Connor replied, "I don't think we have a dosage unit of marijuana yet for any purpose. I believe the answer is no."

Senator Abercrombie noted as follows:

"Okay, the reason I asked that question is not that I was being facetious, but that there are now some concentrates and liquid form elements that are beginning to involve in with utilization of cannabis and I just wondered whether it had been considered or not."

Senator O'Connor said,

"This was not considered, Mr. President, and generally it was not the reason for the drafting of this particular measure."

Senator Abercrombie then spoke against the bill as follows:

"Mr. President, I would like to speak against the bill then, on the grounds that the elements described, using LSD as a particular individual example, I think take us in a direction opposite to which we should be going. This moves, what was previously unknown to me, the Department of Health into an area of further police work.

"In other words, the police network over our lives, the interference of the government with our lives, seems to be extending in the capacity for

elements of the state to exercise control over our lives in a way that can end up with our having to face criminal charges. It seems to be expanding, particularly in the areas of such as LSD and other compounds--more and more of which are coming into existence on a social basis; that is to say, within the community--angel dust, various and sundry compounds that may or may not have a beneficial usage, that is to say, they may alter one's perception or one's consciousness in some fashion which may or may not be detrimental to the individual.

"To continue to put these compounds into the criminal penalty category compounds in turn our inability to deal with the social ramifications and the individual ramifications for our children, for our young people and for those who find themselves for whatever reason, involved with these drugs.

"If they are in fact, as the statute indicates, dangerous drugs, doesn't it then seem at this stage of our history, that we should begin to regard them in terms of danger and with all of that implies on the social side, on the health side...these are health problems, these are social problems. And to think that we are going to solve these things by continuing to promote, as is also used in the title, 'criminal penalties', as if the mere imposition or threat of imposition of criminal penalties will in any way, shape or form deal with the social and individual ramifications involved in these drugs, I think is folly.

"If we continue this, all we continue to do is to deprive ourselves of the opportunity to see what is going on in our society in a realistic life. And we can move away having said 'we have done our job', and I can guarantee you, as someone who has had to deal with this problem from some years back and have viewed it then as professionally as well as from a continued interest point of view, I can guarantee you that we will continue to see our children victimized.

"We will continue to see people making money from these circumstances. We will continue to see our police departments corrupted and we will continue a situation in which we refuse to recognize the social and political and health realities by continuing to see the situation in a purely criminal light.

"The closest analogy I can make, and I beg your attention for this,

fellow Senators, is alcoholism. We used to treat alcoholism the same way--as a criminal offense to be dealt with by the police and in the drunk tanks at the jails. In recent years, we have come to regard it as a social and individual health problem which the police assist and aid health agencies in combatting, and we have seen a dramatic turn-around in the manner in which alcoholism is treated. A dramatic turn-around in the burden on the criminal justice system and a dramatic turn-around in the capacity and willingness of people to face up to the realities of their addiction of habituation to alcohol.

"I would maintain to you that the sooner we do this in relation to other drug addicting and habituating substances in our society, the sooner we will have the same kind of success as we have had in turning the tide on alcoholism and its treatment."

The motion was put by the Chair and carried and S.B. No. 594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Ajifu and Yee).

Senate Bill No. 599, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 599, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Senate Bill No. 614:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 614, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

At 12:10 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.

Senate Bill No. 275:

Senator O'Connor moved that S.B.

No. 275, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor then stated as follows:

"Mr. President, very briefly, Senate Bill No. 275 is proposed to bring up to date the wording of our pornography law, to fit the most recent United States Supreme Court case in this area which is Miller v. California, a Supreme Court case passed in 1973.

"The wording of the law which is replaced in this bill is wording which was taken from an earlier Supreme Court case and is both in the statement as can readily be seen from the portions of the bill that are taken out, difficult to follow and it is also difficult to use in court.

"The general context of this law has been found constitutional by our Hawaii Supreme Court in a recent case and with this wording which follows Miller v. California, we would anticipate that there will be no difficulty in prosecuting or in upholding the constitutionality of this pornographic law in the future in this state. Therefore, I would urge all members to vote in favor of this bill."

Senator Kawasaki then inquired if the Chairman of the Committee on Judiciary would yield to a question, to which Senator O'Connor replied that he would.

Senator Kawasaki then asked, "If this law passes, does it mean that some of these magazines (one magazine in particular) that doesn't seem to have much redeeming value in the way of artistic, scientific or whatever value you want to place on it, does it mean that the selling or vending of this particular magazine would be prohibited in the streets of Honolulu?"

Senator O'Connor answered, "It would mean that, if the magazine violated contemporary community standards and, of course that would be something that would have to be approved in court, it is not contemplated that just on the face of any material or document, that that material would automatically be pornographic. There would have to be a fact-finding by judge or jury to determine what a contemporary community standard was in the area and whether or not the document or book or whatever it is, violated that community standard."

Senator Abercrombie then spoke

against the bill as follows:

"Mr. President, I wish to speak against this bill and perhaps, in the process, I will ask some questions rhetorically, and if the Chairman of the Committee on Judiciary wishes to respond, he may.

"Mr. President, I think this is an extremely important question of the First Amendment, Freedom of Expression. I have in front of me, a copy of the Honolulu Star-Bulletin of Monday, March 12, 1979. It is the Features and Entertainment Section--Section B, and I am referring to page B-7.

"I will refer the members, in turn then, to the definition which you will now have for pornography, 'The average person, applying contemporary community standards, will find that taken as a whole, it appeals to prurient interest...it depicts or describes sexual conduct in a patently offensive way...' discusses 'serious literary, artistic, political, scientific merit.'

"Obviously, that's the kind of thing that can be debated one way or another. But some of the language that is left in, indicates...for example, on page three, 'it contains a photograph, drawing, or similar visual representation of any such person of age of puberty or older revealing such person with less than fully opaque covering of his or her genitals and pubic area, or depicting such person in a state of sexual excitement or engaged in acts of sexual conduct or sadomasochistic abuse.' And then goes on...'the average person applying...appeal to a minor's prurient interest.'

"The Aquarius Theater is advertised in the Honolulu Star-Bulletin and it indicates that 'America's newest Sweetheart is 99 44/100% pure! San Francisco porn with attractive smooth-skinned performances.' It indicates that 'Honey Pie is a great erotic movie. There's something for everyone.' It indicates that 'Double Exposure of Holly is an arousing and exciting' movie, 'Teenage Sex Kitten', 'Twice is Not Enough', 'Climax of Blue Power', 'Oriental Treatment.' There are pictures that associate with these theaters in the Star-Bulletin, which depict women in a state of sexual excitement. There is a story in the Star-Bulletin about Dolly Parton that is at least the...gives the indication of what might be called, in some circumstances, double entendre. Dolly Parton isn't all she appears to be and goes on to discuss Miss Parton's figure in relation to her talent.

"There are depictions in this Star-Bulletin of what can only be described

as sadomasochistic abuse. 'Snake Style vs Eagle Claw--Snake in the Eagle's Shadow' in which violent sadomasochistic, at least sadistic violence, is depicted.

"It seems to me that when you consider the Rendezvous Theater's presentation of 'Daring French Touch' plus 'Linda Can't Stop', at the very least, you are taking...making an attempt to appeal to prurient interest, whether of minors or not, and I point out to you that the Honolulu Star-Bulletin is available to any minor, for the sum of whatever the current price of HNA is.

"You are invited to come to the Esquire Theater and see an 'Act of Love' plus two movies.

"It would seem to me that under this statute, if it passes and is prosecuted on an across-the-board basis, equitably, fairly, not taking into consideration any particular personage and their status in life, that the editors of the Star-Bulletin or those who take responsibility for its publication, could and should be prosecuted under this statute. There is no question in my mind that this takes place. There is also no question in my mind that they should not be, but that's my view. It has always been my view, in respect of what is commonly termed pornography.

"I think when it comes to the abuse, sexual abuse of minors for profit--that is another situation. You bring that under the abuse laws, but when we are talking about the expression of speech in the United States of America and it involves matters which some people find offensive to their moral sensibilities, we have to be very careful when we impose the will and the authority of the state between the individuals' self-designation of what is proper and acceptable to him or to her and what is proper acceptable on a community basis.

"I think it would be the essence of hypocrisy for anyone who is concerned with the dissemination or display of what, in this definition, is pornographic material, to, at the same time, accept and not try to have prosecuted, the Honolulu Star-Bulletin.

"Now, I suppose I could have taken the Honolulu Advertiser, if I had it before me, and it probably would have similar ads that I could refer to. I can guarantee you that if you bring me this month's Honolulu magazine, that I will be able to almost at random, pick photographs, drawings or similar visual representations of

a person of the age of puberty or above depicted in a stage of sexual excitement and whether or not such commercial endeavors would be seen as having any serious literary artistic, political or scientific value, I think wouldn't be subject to much debate.

"These commercial advertisements are there for one thing and for one thing only, to stimulate and excite the imagination in such a way as to associate such sexual interests as might be aroused with the particular product that's involved.

"I think that most of the television stations in this state can be prosecuted similarly. I can cite for you chapter and verse what are known in the trade as 'soft core', soft core commercial that have as their object the exact things that are discussed here.

"I want to indicate also that I could take the newspaper, on almost any given day and in ads for Liberty House, J C Penney, McNerny and others, or the Sunday paper for Sears and others, show you persons depicted in such a manner that their buttocks, that the display...excuse me, I'm going to go back, the 'photograph, drawing, or similar visual representation...with less than fully opaque covering of... (the) genitals and pubic area', is a matter of course.

"For years and years and years, we have tried to define, and to take people to court, matters related to pornography. I recall when I was in school that it cost a small fortune to be able to see or to be able to get a copy of Henry Miller's 'Tropic of Capricorn, Tropic of Cancer', something that is now...available in the Salvation Army Stores for 19¢. Everytime we try to do this kind of thing, we end up abusing the Constitution of the United States; perhaps satisfying our own particular syndrome of belief, but doing violence to the essence of what the Constitution stands for, and worse, being hypocritical about it.

"If we're going to arrest, as the Vice Division of the Honolulu Police Department are doing right now, some poor guy taking tickets to try to supplement his income at one of the theaters that's a block away from this building, who probably has never seen the film that's being shown inside, and arrest that person as a purveyor of pornography, while at the same time allowing the Honolulu Star-Bulletin or the Hawaii Newspaper Agency to pander to our prurient interests such as they may be...and I realize that by the time my talk is finished everyone may have disappeared...but to allow that kind of public hypocrisy to take place, I

think demeans the legislative process.

"I know who's going to be prosecuted-- it's going to be the people who have the least to do with anything having to do with pornography; and the ones who have the most to make and the most to gain in terms of money will continue to do so, and what's worse, those who at least have the straightforward honesty, to say if you come in this store, you can buy this or this or this and take your choice, as a free person in the United States of America, and if you don't wish to, you don't have to come in. But, if I buy the Honolulu Star-Bulletin looking to try and find out when 'Zatoichi's Revenge' is on, I have to be subjected to the Yuclan Theaters and the Aquarius Theaters and the Lido Adult Theater and all the rest of it.

"Therefore, I would ask that the Chairman consider, at least, for the time being, recommitting this bill to study further, whether in fact, the change in our law will result in the kind of prosecutions that are indeed in the public interest in respect of pornography. Thank you."

Senator Kawasaki then spoke in favor of the bill as follows:

"Mr. President, I speak in favor of this bill and I agree with the Senator from the Sixth District about his opposition to the kind of ads that the two daily newspapers, in their mercenary fashion, continue to publish.

"I think many attempts have been made by individuals and organizations in this community to have newspapers do away with that type of ads. Apparently, nobody has succeeded as yet, and I think with the enactment of this bill, we may just be able to prosecute both newspapers and maybe this is the answer to abolishing what both Senator Abercrombie and I find very offensive in the entertainment pages.

"I certainly agree with him, but I think we differ on how we go about getting the two mercenary newspapers to do away with these ads and I think this bill might be the answer to that."

Senator Abercrombie then responded:

"Mr. President, I said I was subjected to them...I didn't say I found them offensive.

"My high hope, Mr. President, as a matter of fact, is that my prurient interests can be aroused till the day I die, which I hope will be some years down the road. I don't believe in such things as 'dirty old men', especially now that I've gone past the age of forty. What I believe is perhaps, old men who don't have sufficient opportunity. I hope not to be in that category. I hope that I can find Raquel Welsh...I notice in the paper that she was starring in 'Restless'...I hope I can be sufficiently restless when I reach my well deserved old age, to appreciate the prurient interest that can be associated with contemplating that woman.

"The fact of the matter is that I do not want to see the Star-Bulletin prosecuted for this and if this is going to be the result, I think my case is being made. If we pass this law...and we can send out a vigilante squad to determine what the newspapers can publish, in terms of their depictions and so on of photographs and that, we're moving right into the situation I'm talking about--where people are going to try and use this law that anytime they find something offensive to them individually, they're going to try to get prosecution and harass people and get them arrested, because it's something that's pornographic to them. And to other people it will not be; it will simply be something that is a delight to the eye and a stimulus to the psyche, not the Senator, I might say."

Senator O'Connor then added:

"Briefly, Mr. President, I'd like to point out that the previous speaker has confused the definition of 'pornographic' with the definition of 'pornographic for minors'. The second definition is a tougher definition and should be read separately as it applies to different areas of the law and different offenses. Generally speaking to the situation, these are the best definitions that can be put together today, in light of our United States Supreme Court decision and were we not to have these, we would have essentially, an unworkable and unintelligible pornographic law."

The motion was put by the Chair and carried, and S.B. No. 275, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Abercrombie and Chong). Excused, 2 (Ajifu and Yee).

Senate Bill No. 621, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 621, 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, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Senate Bill No. 671, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 671, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

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

The Senate reconvened at 12:33 o'clock p.m.

At 12:35 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 9:00 o'clock p.m., tonight.

NIGHT SESSION

The Senate reconvened at 9:45 o'clock p.m., with all Senators present, except Senators Takitani, Toyofuku, Yee and Young, who were excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 148 to 210) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 148), transmitting House Bill No. 55, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 55, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE PLANNING ACT", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 149), transmitting House Bill No. 57, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 57, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 150), transmitting House Bill No. 80, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 151), transmitting House Bill No. 92, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 92, H.D. 2, 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.

A communication from the House (Hse. Com. No. 152), transmitting House Bill No. 95, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 95, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 153), transmitting House Bill No. 98, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 98, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE

JUDICIAL SALARY COMMISSION", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 154), transmitting House Bill No. 182, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 182, 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 Public Utilities, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 155), transmitting House Bill No. 187, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 187, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 156), transmitting House Bill No. 286, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 157), transmitting House Bill No. 370, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 370, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUEL ENERGY CONSERVATION", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 158), transmitting House Bill No. 426, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 426, entitled: "A BILL FOR AN ACT RELATING TO CONTROL OF USERS OF CONTROLLED SUBSTANCES", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 159), transmitting House Bill No. 428, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 428, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 160), transmitting House Bill No. 430, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 430, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 161), transmitting House Bill No. 455, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 455, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 162), transmitting House Bill No. 461, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 461, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF SESSION LAWS", passed First Reading by title and was referred

to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 163), transmitting House Bill No. 479, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 479, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 164), transmitting House Bill No. 531, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 531, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 165), transmitting House Bill No. 556, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 556, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 166), transmitting House Bill No. 580, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H. B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 167), transmitting House Bill No. 581, which passed

Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 168), transmitting House Bill No. 596, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 596, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 169), transmitting House Bill No. 605, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 605, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 170), transmitting House Bill No. 606, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 606, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 171), transmitting House Bill No. 608, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 608, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 172), transmitting House Bill No. 610, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 610, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 173), transmitting House Bill No. 612, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 612, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 174), transmitting House Bill No. 614, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 614, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 175), transmitting House Bill No. 616, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 616, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 176), transmitting House Bill No. 687, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 687, 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 Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 177), transmitting House Bill No. 722, which passed First Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 178), transmitting House Bill No. 739, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 739, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 179), transmitting House Bill No. 740, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 740, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 180), transmitting House Bill No. 748, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 748, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 181), transmitting House

Bill No. 800, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 800, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A WASHINGTON PLACE OVERSIGHT COMMISSION", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 182), transmitting House Bill No. 995, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 995, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 183), transmitting House Bill No. 1143, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1143, 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.

A communication from the House (Hse. Com. No. 184), transmitting House Bill No. 1215, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1215, H.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

A communication from the House

(Hse. Com. No. 185), transmitting House Bill No. 1232, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1232, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 186), transmitting House Bill No. 1234, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1234, 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.

A communication from the House (Hse. Com. No. 187), transmitting House Bill No. 1313, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1313, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT FAMILY BOARDING HOMES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 188), transmitting House Bill No. 1394, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1394, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 189), transmitting House Bill No. 1401, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1401, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETENTION OF MEDICAL RECORDS", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 190), transmitting House Bill No. 1414, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1414, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 191), transmitting House Bill No. 1430, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1430, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ODOMETERS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 192), transmitting House Bill No. 1499, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1499, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 193), transmitting House Bill No. 1624, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1624, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN POSITIONS IN THE UNIVERSITY OF HAWAII", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 194), transmitting House Bill No. 1627, which passed Third Reading in the House of Representatives on March 12, 1979,

was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1627, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 195), transmitting House Bill No. 1631, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1631, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 196), transmitting House Bill No. 1633, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1633, entitled: "A BILL FOR AN ACT RELATING TO THE MANUFACTURING AND DISTRIBUTION OF COMMERCIAL FEEDS IN THE STATE OF HAWAII", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 197), transmitting House Bill No. 1636, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1636, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 198), transmitting House Bill No. 1638, H.D. 1, which passed First Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1638, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed First Reading by title and was referred to the Committee on Economic Development,

then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 199), transmitting House Bill No. 1645, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1645, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 200), transmitting House Bill No. 1648, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF NUTRITION PROGRAM ASSISTANTS", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 201), transmitting House Bill No. 1653, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1653, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF AGRICULTURAL AND VEGETABLE SEEDS", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 202), transmitting House Bill No. 1655, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1655, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 203), transmitting House Bill No. 1658, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 204), transmitting House Bill No. 1664, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1664, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BLIND AND VISUALLY HANDICAPPED PERSONS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 205), transmitting House Bill No. 1680, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1680, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 206), transmitting House Bill No. 1681, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1681, entitled: "A BILL FOR AN ACT RELATING TO NURSING", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 207), transmitting House Bill No. 1684, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried,

H.B. No. 1684, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 208), transmitting House Bill No. 1686, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1686, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 209), transmitting House Bill No. 1758, H.D. 2, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1758, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 210), transmitting House Bill No. 617, H.D. 1, which passed Third Reading in the House of Representatives on March 12, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Economic Development.

STANDING COMMITTEE REPORTS

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 491), recommending that Senate Bill No. 1303, as amended in S.D. 1, pass First Reading and be placed on the calendar for Second

and Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", passed First Reading and was placed on the calendar for Second Reading on Tuesday, March 13, 1979 and for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1303, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 492), recommending that Senate Bill No. 429, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 429, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING STANDARDS FOR PURCHASE OF SERVICES, GRANTS, AND SUBSIDIES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 493), recommending that Senate Bill No. 26, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 26, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VIII, SECTION 5)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 494), recommending that Senate Bill No. 19, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 494 and S.B. No. 19, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 495), recommending that Senate Bill No. 20, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 20, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 6)".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 496), recommending that Senate Bill No. 77, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 496 and S.B. No. 77, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 497), recommending that Senate Bill No. 117, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 497 and S.B. No. 117, S.D. 3, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 498), recommending that Senate Bill No. 181, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 499), recommending that Senate Bill No. 402, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENT TO THE CITY AND COUNTY OF HONOLULU UNDER SECTION 70-111, HAWAII REVISED STATUTES, FOR ADVANCES MADE BY IT FOR THE STATE'S SHARE OF THE COST OF IMPROVEMENTS ASSESSED AGAINST PUBLIC AND EXEMPT LANDS IN THE VARIOUS IMPROVEMENT DISTRICTS WITHIN THE CITY AND COUNTY OF HONOLULU AND MAKING APPROPRIATION THEREFOR".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 500), recommending that Senate Bill No. 601, S.D. 1, as amended in S.D. 2, pass Third Reading.

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

the State of Hawaii, the 48-hour notice was given on S.B. No. 601, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON MANPOWER AND FULL EMPLOYMENT".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 501), recommending that Senate Bill No. 754, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 754, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 502), recommending that Senate Bill No. 839, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 503), recommending that Senate Bill No. 1292, S.D. 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 503 and S.B. No. 1292, S.D. 1, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 504), recommending that Senate Bill No. 1611, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1611, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 505), recommending that Senate Bill No. 1771, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1771, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 506), recommending that Senate Bill No. 1329, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1329, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 507), recommending that Senate Bill No. 283, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 283, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 508), recommending that Senate Bill No. 393, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 393, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 393, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 509), recommending that Senate Bill No. 554, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 554, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 510), recommending that Senate Bill No. 587, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 587, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 587, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 511), recommending that Senate Bill No. 1051 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL OF THE DISCIPLINARY BOARD OF THE SUPREME COURT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1051.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 512), recommending that Senate Bill No. 1230 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and Roll Call vote having been requested,

S.B. No. 1230, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
Excused, 4 (Takitani, Toyofuku,
Yee and Young),

and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1230.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 513), recommending that Senate Bill No. 1677, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1677, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 514), recommending that Senate Bill No. 1682, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1682, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1682, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 515), recommending

that Senate Bill No. 483 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS".

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 516), recommending that S.B. No. 1494, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.B. No. 1494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LAND", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1494, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 517), recommending that Senate Bill No. 1588, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE".

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 518), recommending that Senate Bill No. 336, 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 Ushijima and carried, the report of the Committee was adopted and S.B. No. 336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 336, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 519), recommending that Senate Bill No. 1196 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1196, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1196.

Senators Carpenter and Cobb, for the Committees on Health and Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 520), recommending that Senate Bill No. 247, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the joint report of the Committees was adopted and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 247, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 521), recommending that Senate Bill No. 1535, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF AN EMERGENCY MEDICAL TRAINING SERVICES' LIST", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1535, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 522), recommending that Senate Bill No. 1548, as amended in S.D. 1, pass Second Reading and

be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1548, S.D. 1.

Senators Mizuguchi and Chong, for the Committee on Transportation and the Committee on Public Utilities, presented a joint report (Stand. Com. Rep. No. 523), recommending that Senate Bill No. 870, 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 Mizuguchi, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 870, S.D. 2.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 524), recommending that Senate Bill No. 868, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL AVIATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 868, S.D. 2.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 525), recommending that Senate Bill No. 1117 pass Second

Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1117.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 526), recommending that Senate Bill No. 608, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPULSORY ATTENDANCE OF SCHOOL CHILDREN", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 608, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 527), recommending that Senate Bill No. 609 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 609, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 609.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 528), recommending that Senate Bill No. 610 pass Second Reading and be placed on the calendar

for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 610, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 610.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 529), recommending that Senate Bill No. 931 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO RELIGIOUS HOLY DAYS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 931.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 530), recommending that Senate Bill No. 1059, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS".

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 531), recommending that Senate Bill No. 1518, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.B. No. 1518, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1518, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 532), recommending that Senate Bill No. 28, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 28, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF THE BOARD OF EDUCATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE X, SECTION 3)".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 533), recommending that Senate Bill No. 46, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 46, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 534), recommending that Senate Bill No. 172, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 535), recommending that Senate Bill No. 174 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 174, entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

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

the State of Hawaii, the 48-hour notice was given on S.B. No. 174.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 536), recommending that Senate 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 O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE TO DISPLACED PERSONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 176, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 537), recommending that Senate Bill No. 596, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROPERTY DAMAGE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 596, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 538), recommending that Senate Bill No. 639 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 639, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 639.

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 539), recommending that Senate Bill No. 670 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 670, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 540), recommending that Senate Bill No. 757 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE RECORDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 757.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 541), recommending that Senate Bill No. 1681, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1681, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 542), recommending that Senate Bill No. 1703, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1703, S.D. 1, entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", passed Second Reading and was placed on the calendar for Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1703, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 543), recommending that Senate Bill No. 1091, 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 Kawasaki and carried, the report of the Committee was adopted and S.B. No. 1091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1091, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 544), recommending that Senate Bill No. 1322, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 545), recommending that Senate Bill No. 710 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 710, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 546), recommending that Senate Bill No. 1492, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1492, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 547), recommending that Senate Bill No. 1727, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1727, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1727, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 548), recommending that Senate Resolution No. 78 be referred to the Committee on Judiciary.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 78, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was referred to the Committee on Judiciary.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 549), recommending that Senate Bill No. 849, 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 Kawasaki and carried, the report of the majority of the Committee was adopted and S.B. No. 849, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS FROM THE SALE OR EXCHANGE OF REAL PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III,

Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 849, S.D. 1.

Senators Ushijima and Yim, for the majority of the Committee on Intergovernmental Relations and the Committee on Economic Development, presented a joint report (Stand. Com. Rep. No. 550), recommending that Senate Bill No. 1003, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Ushijima, seconded by Senator Yim and carried, the joint report of the majority of the Committees was adopted and S.B. No. 1003, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1003, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 551), recommending that Senate Bill No. 286, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTSIDE EMPLOYMENT FOR PUBLIC EMPLOYEES".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 552), recommending that Senate Bill No. 451 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 553), recommending that Senate Bill No. 494, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE".

Senator O'Connor, for the Committee

on Judiciary, presented a report (Stand. Com. Rep. No. 554), recommending that Senate Bill No. 665, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 555), recommending that Senate Bill No. 893, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 893, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 556), recommending that Senate Bill No. 1043, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1043, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDED OF INTEREST IN CIVIL CASES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1043, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 557), recommending that Senate Bill No. 1049, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1049, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 558), recommending that Senate Bill No. 1284, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1284, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 559), recommending that Senate Bill No. 1324, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1324, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES".

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 560), recommending that Senate Bill No. 1415 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 1415, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1415.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 561), recommending that Senate Bill No. 1437, as amended in S.D. 1, pass Third Reading.

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

of Hawaii, the 48-hour notice was given on S.B. No. 1437, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 562), recommending that Senate Bill No. 1657, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1657, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 563), recommending that Senate Bill No. 83, 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 Chong 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 INTOXICATING LIQUORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 83, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 564), recommending that Senate Bill No. 84, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 84, S.D. 1.

Senator Cobb, for the majority

of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 565), recommending that Senate Bill No. 90, as amended in S.D. 1, pass First Reading and be placed on the calendar for Second and Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 565 and S.B. No. 90, 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. 566), recommending that Senate Bill No. 158, 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 Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 158, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 158, S.D. 2.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 567), recommending that Senate Bill No. 205 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 205, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 205.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 568), recommending that Senate Bill No. 212, 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 Chong and carried, the

report of the Committee was adopted and S.B. No. 212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXICABS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 212, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 569), recommending that Senate Bill No. 557 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE VEHICLE INDUSTRY LICENSING ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 557.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 570), recommending that Senate Bill No. 581, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 571), recommending that Senate Bill No. 652, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 652, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 652, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 572), recommending that Senate Bill No. 691 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 691.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 573), recommending that Senate Bill No. 692 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 692, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 692.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 574), recommending that Senate Bill No. 694 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 694, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 694.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 575), recommending that Senate Bill No. 695, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 695, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 695, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 576), recommending that Senate Bill No. 696, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 696, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 577), recommending that Senate Bill No. 697 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 697, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 697.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 578), recommending that Senate Bill No. 698 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 698.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 579), recommending that Senate Bill No. 784, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 784, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 580), recommending that Senate Bill No. 881, 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 Chong 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 CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

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

of Hawaii, the 48-hour notice was given on S.B. No. 881, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 581), recommending that Senate Bill No. 885 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 885, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 885.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 582), recommending that Senate Bill No. 922 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 922, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 922.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 583), recommending that Senate Bill No. 923 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 923.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 584), recommending that Senate Bill No. 924, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 924, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 585), recommending that Senate Bill No. 946 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF MOTOR VEHICLE REPAIRS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 946.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 586), recommending that Senate Bill No. 1116, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING CONTESTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1116, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and

Commerce, presented a report (Stand. Com. Rep. No. 587), recommending that Senate Bill No. 1188, 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 Chong and carried, the report of the majority of the Committee was adopted and S.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1188, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 588), recommending that Senate Bill No. 1278, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROOFING CONTRACTOR GUARANTEE BONDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1278, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 589), recommending that Senate Bill No. 1315 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1315, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1315.

Senator Cobb, for the Committee

on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 590), recommending that Senate Bill No. 1375, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1375, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 591), recommending that Senate Bill No. 1428, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1428, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 592), recommending that Senate Bill No. 1435 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1435.

Senator Cobb, for the Committee on Consumer Protection and Commerce,

presented a report (Stand. Com. Rep. No. 593), recommending that Senate Bill No. 1438, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1438, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 594), recommending that Senate Bill No. 1439, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1439, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1439, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 595), recommending that Senate Bill No. 1440, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1440, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1440, S.D. 1.

Senator Cobb, for the Committee

on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 596), recommending that Senate Bill No. 1441, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1441, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 597), recommending that Senate Bill No. 1634, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 598), recommending that Senate Bill No. 1752, 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 Chong and carried, the report of the Committee was adopted and S.B. No. 1752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1752, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 599), recommending that Senate Bill No. 1769, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on S.B. No. 1769, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS".

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 600), recommending that Senate Bill No. 1778, as amended in S.D. 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 600 and S.B. No. 1778, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 601), recommending that Senate Bill No. 168, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb 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 GRAND JURY PROCEEDINGS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 168, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 602), recommending that Senate Bill No. 273 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 273.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 603), 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 O'Connor,

seconded by Senator Cobb 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 SENTENCING", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 182, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 604), recommending that Senate Bill No. 1241 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1241, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1241.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 605), recommending that Senate Bill No. 1238, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1238, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 606), recommending that Senate Bill No. 1339 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1339, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTION FOR DAMAGES BASED ON

CONSTRUCTION TO IMPROVE REAL PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1339.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 607), recommending that Senate Bill No. 1510, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1510, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY GUARDS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1510, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 608), recommending that Senate Bill No. 1680, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1680, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 609), recommending that Senate Bill No. 1702, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HORIZONTAL

PROPERTY REGIMES: QUIET TITLE ACTIONS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 610), recommending that Senate Bill No. 889, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 611), recommending that Senate Bill No. 1184 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1184, entitled: "A BILL FOR AN ACT RELATING TO STATE COURT RECEIVERSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1184.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 612), recommending that Senate Bill No. 1191 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1191, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1191.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 613), recommending that Senate Bill No. 1539, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

EXCEPTION TO LIABILITY".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 614), recommending that Senate Bill No. 1650, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1650, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1650, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 615), recommending that Senate Bill No. 32, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 32, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 2)".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 616), recommending that Senate Bill No. 446, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 617), recommending that Senate Bill No. 919, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", passed Second Reading and was

placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 919, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 618), recommending that Senate Bill No. 1333, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 619), recommending that Senate Bill No. 1161, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1161, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 620), recommending that Senate Bill No. 390, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 390, S.D. 1, entitled: "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", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 390, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 621), recommending that Senate Bill No. 522, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 522, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 622), recommending that Senate Bill No. 664, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 623), recommending that Senate Bill No. 891 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 891, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 624), recommending that Senate Bill No. 1042, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

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

the State of Hawaii, the 48-hour notice was given on S.B. No. 1042, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 625), recommending that Senate Bill No. 1169, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.B. No. 1169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1169, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 626), 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 O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and S.B. No. 1218, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1218, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 627), recommending that Senate Bill No. 1282 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1282, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 628), recommending that Senate Bill No. 1591 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1591, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 629), recommending that Senate Bill No. 632 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO ADULT THEATERS, BOOKSTORES, AND CABARETS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 630), recommending that Senate Bill No. 1323, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1323, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH".

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 631), recommending that Senate Bill No. 1328, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 631 and S.B. No. 1328, 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. 632), recommending that Senate Bill No. 1516, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 632 and S.B. No. 1516, S.D. 1, was deferred to the end of the calendar.

At 9:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:22 o'clock p.m.

ORDER OF THE DAY

MATTER DEFERRED FROM EARLIER IN THE DAY

Standing Committee Report No. 428 (S.B. No. 1737, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 428 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then offered the following amendment to S.B. No. 1737, S.D. 1:

"SECTION 1. Section 4 of S.B. No. 1737, S.D. 1, is amended to read as follows:

1. By amending lines 15 to 18 to read: "[said] such benefits are not controverted[,] in the employer's initial report of industrial injury or the employee has not reached medical stabilization or the employee has not falsely reported the claim," "

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the amendment was adopted.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1737, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION".

At 11:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 494 (S.B. No. 19, S.D. 2):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 19, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SPENDING LIMITATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 5)".

At 11:26 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.

Standing Committee Report No. 496 (S.B. No. 77, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 496 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then offered the following amendment to S.B. No. 77, S.D. 2:

"Section 3 of S.B. No. 77, S.D. 2 is amended to read as follows:

'SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000, or so much thereof as may be necessary, for the purposes of establishing the agricultural park revolving fund.' "

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the amendment was adopted.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 77, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS".

At 11:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:35 o'clock p.m.

Standing Committee Report No. 497 (S.B. No. 117, S.D. 3):

Senator George moved that Stand. Com. Rep. No. 497 be received and placed on file, seconded by Senator Anderson and carried.

Senator George then offered the following amendment to S.B. No. 117, S.D. 3:

"1. Section 1 of S.B. No. 117, S.D. 3 is amended to read as follows:

(1) Amend line 1 on page 7 of the bill by deleting the word 'primary' and substituting the word 'general'.

(2) Amend line 23 on page 7 of the bill to read: 'beginning on the day of the general election of'

2. Section 2 of S.B. No. 117, S.D. 3 is amended to read as follows:

(1) Amend line 14 on page 8 of

the bill by deleting the word 'primary' and substituting the word 'general'.

(2) Amend line 22 on page 8 of the bill by deleting the word 'primary' and substituting the word 'general'."

Senator George moved that the amendment be adopted, seconded by Senator Anderson.

Senator George then spoke for the amendment as follows:

"Mr. President, I was somewhat surprised to see, after having followed the course of this bill with some interest in its progress through the Senate, that this bill proposes to change the date of election of the members of the Board of Education from the date of the General Election to the date of what I like to call a 'nominating primary'. The date that we sometimes refer to as the primary election is, of course, as all of us know, not an election at all. I urge all to vote aye on the amendment."

The motion was put by the Chair and carried and the amendment was adopted.

Senator George then offered the following amendment to S.B. No. 117, S.D. 4:

"1. Section 3 of S.B. No. 117, S.D. 4 is amended to read as follows:

(1) Amend line 11 on page 11 of the bill to read: 'assignment; vacancies. All qualified political parties'

(2) Amend line 12 on page 11 of the bill to read: 'shall submit names for precinct officials to the'

(3) Amend line 17 on page 11 of the bill to read as follows: 'any party shall fail to submit the required' "

Senator George moved that the amendment be adopted, seconded by Senator Anderson.

Senator George then spoke for the adoption of the amendment as follows:

"Mr. President, in this particular case, I was particularly astonished and filled with some wonderment that there has been a total massive change in our whole system of selection of clerks to serve as precinct officials during an election.

"As all of you know, having probably voted from time to time, the political parties are entitled to nominate the precinct officials who serve to assist voters in voting in the various elections. Never, to my knowledge, has anyone ever discussed with me, although they may have discussed with someone else,

the possibility that these precinct officials be nominated by candidates to office. Historically, they have always been offered by the party.

"I sat down and doodled some numbers and it develops that in a fairly average precinct, as many as forty-six precinct officials would turn up to be paid by the state, to officiate in precincts, if they were to be named by the qualified candidates as provided for on page 11 of this bill.

"I therefore urge that we accept this amendment which I have offered, which would revert the language of the bill back to its original bill and do things the way we have always done them.

"Thank you, Mr. President."

The motion was put by the Chair and carried and the amendment was adopted.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 117, S.D. 5, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION".

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

The Senate reconvened at 11:41 o'clock p.m.

Standing Committee Report No. 503 (S.B. No. 1292, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 503 and S.B. No. 1292, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 565 (S.B. No. 90, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 565 and S.B. No. 90, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 600 (S.B. No. 1778, S.D. 1):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES: QUALIFICATION: LICENSES: FEES: TITLE: EXISTING LICENSED NURSES: VERIFICATION OF LICENSES".

At 11:42 o'clock p.m., the Senate

stood in recess subject to the call of the Chair.

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

RECONSIDERATION OF ACTION TAKEN

Standing Committee Report No. 489 (S.B. No. 3, S.D. 1):

Senator Cayetano moved that the Senate reconsider its action taken during the morning session on Stand. Com. Rep. No. 489 and S.B. No. 3, S.D. 1, seconded by Senator Kawasaki and carried.

Senator Cayetano moved that Stand. Com. Rep. No. 489 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano moved that S.B. No. 3, S.D. 1, pass Second Reading, seconded by Senator Kawasaki.

Senator Cayetano then offered the following amendment to S.B. No. 3, S.D. 1:

"SECTION 1. Section 15 of Senate Bill No. 3, S.D. 1, is amended by deleting lines 8 through 22 on page 48 in their entirety.

SECTION 2. Sections 16, 17, 18, 19, 20 and 21 are renumbered as Sections 15, 16, 17, 18, 19 and 20 respectively."

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the amendment was adopted.

The motion to pass S.B. No. 3, S.D. 1, as amended in S.D. 2, on Second Reading was put by the Chair and carried.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS".

Standing Committee Report No. 630 (S.B. No. 1323, S.D. 1):

Senator O'Connor moved that the Senate reconsider its action taken earlier in this evening's session on Stand. Com. Rep. No. 630 and S.B. No. 1323, S.D. 1, seconded by Senator Cobb and carried.

Senator O'Connor moved that Stand. Com. Rep. No. 630 be received and placed on file, seconded by Senator

Kawasaki and carried.

Senator O'Connor then offered the following amendment to S.B. No. 1323, S.D. 1:

"1. Amend page 2, line 3 of the bill in its entirety and add the following: 'sulting physician, [who shall be a neurologist or' "

Senator O'Connor moved that the amendment be adopted, seconded by Senator Cobb.

Senator Soares then inquired if the movant would explain the amendment.

Senator O'Connor explained, "Mr. President, it was a bracket which adopted a queer ratio situation and inverted itself in the typewriter. We are reinverting the bracket the other way, to make sense."

The motion to adopt the amendment was put by the Chair and carried.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1323, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH".

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 631 (S.B. No. 1328, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 631 and S.B. No. 1328, S.D. 1, was deferred to the end of the calendar.

At 11:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Standing Committee Report No. 632 (S.B. No. 1516, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 632 be adopted and S.B. No. 1516, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Chong.

Senator Carroll then moved that Stand. Com. Rep. No. 632 be received and placed on file, seconded by Senator Soares.

The motion was put by the Chair

and failed to carry on the following showing of Ayes and Noes:

Ayes, 5. Noes, 15 (Abercrombie, Anderson, Campbell, Carpenter, Cayetano, Chong, Cobb, Hara, Kawasaki, Kuroda, Mizuguchi, O'Connor, Yamasaki, Yim and Wong). Excused, 5 (Takitani, Toyofuku, Ushijima, Yee and Young).

At 11:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

The motion to adopt Stand. Com. Rep. No. 632 and pass S.B. No. 1516, S.D. 1, on Second Reading was put by the Chair and carried, and Stand. Com. Rep. No. 632 was adopted and S.B. No. 1516, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1516, S.D. 1.

At 11:53 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock p.m.

Standing Committee Report No. 503 (S.B. No. 1292, S.D. 1):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUFFRAGE AND ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTIONS 5 AND 6)".

Standing Committee Report No. 565 (S.B. No. 90, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 565 and S.B. No. 90, S.D. 1, be recommitted to the Committee on Consumer Protection and Commerce, seconded by Senator Chong.

The motion was put by the Chair and carried, and Roll Call vote having been requested, Stand. Com. Rep. No. 565 and S.B. No. 90, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", were recommitted to the Committee on Consumer Protection and Commerce on the following showing

of Ayes and Noes:

Ayes, 18. Noes, 2 (Carroll and George). Excused, 5 (Takitani, Toyofuku, Ushijima, Yee and Young).

Standing Committee Report No. 631 (S.B. No. 1328, S.D. 1):

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 631 was adopted and S.B. No. 1328, 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 Wednesday, March 14, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1328, S.D. 1.

At this time, Senator Abercrombie introduced to the members of the Senate three members of the House of Representatives--Representatives Tony Kunimura, Jack Suwa and Charles Ushijima.

ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, March 13, 1979.

THIRTY-FOURTH DAY

Tuesday, March 13, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Donald Johnson, Lutheran Church of Honolulu, after which the Roll was called showing all Senators present, with the exception of Senators Cayetano and Yee, who were excused.

The President announced that he had read and approved the Journal of the Thirty-Third Day.

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

Senator Abercrombie introduced Mr. Young Suk Ko, an old and dear friend who was of tremendous assistance to him during his days at the University of Hawaii; who has remained a supporter and one who has enriched his life all these years.

Senator Abercrombie also introduced a group of 50 students from McKinley High School's Immigrant Students Class, accompanied by their teacher Mr. Richard Emerson, Ms. Joan Ho and Mr. Dong Jin Lee, teachers' aides.

Senator Chong, on behalf of the Senators from the Sixth Senatorial District, introduced 80 fifth grade students from Lincoln School and their teachers Mrs. Diane Minami, Mrs. Dorothy Goo and Mrs. Miyeko Saito, accompanied by Mrs. Carolyn Dickinson and Mrs. Trees Wieffering, parents.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 104 and 105) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 104), transmitting the State Tourism Plan and the Report of the Tourism Plan Advisory Committee, prepared by the Department of Planning and Economic Development, pursuant to Chapter 226, HRS, was referred to the Committee on Tourism.

A message from the Governor (Gov. Msg. No. 105) transmitting the Annual Report - October 1, 1977 - September 30, 1978, prepared by the Executive Office on Aging, Office of the Governor, was referred to the Committee on Human Resources.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 46 to 48) were read by the

Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 46), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING GOVERNOR GEORGE ARIYOSHI TO DECLARE THE WEEK OF MAY 6-13 AS 'HAWAII GIFTED AND TALENTED CHILDREN'S WEEK'", was jointly offered by Senators Chong, Campbell, Soares, Abercrombie, Mizuguchi, Young, Carpenter, George, Kuroda, O'Connor, Anderson, Carroll, Kawasaki, Takitani, Cayetano, Yim, Saiki and Wong.

On motion by Senator Chong, seconded by Senator Campbell and carried, S.C.R. No. 46 was adopted.

A concurrent resolution (S.C.R. No. 47), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO THE WORKERS' COMPENSATION PROGRAM", was jointly offered by Senators Toyofuku, Hara, Takitani, Ushijima, Chong, Abercrombie, Kuroda, Kawasaki, Cayetano, Young, Carpenter, Soares, O'Connor, Yamasaki, Ajifu, Yee, Campbell and Anderson.

By unanimous consent, S.C.R. No. 47 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 48), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF THE STATUTES, PROGRAMS, AND RESOURCE REQUIREMENTS OF THE OFFICE OF CHILDREN AND YOUTH", was jointly offered by Senators Toyofuku, Takitani, Young, Carpenter, Kuroda, Mizuguchi, Ushijima, Soares, Hara, O'Connor, Yamasaki, Kawasaki, Yee and Anderson.

By unanimous consent, S.C.R. No. 48 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 228 and 233) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 228), entitled: "SENATE RESOLUTION REQUESTING GOVERNOR GEORGE ARIYOSHI TO DECLARE THE WEEK OF MAY 6-13 AS 'HAWAII GIFTED AND TALENTED CHILDREN'S WEEK'", was jointly offered by Senators Chong, Campbell, Soares, Abercrombie, Mizuguchi, Ushijima, Takitani, Anderson, George, Yamasaki, Wong, Kuroda, Cobb, Carroll, Toyofuku, Young, Hara, Carpenter, Kawasaki,

O'Connor, Yim, Ajifu and Saiki.

On motion by Senator Chong, seconded by Senator Campbell and carried, S.R. No. 228 was adopted.

A resolution (S.R. No. 229), entitled: "SENATE RESOLUTION RECOGNIZING THE WEEK OF MARCH 18TH THROUGH 24TH AS POISON PREVENTION WEEK", was jointly offered by Senators Saiki, Ajifu, Campbell, Chong, Takitani, Carpenter, Yim, Yee, Cobb, Young, Yamasaki, Kuroda, Hara, Toyofuku, Anderson, Cayetano, Kawasaki, Ushijima and George.

On motion by Senator Saiki, seconded by Senator Ajifu and carried, S.R. No. 229 was adopted.

A resolution (S.R. No. 230), entitled: "SENATE RESOLUTION REAFFIRMING THE COMMITMENT OF THE HAWAII STATE SENATE TO HAWAII'S CHILDREN AND YOUTH AND COMMENDING THE NONPUBLIC SECTOR SOCIAL AGENCIES FOR THEIR PLEDGE OF SUPPORT", was jointly offered by Senators Toyofuku, Young, Cobb, Carpenter, Kuroda, Mizuguchi, Ushijima, Takitani, Soares, Anderson, Abercrombie, Hara, O'Connor, Yamasaki, Kawasaki, Yee, Saiki, Campbell and George.

On motion by Senator Toyofuku, seconded by Senator Young and carried, S.R. No. 230 was adopted.

A resolution (S.R. No. 231), entitled: "SENATE RESOLUTION REQUESTING AN EXEMPTION FROM THE AVERAGE WAGE PROVISIONS FOR CERTAIN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PARTICIPANTS", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Young, Carpenter, Kuroda, Mizuguchi, Ushijima, Soares, Hara, O'Connor, Yamasaki, Kawasaki, Yee, Saiki and Campbell.

By unanimous consent, S.R. No. 231 was referred to the Committee on Human Resources.

A resolution (S.R. No. 232), entitled: "SENATE RESOLUTION REQUESTING REVIEW OF LEGISLATIVE REFERENCE BUREAU STUDY REPORTS PERTAINING TO HUMAN SERVICES INTEGRATION AND ECONOMIC ASSISTANCE PROGRAMS FOR NEEDY OLDER PERSONS", was jointly offered by Senators Toyofuku, Young, Cobb, Carpenter, Kuroda, Mizuguchi, Ushijima, Takitani, Abercrombie, Soares, Hara, O'Connor, Yamasaki, Kawasaki, Yee, Saiki, George, Campbell and Anderson.

By unanimous consent, S.R. No. 232 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 233), entitled:

"SENATE RESOLUTION RECOGNIZING THE ONE HUNDRED TWENTY-NINTH YEAR OF BASEBALL IN HAWAII AND RECOGNIZING AND COMMENDING THE FOUNDERS, SUPPORTERS, AND PARTICIPANTS OF THE HAWAII MAJOR BASEBALL LEAGUE AT ITS REUNION TO BE HELD ON MARCH 16, 1979", was jointly offered by Senators Wong, Cobb, Yim, Abercrombie, Takitani, Kuroda, Mizuguchi, Kawasaki, Hara, Soares, Cayetano, Toyofuku, Yamasaki, Young, Chong, Carpenter, Anderson, Ajifu, George, Campbell, O'Connor, Saiki and Carroll.

On motion by Senator Kawasaki, seconded by Senator Yim and carried, S.R. No. 233 was adopted.

At this time, Senator Kawasaki introduced to the members of the Senate Mr. Ted Kaneda, President of the Hawaii Major Baseball League, who was presented with a lei by Senator Young and a copy of the resolution by Senator Kawasaki.

At 11:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 633), informing the Senate that Senate Concurrent Resolution No. 45, Senate Resolution Nos. 222 to 227 and Standing Committee Report Nos. 440 to 632 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

SECOND READING

Senate Bill No. 1303, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1303, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, March 14, 1979.

MATTER DEFERRED FROM MARCH 12, 1979

Standing Committee Report No. 442 (Gov. Msg. No. 44):

Senator Ushijima moved that Stand. Com. Rep. No. 442 be received and

placed on file, seconded by Senator Kuroda and carried.

At 11:20 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 o'clock a.m.

Senator Ushijima then moved that the Senate advise and consent to the nomination of Valentine A. Siefermann as Adjutant General, term to expire December 6, 1982, seconded by Senator Kuroda.

At this time, Senator Kuroda rose to speak in favor of the appointment as follows:

"Mr. President, I rise to speak in favor of the appointment of General Siefermann.

"I suspect that another Senator may speak in favor of General Siefermann, but he will have a conflict of interest.

"I used to be a member of the National Guard; and in my long association with the reserve component, I have not heard the kind of favorable statements made about an adjutant general as the statements that have been made for General Siefermann. He is described to be a soldier's general, an airman's general and when the most important people, who count, make statements like that, it is a high attribute to an individual.

"General Siefermann is described to be a working general and I agree with these comments and urge that this Senate unanimously vote for the advise and

consent of General Siefermann. Thank you."

Senator Carpenter then added as follows:

"Mr. President, may I just add that in addition to being a soldier's general and an airman's general, yours truly considers him to be a sailor's general as well."

Roll Call having been ordered, the motion to advise and consent to the nomination of Valentine A. Siefermann as Adjutant General, term to expire December 6, 1982, was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cayetano and Yee).

MISCELLANEOUS COMMUNICATION

A communication from Wilson P. Cannon, Jr., Chairman of the Board and Chief Executive Officer of Bank of Hawaii, (Misc. Com. No. 14) acknowledging receipt of the Senate resolution and comments concerning the Bank's role in the production of "Damien", was read by the Clerk and was placed on file.

ADJOURNMENT

At 11:26 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 14, 1979.

THIRTY-FIFTH DAY

Wednesday, March 14, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Seiko Okahashi of the Honpa Hongwanji Mission, Hawaii Betsuin, after which the Roll was called showing all Senators present with the exception of Senator Yee, who was excused.

The President announced that he had read and approved the Journal of the Thirty-Fourth Day.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Legislative Auditor (Dept. Com. No. 9), transmitting a report entitled, "Status Report on the Implementation of Job Sharing in the Department of Education", was read by the Clerk and was referred to the Committee on Education.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 211), transmitting House Concurrent Resolution No. 123, which was adopted by the House of Representatives on March 13, 1979, was read by the Clerk and was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING CENTRAL PACIFIC BANK ON ITS TWENTY-FIFTH ANNIVERSARY OF SERVICE TO HAWAII'S PEOPLE", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 234 to 239) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 234), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR AND UTILIZE THE MAXIMUM AMOUNT OF FUNDS AVAILABLE FOR THE CONSTRUCTION OF BIKEWAYS UNDER SECTION 134 OF THE FEDERAL AID HIGHWAY ACT OF 1976", was jointly offered by Senators Carroll, George, Mizuguchi, Young, Ajifu, Ushijima, Cobb, Saiki, Hara, Takitani, Campbell, Chong, Kuroda, Carpenter and Toyofuku.

By unanimous consent, S.R. No. 234 was referred to the Committee on Transportation.

A resolution (S.R. No. 235), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A BICYCLE SAFETY EDUCATION PROGRAM", was jointly offered by Senators Carroll, George, Mizuguchi, Cobb, Young, Carpenter, Ushijima, Toyofuku, Hara, Takitani, Chong and Ajifu.

By unanimous consent, S.R. No. 235 was referred to the Committee on Education.

A resolution (S.R. No. 236), entitled: "SENATE RESOLUTION CONGRATULATING THE WAIPAHU HIGH SCHOOL MARAUDERS BASKETBALL TEAM FOR WINNING THE OAHU INTERSCHOLASTIC ASSOCIATION BASKETBALL CHAMPIONSHIP", was jointly offered by Senators Young, Cayetano, Kuroda, Mizuguchi, Yamasaki, Abercrombie, Chong, Ushijima, Carpenter, Cobb, Takitani, Campbell, Hara, Saiki, Ajifu, George, Kawasaki and Toyofuku.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 236 was adopted.

A resolution (S.R. No. 237), entitled: "SENATE RESOLUTION CONGRATULATING NAOMI TAMASHIRO FOR RECEIVING THE BAUSCH & LOMB AWARD", was jointly offered by Senators Young, Kuroda, Cayetano, Mizuguchi, Hara, George, Chong, Yamasaki, Kawasaki, Soares, Ajifu, Toyofuku, Takitani, Carpenter, Abercrombie, Campbell and Ushijima.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 237 was adopted.

A resolution (S.R. No. 238), entitled: "SENATE RESOLUTION CONGRATULATING PAUL K. SHIMIZU FOR RECEIVING THE OUTSTANDING CIVILIAN SERVICE AWARD FROM THE UNITED STATES ARMY", was jointly offered by Senators Young, Cayetano, Carpenter, Kuroda, Abercrombie, Yamasaki, Takitani, Chong, Cobb, Campbell, Ushijima, Hara, Saiki, Ajifu, George, Kawasaki and Toyofuku.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 238 was adopted.

A resolution (S.R. No. 239), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING STAN MORIOKA, OAHU INTERSCHOLASTIC ASSOCIATION WESTERN DIVISION BASKETBALL COACH OF THE YEAR FOR 1979", was jointly

offered by Senators Young, Cayetano, Kuroda, Mizuguchi, Yamasaki, Abercrombie, Hara, Cobb, Campbell, Ushijima, Saiki, Chong, Carpenter, George, Takitani, Kawasaki, Toyofuku and Ajifu.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 239 was adopted.

At 11:20 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 REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 634), informing the Senate that Senate Concurrent Resolution Nos. 46 to 48 and Senate Resolution Nos. 228 to 233 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of a House Bill which had been received on Thursday, March 8, 1979:

House Bill Referred to:

No. 1104,
H.D. 1 Committee on Intergovernmental
Relations, then to the Committee
on Consumer Protection and Commerce,
then to the Committee on Judiciary

The President then made the following re-referral of House Bills which had been received on Monday, March 12, 1979:

House Bill Referred to:

No. 384,
H.D. 1 Committee on Ecology,
Environment and Recreation

No. 426 Jointly to the Committee
on Health and the Committee on Judiciary

No. 556 Committee on Consumer
Protection and Commerce, then
to the Committee on Judiciary

No. 1341 Committee on Housing

and Hawaiian Homes, then to the Committee on Judiciary

No. 1401,

H.D. 1 Jointly to the Committee on
Health and the Committee on Judiciary

No. 1668 Committee on Ecology,
Environment and Recreation, then
to the Committee on Ways and Means

No. 1677 Committee on Ecology,
Environment and Recreation

THIRD READING

Senate Bill No. 578:

Senator O'Connor moved that Senate Bill No. 578, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Toyofuku then asked for a ruling of the Chair as to a possible conflict of interest as follows:

"Mr. President, there are several bills that we will be considering today that relate to insurance. I am the owner of an independent insurance agency. We do not have any rate-making authority as such; we don't have any policy determination, as such; but I do sell the product. Will I be permitted to vote?"

The President replied that there was no conflict and Senator Toyofuku was allowed to vote.

The motion was put by the Chair and carried, and S.B. No. 578, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2 OF THE CONSTITUTION OF THE STATE OF HAWAII TO CHANGE AMENDMENT APPROVAL REQUIREMENT", 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,
1 (Yee).

Standing Committee Report No. 441
(S.B. No. 1739, S.D. 1):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 441 and S.B. No. 1739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", were recommitted to the Committee on Economic Development.

Standing Committee Report No. 445
(S.B. No. 10, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 445 be adopted and S.B. No. 10, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carroll then spoke for the motion as follows:

"Mr. President, I rise to speak in favor of this measure with grave reservations.

"Mr. President, the Constitutional Convention passed an amendment which says that any elected public officer shall resign from that office before being eligible as a candidate for another public office, if the term of the office sought begins before the end of the term of the office held. According to, as least to the Legislative Reference Bureau, no legislative action was required with respect to this amendment.

"In spite of that fact, your Senate Judiciary Committee prepared a bill which is before us today as Senate Bill No. 10, S.D. 1.

"In the original bill, there were certain defects which made that particular measure constitutionally unfavorable.

"Your Senate Judiciary Committee has addressed a number of possible changes I had raised earlier privately on this matter but I would still like to have it entered into the Journal so that at least the ramifications are known to the members of this Body before they vote on this measure and also for the future.

"Now there are several questions that really need to be answered with respect to this measure and with the Con-Con amendment itself. One of these is, what is the state objective sought to be gained by our statute? Are we creating a rational relationship to that objective? Are the provisions reasonable and not arbitrary and are all persons in similar circumstance treated alike?

"Now at the same time that we talk about the command of the 14th Amendment, we also have to consider the law with respect to constitutional amendments and there is a quote which states that with respect to an amendment, that here as always, we enter upon a consideration of the validity of a constitutional amendment after its adoption by the people with every presumption in its favor.

"The question is not whether

it is possible to condemn the amendment but whether it is possible to uphold it and we shall not condemn it unless in our judgment, the rationality is manifest beyond a reasonable doubt.

"Now the reason that I mention the language of the constitutional amendment is because of the fact that we have got to consider the statute in terms of the framework of the constitutional amendment and that has been attempted with Senate Draft 1.

At 12:02 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.

Senator Carroll continued:

"Mr. President, this bill in fact infringes on what we traditionally consider 1st and 14th Amendment rights. I would like to review the legal problems with this measure in connection with the new committee report on the bill which does attempt to justify the measure from a constitutional standpoint.

"Now, first of all, the Standing Committee Report begins by citing the State Ex. rel. Davis v. Adams for the broad proposition that 'the form of S.D. 1 generally follows the concepts of the Florida "resign to run" statute which sustained a successful constitutional challenge in the Supreme Court of Florida.'

"Now, Davis was a Florida Supreme Court case, but it dealt only with the question of whether a local county sheriff could be forced to resign in order to run for the U.S. House.

"The more appropriate case from that jurisdiction which could have been cited is Holley v. Adams which construed the Florida resign to run statute as to state office. Now, both Holley and Davis were handed down in 1970 prior to several U.S. Supreme Court decisions concerning state restrictions on elections and candidates, which should provide the analytical framework for a constitutional review of this measure before us.

"Now, the Florida Supreme Court's lack of benefit of the more recent U.S. Supreme Court cases is obvious to the extent that the Court in Holley cited administrative costs of special elections as a major reason for upholding the resign to run law. In Craig v. Boren and Bullock v. Carter, the U.S. Supreme Court cases which were handed down in 1977 and 1972 respectively, the U.S. Supreme Court has held that

administrative costs could not be used to justify governmental restrictions on constitutionally protected activities.

"Now, moreover, a review of the Holley case shows an almost complete lack of analysis of the resign to run law from a constitutional viewpoint.

"The remaining discussion on page 2 of our Standing Committee Report pertains to the issue of whether a resign to run statute can be applied to candidates for Federal office. The Standing Committee Report correctly concludes that a state statute may not place such restrictions on candidates for Federal office and I certainly concur in the deletion of such a provision. Now this correction incidentally bears no relationship to the constitutional infirmity as it relates to candidates for State or county office.

"Now, moving to page 3 of the Standing Committee Report, the report cites Deeb v. Adams, Morial v. Judiciary Commission of Louisiana, and Perry v. St. Pierre, for the proposition that resign to run laws have been upheld against constitutional challenges as applied to state offices. Morial and Perry are good cases to cite to the extent that they are cases which were decided after the U.S. Supreme Court cases of Bullock and Broadrick, and I accept them on that basis.

"Now Morial and Perry are clearly distinguishable from the case at hand and from this statute in that Morial deals with judges and, of course we do not have elected judges, and Perry deals with civil service personnel. The only case handed down after the U.S. Supreme Court pronouncements in Bullock, Broadrick, and Letter Carriers, is Barry v. District of Columbia. Applying the analytical framework that's established by the recent U.S. Supreme Court decisions, the court in Barry found that the resign to run provision in Washington, D.C.'s statute is in violation of the First Amendment of the right to political association and activity rights and equal protection rights as well.

"The Standing Committee Report finishes by listing four state interests which might justify this intrusion into constitutionally protected areas. It recites: (a) continuity in office; (b) the policy of Patterson v. Burns which is a Hawaii case which states that elective office should be filled by election rather than by appointment; (c) it talks about the reasons which

are expressed in Morial with respect to judges; and (d) it talks about devotion to duty as expressed in the Con-Con committee report.

"Now reasons (a) and (d), i.e. continuity in office and devotion to duty, were effectively disposed of in the Barry case. I cite from the Barry case at page 1254, in which that federal judge stated that continuity and devotion to duty are promoted only to the extent that the statute may deter office-holders from running in the middle of their term.

"The deterrent effect, however, is speculative, at best, and is belied by Barry's own determination to run, regardless of the decision in this case. Moreover, any deterrent effect that does exist, operates against the public interest, by reducing the pool of best qualified candidates available to run for the district's highest office.

"With seventeen of the city's twenty-six elected officials constrained this year by the challenged provision, such a reduction cannot be termed diminimus and they go on to overthrow the statute which set up that requirement.

"Now, in the Morial case and I'd like to just mention this language...and this language also is not complete within the committee report but I think it should be noted...is that, and this is at page 302 of 565 Federal Report Second, and it states that the state's interest in their relation to the resign to run rule, now granted, this is regarding judges rather than elected officials, but the language is important here.

"Having determined that Louisiana's resign to run rule must meet the test of reasonable necessity, we now turn to the articulation of the state's interest to see whether the rule is reasonably necessary to effectuate those interests.

"Louisiana vigorously defends the resignation requirement as a measure designed to insure the actual and perceived integrity of state judges.

"The specific evils targeted are three. First, the state wishes to prevent abuse of the judicial office by a judge candidate during the course of the campaign. The state also wishes to prevent abuse of the judicial office by judges who have lost their electoral bids and return to the bench. Finally, Louisiana asserts an interest in eliminating even the appearance of impropriety by judges both during and after the campaign.

"I do not say, Mr. President, that these totally parallel the purposes

which are set forth in our Standing Committee Report, but that language is at least supportive.

"Patterson v. Burns which is cited in the standing committee report really is not applicable to this bill which is before us today--I just want to note that. And reason three, which is the justification set forth in Morial is distinguishable as I have noted.

"Now, finally, I realize that there may have been an attempt to narrow this measure and bring it within constitutionally acceptable limits by delaying the effective date of the resignation. And while this may address one of the concerns raised in Barry, it does not take care of the many other problems which are discussed in the Barry case, and I would commend that to anyone's reading who is perhaps considering challenging this statute.

"Now, for example, the equal protection violation created by resign to run provision and a staggered term system, which has also been mandated here for the Senate at least, is not remedied. If anything, this bill will aggravate the equal protection problem by creating three separate classes, that is two separate classes, of elected officials, along with the existing class of all other persons wishing to run.

"Now, the Barry case is a Washington, D.C. case decided by a federal judge at the trial court level. So, as far as I am concerned, and I hasten to add this, I do not feel and I think I'm correct that, the mandates or the conclusions raised there, are not binding on us, but they certainly are clearly indicators of how, at least one federal judge is thinking.

"Now, the Constitutional Convention has spoken and the matters which I have addressed here, and, Mr. President, I would not take this much time to speak on the subject matter if I felt that the Constitutional Amendment itself did not contain some of the infirmities which I have addressed here...

"I believe that this law is subject to attack. In spite of that fact, I think that the purpose, the idea of having persons resign from public office is well taken; and I think that the people of this state knew what they wanted when they asked for this particular measure to be passed by the Constitutional Convention. So with those reservations regarding the law, I ask that all vote 'aye'. Thank you."

Senator O'Connor then spoke in favor of the measure as follows:

"Mr. President, I'm not going to repeat the learned arguments of my brother Senator across the aisle, nor am I going to talk legally. I rise to speak in favor of this measure.

"Anyone who wanted to argue federal cases or state cases or anything like that, should have appeared before the Constitutional Convention. Our job is to take a Constitutional Amendment which was approved by the voters, and make some sense out of it.

"This bill which is before the Body this morning, is simply a bill to take an existing constitutional mandate which has not been challenged constitutionally by anyone, and turn it into a statute which is logical, straight-forward and make some sense.

"Mr. President, your Judiciary Committee has, therefore, taken the constitutional mandate and set up a pattern of resignations prior to running, which will insure that incumbents will be able to fill out the length of their existing terms and that people who take office, as the result of election, will have an office to step into, where resignation has been filed, if the incumbent in fact ran for some other office. With the patterns established by the bill, the common sense area of the elections will be taken care of and hopefully, the constitutional mandate will not evaporate in the next election in 1980 for want of direct and specific guideline established by this legislature.

"It is important that this measure is passed in this year, so that those people who presently hold public office, can anticipate what they should do, if they desire to run for some other office where the terms overlap in the 1980 election.

"For these reasons, I would urge all to vote in favor of this measure. Thank you."

Senator Carpenter then spoke in opposition to the measure as follows:

"Mr. President, I rise to speak against the measure.

"On simple common logic, at least my logic, in that I believe that this measure essentially denies the freedom of choice, freedom of speech, denies the possibility of the best candidate availability to the voters for whatever office the candidate might hold himself for, limits the field; and as I see it, any limitation imposed to the public,

in terms of elected office is a limitation on the democracy and the kind of government that we have.

"I cannot help but feel that the compelling interest that had been expressed in the report today, are not really compelling at all; and that we need not enact this particular piece of legislation, if indeed, we are to say that the voters of Hawaii are not akamai enough to make the kind of choice for public office, as I believe they can and have in the past and certainly will in the future.

"I believe that even if this measure does not pass on this floor today, that the Lieutenant Governor of the State of Hawaii has more than adequate power to make a ruling to speak to the issue as put forth by the voters in the Constitutional Amendment.

"I believe that the voters erred in making this recommendation and erred further in requiring that this recommendation be carried forth in the manner in which it is set down on paper today.

"Mr. President, I would like to reiterate my position in speaking against this measure. Thank you."

Senator Kuroda then spoke for the measure as follows:

"Mr. President, I do agree with the previous speaker with regards to the need for the people to assert themselves and make their choices known. However, the time has passed for them to do so. When the Constitution decreed that the candidate must resign from the office, we have no choice but to follow that, and if we don't have a measure of this type that delineates and a specific, as to what candidates must do and will do, we're going to find ourselves in a big 'chop suey' when the time comes for the next election. Thank you."

Senator O'Connor then responded as follows:

"Mr. President, in brief response to those in this Body who are opposed to resignation in total, I might say that some members of this Body might recall that in earlier years, I stood out as one who objected to this idea entirely and had some late night and very nasty encounters with a few members of this Body over that issue, when other bills were discussed many years ago.

"However, we do have a constitutional

mandate and I want to insure that everyone understands that the law which is before them will fall together with this constitutional mandate if a mandate is challenged in court and declared unconstitutional. There's a specific provision in the law which would then make the entire law unconstitutional simultaneously.

"So, if the matter is challenged, if there's any law suit and its found to be unconstitutional, then the matter that we are voting on this morning, will go with it.

"Thank you."

Senator Abercrombie spoke in opposition to the measure as follows:

"Mr. President, I thought a long time about whether I should do it or not and I've concluded that by referring to my past legislative experience, it would be hypocritical for me to vote for something that I believe is unconstitutional.

"I don't denigrate in the least, the efforts of the Judiciary Committee to take as its functioning premise that it should take the constitutional amendments such as they are, from the past election and attempt to enact legislation which would enable essentially...enabling legislation which would put them into the force of law required.

"In this particular instance...as I believe that the people of the country cannot vote away their rights, for example, the first ten amendments to the Constitution...I believe it is unconstitutional to vote away, that you could not take a referendum on whether you wanted to get rid of freedom of speech and if that was--if it came out in the majority--why that's what we would do--get rid of freedom of speech.

"I do not think that it is right for a legislator who believes sincerely that there is something about to be passed which is unconstitutional to do so, even if there was a mandate in the sense of a vote having been taken...if it is your own conclusion that something is unconstitutional. In this particular instance, I believe it is unconstitutional and I think it is the obligation of every free man and woman in the United States of America not to have their thoughts made up for them by the legal profession or by judges or by the institutions. That is to say, unless and until a judicial rendering is made to put one's conscience and one's beliefs in advance, I do believe there will be a challenge to this law, should it pass; and I do believe that it would

succeed.

"I believe that there is no way on earth that the Judiciary Committee can write a bill which will in fact succeed and meet the Federal constitutional requirements.

"One further point...in the past we have had arguments, very deep-seated, emotionally-charged arguments, that have taken place over what is constitutional and not constitutional in respect of certain legislation which has appeared before both bodies, just within the past session.

"People voted at that time as to whether they thought something was constitutional or not. That was the basis upon which much of this vote took place. One need only refer to the so-called residency bills to see this argument being made. I see no difference philosophically...I concluded there's no difference philosophically, if I believe something to be unconstitutional, even if it was popular, I feel I must vote against it.

"The same applies here--even if something is unconstitutional and it is popular, if I believe it to be unconstitutional and it is popular, even to the point of having been voted on by a majority of the people voting as having done, having their approval. If I then, subsequently, am required to vote on legislation in respect of it, and I still believe it to be unconstitutional; by weight of conscience, I must vote against it.

"Given these premises, that's why I recommend a 'no' vote."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 445 was adopted and S.B. No. 10, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIGNATION FROM PUBLIC OFFICE (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 7)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Anderson, Carpenter and Yamasaki). Excused, 1 (Yee).

Senate Bill No. 271:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 271, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", having been read throughout, passed Third Reading on the following showing of Ayes

and Noes:

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

Standing Committee Report No. 447 (S.B. No. 49, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 447 was adopted and S.B. No. 49, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VI AND XVIII)", 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, 1 (Yee).

Standing Committee Report No. 448 (S.B. No. 51, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 448 was adopted and S.B. No. 51, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 449 (S.B. No. 436, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 449 was adopted and S.B. No. 436, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEFERRED COMPENSATION PLANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 450 (S.B. No. 552, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 450 was adopted and S.B. No. 552, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (Yee).

Standing Committee Report No.
451 (S.B. No. 678, S.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 451
and S.B. No. 678, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
STATE HIGHWAY FUND", were recommitted
to the Committee on Ways and Means.

Standing Committee Report No.
452 (S.B. No. 984, S.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 452
was adopted and S.B. No. 984, S.D.
1, entitled: "A BILL FOR AN ACT
RELATING TO HILO HOSPITAL", having
been read throughout, passed Third
Reading on the following showing
of Ayes and Noes:

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

Standing Committee Report No.
453 (S.B. No. 1537):

Senator Cayetano moved that
Stand. Com. Rep. No. 453 be adopted
and that S.B. No. 1537, having been
read throughout, pass Third Reading,
seconded by Senator Kawasaki.

Senator O'Connor then stated
that he might have a conflict of
interest on this measure as he was
a member of the Board of Directors
of the old Kapiolani Hospital and
asked to be excused from voting
on the bill.

The President replied that Senator
O'Connor would be excused from voting.

The motion was put by the Chair
and carried, and Stand. Com. Rep.
No. 453 was adopted and S.B. No.
1537, entitled: "A BILL FOR AN ACT
RELATING TO KAPIOLANI CHILDREN'S
MEDICAL CENTER", having been
read throughout, passed Third Reading
on the following showing of Ayes
and Noes:

Ayes, 23. Noes, none. Excused,
2 (O'Connor and Yee).

Standing Committee Report No.
454 (S.B. No. 1540, S.D. 1):

By unanimous consent, consideration
of Stand. Com. Rep. No. 454 and S.B.
No. 1540, S.D. 1, was deferred to

the end of the calendar.

Standing Committee Report No. 455 (S.B.
No. 1594, S.D. 2):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and carried,
Stand. Com. Rep. No. 455 was adopted
and S.B. No. 1594, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
AIR POLLUTION PERMIT FEES", having
been read throughout, passed Third
Reading on the following showing of
Ayes and Noes:

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

Senate Bill No. 744, S.D. 2:

On motion by Senator Toyofuku,
seconded by Senator Hara and carried,
S.B. No. 744, S.D. 2, entitled: "A
BILL FOR AN ACT RELATING TO PUBLIC
OFFICERS AND EMPLOYEES", was
recommitted to the Committee on Human
Resources.

Senate Bill No. 1400, S.D. 1:

By unanimous consent, consideration
of S.B. No. 1400, S.D. 1, was deferred
to the end of this evening's calendar.

Senate Bill No. 1414, S.D. 1:

By unanimous consent, consideration
of S.B. No. 1414, S.D. 1, was deferred
to the end of the calendar.

Senate Bill No. 1330, S.D. 1:

On motion by Senator Toyofuku,
seconded by Senator Yamasaki and carried,
S.B. No. 1330, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO BLIND
AND VISUALLY HANDICAPPED PERSONS",
having been read throughout, passed
Third Reading on the following showing
of Ayes and Noes:

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

Senate Bill No. 1390, S.D. 1:

On motion by Senator Toyofuku,
seconded by Senator Yamasaki and carried,
S.B. No. 1390, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO TEMPORARY
DISABILITY INSURANCE", having been
read throughout, passed Third Reading
on the following showing of Ayes and
Noes:

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

Standing Committee Report No. 461
(S.B. No. 25, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 461 be adopted and S.B. No. 25, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor then spoke against the motion as follows:

"Mr. President, as this bill went from the Judiciary Committee to the Ways and Means Committee, there was a provision in it that stated that the central tax map function provided by the State Tax Office, was not one of the functions which would be transmitted to the counties under this constitutional amendment. I, for one, believe strongly that that should be the situation.

"The Ways and Means Committee has amended the bill indicating that that function would, in fact, be part of the functions to be given to the counties. I, for one, believe that this state, from a real property standpoint and the management of real property, would be tied up in a knot when the four counties have their own tax map function, their own ability to assign tax map key numbers to properties and the entire management of that area.

"For that reason, Mr. President, I'm going to vote 'no' against this bill, as I believe that is clearly indicated by the change made by the Ways and Means Committee. I firmly and strongly believe that this is an area of government where we're going to just take a terrible beating as a result of this type of interpretation of the constitutional change suggested by the Constitutional Convention and mandated by the people."

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Cayetano then responded as follows:

"Mr. President, in response to Senator O'Connor's remarks, first, I'd like to say that as a practical matter, I certainly agree with the similar problems that he has raised. However, the Con Con amendment states and I quote, 'all functions, powers and duties relating to the taxation of real property shall be exercised exclusively by the counties.' This function that Senator O'Connor referred to, is considered a function which is related to the taxation of real property and we cannot separate

that from the rest of the functions which are being transferred."

Senator Carpenter then spoke against the motion as follows:

"Mr. President, I'd like to speak against the measure. I believe that while the Constitution may speak to the uniform real property tax assessment as being something that has to be enjoined by a majority, if not all of the political subdivisions of the state, the very fact that we do not, in effect, give the counties the full and real authority of the real property taxes, continues to conflict with the various county general plans and does not allow them to proceed on a course that would meet the priorities that each of them have set up in their own county general plans.

"I'd like to suggest that this bill be recommitted since there's no real urgency. The remanding of the real property tax picture to the counties, does not take place for quite a number of years to come and can be discussed with each of the individual counties during an interim period to ensure that we're not going on a collision course--the State Plan with the various county plans."

Senator Cayetano responded as follows:

"Mr. President, in response to Senator Carpenter's remarks, may I state that the language on page one of the bill, under section 246, 'Uniform Real Property Tax Assessment', is taken directly out of the Constitutional Convention amendments itself and to recommit this bill and put it up for further study would really do, in my view, no good--we're just prolonging the inevitable."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 461 was adopted and S.B. No. 25, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAX ASSESSMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVIII)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 5 (Carpenter, Carroll, Hara, O'Connor and Saiki). Excused, 1 (Yee).

Standing Committee Report No. 462 (S.B. No. 153, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 462 be adopted and S.B. No. 153, S.D. 2, having been read throughout, pass Third Reading.

Senator O'Connor then stated as follows:

"Mr. President, this bill amends a section of the Hawaiian Homes Act, Section 214. Article XI, Section 3 of the State Constitution, does not allow us to amend that Section. I would like to place this matter on the record and we have agreed that we will bring it to the attention of the House."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 462 was adopted and S.B. No. 153, 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, 24. Noes, none. Excused, 1 (Yee).

Standing Committee Report No. 463 (S.B. No. 179, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 463 was adopted and S.B. No. 179, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF WITNESS EXPENSES BY THE PUBLIC PROSECUTOR OR COUNTY ATTORNEY, AND BY THE PUBLIC DEFENDER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 464 (S.B. No. 209, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 464 be adopted and S.B. No. 209, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke against the motion as follows:

"Mr. President, earlier this year, there were a number of bills introduced which would have eliminated the payment of free no-fault insurance for welfare recipients. This particular measure provides that not more than one vehicle per public assistance unit will be insured and it provides further that some latitude will be given to the Department of Social Services regarding the necessity for other vehicles.

"Now, I have great sympathy for our citizens who are in need

and I think we have an obligation and a duty to take care of these citizens. But, at the same time, I do not see any reason to aggrandize the situation which essentially creates a class of citizens who are able to drive when other persons who are actually paying the taxes to, in effect, allow these people their particular mode of life to have means and modes of transportation that are not even available to them.

"And, Mr. President, I refer specifically to many people who live in Waikiki and are not able to afford the luxury of operating an automobile, not only the insurance, but the simple operation. And in this particular case, some of these families, because of medical necessity, have to have them, and for these people I say we must make this provision. But to arbitrarily, across the board, allow even one automobile to be given free insurance coverage by the tax dollars of the rest of the citizenry is not right.

"Mr. President, I realize this is a compromise measure. It's one that I do not think is correct, and it's one that I urge that everyone would vote 'no' on. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 464 was adopted and S.B. No. 209, S.D. 2, 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, 21. Noes, 3 (Carroll, Hara and Soares). Excused, 1 (Yee).

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Soares then inquired of the Chair if it were possible for him to reconsider his action on the vote on S.B. No. 209, S.D. 2.

The President replied that the vote had been taken and announced, therefore, the vote could not be changed.

Senator Soares then stated, "Mr. President, just for the record, I want to note that the stirring speech that I have next to me here, convinced me that I vote 'no' with him, and I should have voted 'aye' with me."

At 12:48 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.

Standing Committee Report No. 465 (S.B. No. 399, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 465 and S.B. No. 399, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 466 (S.B. No. 481, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 466 was adopted and S.B. No. 481, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused 2 (Ajifu and Yee).

Standing Committee Report No. 467 (S.B. No. 538, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 467 was adopted and S.B. No. 538, 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, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 468 (S.B. No. 618, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 468 and S.B. No. 618, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 469 (S.B. No. 659, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 469 and S.B. No. 659, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", were

recommitted to the Committee on Ways and Means.

Standing Committee Report No. 470 (S.B. No. 835, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 470 and S.B. No. 835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 471 (S.B. No. 1742, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 471 was adopted and S.B. No. 1742, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 472 (S.B. No. 1758, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 472 and S.B. No. 1758, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", were recommitted to the Committee on Ways and Means.

Senate Bill No. 86, S.D. 1:

By unanimous consent, consideration of S.B. No. 86, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 474 (S.B. No. 17, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 474 was adopted and S.B. No. 17, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION, (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 475 (S.B. No. 31, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried,

Stand. Com. Rep. No. 475 was adopted and S.B. No. 31, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 476 (S.B. No. 53, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 476 was adopted and S.B. No. 53, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE APPELLATE COURT (CONSTITUTIONAL AMENDMENTS OF ARTICLE VI)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 8 (Abercrombie, Anderson, Carpenter, Chong, Cobb, Kawasaki, Soares and Yim). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 477 (S.B. No. 108, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 477 and S.B. No. 108, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 478 (S.B. No. 400, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 478 and S.B. No. 400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", were recommitted to the Committee on Ways and Means.

At 12:55 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.

Standing Committee Report No. 479 (S.B. No. 586, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 479 be adopted and S.B. No. 586, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke in favor of the motion as follows:

"Mr. President, in supporting this bill, I would like to have entered into the record that perhaps the executives of each county should note that the Ways and Means Committee this year has taken a very statesmanlike attitude on this perennially controversial bill that has come to the Ways and Means Committee.

"I would hope that the executives in each county and particularly the City and County of Honolulu, will demonstrate statesmanship in return to justify our position in forwarding in behalf of this bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 479 was adopted and S.B. No. 586, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF COUNTIES OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Hara). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 480 (S.B. No. 663, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 480 and S.B. No. 663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 481 (S.B. No. 1115, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 481 was adopted and S.B. No. 1115, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 482 (S.B. No. 1373, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 482 was adopted and S.B. No. 1373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 1 (Yim). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 483 (S.B. No. 1389, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 483 was adopted and S.B. No. 1389, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 484 (S.B. No. 1483, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 484 was adopted and S.B. No. 1483, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 485 (S.B. No. 1546, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 485 was adopted and S.B. No. 1546, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 486 (S.B. No. 1721, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 486 was adopted and S.B. No. 1721, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A TWENTIETH ANNIVERSARY HAWAII STATEHOOD CELEBRATION COMMITTEE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson

and George). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 487 (S.B. No. 1764, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 487 be adopted and S.B. No. 1764, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke against the bill as follows:

"Mr. President, I signed the Standing Committee Report emanating from the Ways and Means Committee 'I do not concur' and I expect to vote 'no' on this bill, primarily because I'm at a loss to find any compelling reason for us to put this immigrant services program under the Governor's Office.

"We have had two bills designed to remove some of these sub-agencies and sub-programs from the Governor's Office (quote) 'for administrative purposes only'--two bills designed to remove these agencies from the Governor's Office into the relevant agencies, like the Department of Social Services and Housing, the Department of Health, etc., primarily on the premise that the Governor has enough to do without having to oversee the program administration of some of these sub-agencies, and I am at a loss to find that all of a sudden this bill puts immigrant services under the Governor's Office.

"Now, Mr. President, if the Governor or the administration desires not to be criticized on the premise that they're using some programs for political purposes, then I think it behooves the executive and the administration, not to do a reverse move here when the trend is established to free the Governor of some of these small agency programs.

"As I said, Mr. President, I see no compelling reason as to why immigrant services with all that it entails, is to be put under the Governor's Office and I am very vehemently opposed to this move."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 487 was adopted and S.B. No. 1764, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE IMMIGRANT SERVICES CENTER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Kawasaki and Soares). Excused, 3 (Ajifu, Carroll and Yee).

Senate Bill No. 1800, S.D. 1:

On motion by Senator Soares, seconded by Senator Kawasaki and carried, S.B. No. 1800, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF THE TAX LAWS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Carroll and Yee).

Senate Bill No. 411, S.D. 2:

On motion by Senator Abercrombie, seconded by Senator Kawasaki and carried, S.B. No. 411, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DISTRIBUTION OF OVERHEAD COSTS IN UNIVERSITY OF HAWAII GRANTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Ajifu, Carroll and Yee).

At 1:08 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:30 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 454 (S.B. No. 1540, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 454 was adopted and S.B. No. 1540, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Saiki). Excused, 2 (Carroll and Yee).

Senate Bill No. 1414, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 1414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING IN PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki). Excused, 2 (Carroll and Yee).

Senate Bill No. 86, S.D. 1:

Senator Cobb moved that S.B. No. 86, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator O'Connor then spoke against the measure as follows:

"Mr. President, I rise to speak against this bill. My opposition to this measure is not short-lived; it's not the result of lobbying efforts in this particular session or adherence to any group or anything of that nature. I have dealt with this measure for seven years, starting in the House of Representatives and continuing through this year in the Senate. This is a proposal for commercial multi-purpose insurance packages which would allow insurance companies to package together perils in one package and offer them to consumers.

"The large national insurance companies beat the drums on this measure saying that it will save premiums, and saying that for businessmen in this community and other communities, this measure should be adopted because the businessmen shall pay less for insurance. And they've sold this measure in most of the other states of the Union on that premise.

"Unlike the homeowner's policy, which is also a multi-peril policy, the packages sold for the commercial policies are significantly different, depending upon the nature of the business and the nature of the perils that are packaged together. The homeowner's policy contains the same perils and is packaged for all and is sold uniformly across the United States as a multi-peril situation.

"The major difference between these two areas of insurance is that, the homeowner's policy can be shopped by the consumer from company to company and you can buy essentially the same coverage of homeowner's policy and find out just exactly who is selling it for the less amount of money premium-wise, and pay that lesser amount of money.

"In the commercial policy, such is not the case. And the only request that I personally and others in this body have made of certain insurance companies who are beating the drums for this policy for many years is, 'will you tell the consumer how much he is paying for each peril in the package that you write?' And the big companies, and this is really a big company measure, the big companies have invariably said, 'no, we can't do that.' And I don't

know the reason they can't do it.

"So, from a consumer standpoint in this state, the passage of this bill is bad because the consumer will never know whether or not he's paying more or less for those perils which he needs when he's buying a package which contains many perils that he doesn't need.

"For example, a standard provision in one of these policies is a provision having to do with boilers and equipment. Very few people in Hawaii have boilers, when we don't have any need for heating. And yet those are standard provisions in most commercial multi-purpose policies.

"I have opposed this bill year in and year out and I oppose it today, and I guess I'll go down with my flags waving opposing the measure, because I believe it firmly to be anti-consumerism for this state. The consuming businessman is going to take it on the chin, when a large national insurance company sells this kind of policy in Hawaii. I am going to vote against this bill."

Senator Kawasaki then inquired if the Chairman of the Committee on Judiciary would yield to a question, to which Senator O'Connor replied in the affirmative.

Senator Kawasaki then queried, "Could we not have, by the language of the bill, provided a mandate to the insurance company to list the cost of the different types of insurance covered under this overall policy?"

Senator O'Connor answered, "Mr. President, I proposed such a mandate in the committee and was voted down. That exactly is what I'm talking about. This bill should contain a mandate that the insurance company provide to the consumer, what each peril will cost by way of premium--in which case, there's nothing wrong with the bill."

Senator Kawasaki then proceeded to speak in favor of the measure, as follows:

"Mr. President, in listening to the answer then, it seems to me perhaps it would be better for us to pass this bill to hopefully give some relief to the businessmen buying these kind of policies, and if we find that the big national insurance companies are doing exactly what you're afraid they are going to do, then I say we can hopefully garner enough votes both in the Judiciary Committee and

the floor of this Senate to mandate exactly the kind of language we're talking about to show what the prices are for the different type of coverages.

"I'd rather pass this bill even in its present form than not have anything at all. I'd like to give it a test and put the insurance companies to a test, certainly."

Senator Cobb then spoke in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. To begin with, one of the previous speakers indicated that if you bought a commercial multi-peril package, you'd have to buy boiler plate insurance, volcano insurance or any other of the types of insurance that would be packaged under the multi-peril. This is not the case.

"The way the bill is worded, it is very clear that the only required options, if a commercial multi-peril package is bought, is fire and liability. All other options are optional, exactly that, the choice of the consumer.

"I dispute the contention that this bill is anti-consumer since the other 49 states have already passed this legislation. I dispute the contention that this bill is anti-consumer when our own Department of Regulatory Agencies and the Office of Consumer Protection testified in favor of the bill, and without this kind of breakdown that is requested.

"But; Mr. President, because of this concern for the premium breakdown, we put in the bill the requirement that the purchaser of this kind of insurance must be told of his right to a detailed breakdown and that he can only weigh that right in writing, and that must be on the policy or on associated papers.

"I further dispute the idea that this bill is anti-consumer, when the savings that were cited to us in the Committee on condominiums and apartments ranged from 20% to 30%; for hotels, 9% to 12%; for public institutions, 18% to 23%; for industrial and manufacturing firms, 16% to 20%; for mercantile firms, 14% to 16%; and for processing and service, barber shops and dry cleaners, from 16% to 20%. Mr. President, no one, no one disputed those figures.

"In effect, what this bill allows for the first time, is for us to view the small businessmen and other people who own hotels or condominiums or public institutions to view them as consumers and to give them the option, not the requirement but the option, to purchase multi-peril insurance.

"And that, Mr. President, is all this bill does. It does not mandate commercial multi-peril insurance, it merely provides the option for the consumer to purchase. Accordingly, I'd like to ask my colleagues to support this bill."

Senator Abercrombie added, "Mr. President, in speaking in favor of the bill...I am acquainted with several business people who are women, and just for purposes of procedure in the future, do you suppose we might refer to businesspeople?"

The motion was put by the Chair and carried, and S.B. No. 86, 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, 13. Noes, 10 (Carpenter, Cayetano, George, Hara, O'Connor, Saiki, Takitani, Toyofuku, Ushijima and Yamasaki). Excused, 2 (Carroll and Yee).

Standing Committee Report No. 477 (S.B. No. 108, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 477 was adopted and S.B. No. 108, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NATURAL ENERGY INSTITUTE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

At 1:40 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 8:15 o'clock p.m., this evening.

NIGHT SESSION

The Senate reconvened at 9:40 o'clock p.m., with all Senators present with the exception of Senator Yee, who was excused.

Senate Bill No. 1303:

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, S.B. No. 1303, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 492 (S.B. No. 429, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 492 was adopted and S.B. No. 429, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING STANDARDS FOR PURCHASE OF SERVICES, GRANTS, AND SUBSIDIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 493 (S.B. No. 26, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 493 was adopted and S.B. No. 26, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE MANDATES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VIII, SECTION 5)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 494 (S.B. No. 19, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 494 was adopted and S.B. No. 19, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SPENDING LIMITATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 5)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 495 (S.B. No. 20, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 495 be adopted and S.B. No. 20, S.D. 2, having been read throughout, pass Third Reading.

Senator Saiki then spoke against the motion as follows:

"Mr. President, I am going to vote 'no' on this measure because I feel that this particular Constitutional Convention amendment will not implement the intent of the total package presented by the

Constitutional Convention to reduce state spending.

"Other measures requiring the Governor and the Legislature to stay within the limits of our state's financial resources are commendable. But this measure can take the lid off of internal budgeting and spending. If anything, it may encourage a spending cycle. As in Parkinson's law, expenditures will rise to meet income.

"In 1976, we had in our state coffers, a surplus of about 18 million dollars. Every year since then the state has dipped into this surplus to meet its obligations. If we did not have this surplus available, we would not have had the resources to meet our needs and a sort of tax increase may have had to be considered.

"All of us like to keep a little money tucked away for a rainy day. This measure actually prevents the state from saving and if anything, encourages spending. I feel the Con Con delegates, in trying to resolve a problem, instead created one, and I intend to vote 'no.'"

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 495 was adopted and S.B. No. 20, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF EXCESS REVENUES (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 6)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Saiki). Excused, 1 (Yee).

Senate Bill No. 77, S.D. 3:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 77, S.D. 3, 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, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 117, S.D. 5:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 117, S.D. 5, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", was recommitted to the Committee on

Ways and Means.

Standing Committee Report No. 498 (S.B. No. 181, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 498 was adopted and S.B. No. 181, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 499 (S.B. No. 402, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 499 was adopted and S.B. No. 402, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REIMBURSEMENT TO THE CITY AND COUNTY OF HONOLULU UNDER SECTION 70-111, HAWAII REVISED STATUTES; FOR ADVANCES MADE BY IT FOR THE STATE'S SHARE OF THE COST OF IMPROVEMENTS ASSESSED AGAINST PUBLIC AND EXEMPT LANDS IN THE VARIOUS IMPROVEMENT DISTRICTS WITHIN THE CITY AND COUNTY OF HONOLULU AND MAKING APPROPRIATION THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Hara and Soares). Excused, 1 (Yee).

Standing Committee Report No. 500 (S.B. No. 601, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 500 was adopted and S.B. No. 601, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ADVISORY COMMISSION ON MANPOWER AND FULL EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 501 (S.B. No. 754, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 501 be adopted and S.B. No. 754, S.D. 1, having been read throughout, pass Third Reading.

Senator Hara asked the Chair to allow him to be excused from voting on this measure as there might be a

conflict as the bill might affect him in his present retirement status. At this time, Senators Yamasaki and Ushijima also asked to be excused from voting on this measure for the identical reason.

The President announced that Senators Hara, Yamasaki and Ushijima would be excused from voting on this bill.

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 501 was adopted and S.B. No. 754, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Hara, Ushijima, Yamasaki and Yee).

Standing Committee Report No. 502 (S.B. No. 839, S.D. 1):

Senator Carpenter moved that Stand. Com. Rep. No. 502 be adopted and S.B. No. 839, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I'm voting 'no' on this measure because I'm not quite satisfied as to the credence that I can give to figures given by the Ohana group, who want to maintain the establishment of the program for leprosy over at Pearl City and, conversely, the figures submitted to us in the Committee on Ways and Means by the Department of Health. Now I understand there's going to be some third objective group giving thorough study to this matter and giving us some recommendations as to what they find in the way of cost figures and everything else.

"Mr. President, pending this release of information to us, I will keep my mind open and vote 'no' rather than, at this point, commit myself to establishment of the facilities at Pearl City. This is the reason for my 'no' vote."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 502 was adopted and S.B. No. 839, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEPROSY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 503 (S.B. No. 1292, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 503 and S.B. No. 1292, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 504 (S.B. No. 1611, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 504 and S.B. No. 1611, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 505 (S.B. No. 1771, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 505 was adopted and S.B. No. 1771, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 506 (S.B. No. 1329, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 506 and S.B. No. 1329, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", were recommitted to the Committee on Ways and Means.

At 9:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:52 o'clock p.m.

Senate Bill No. 283, S.D. 1:

Senator Cayetano moved that S.B. No. 283, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke against the measure as follows:

"Mr. President, this bill does two things--one is it raises the amount of money that the small claims court's jurisdiction has to \$600, which is quite good, in fact, it probably should be higher. The other aspect of this bill is that it allows the Small Claims Division to grant equitable relief with respect to orders which affect repair, replacement,

refunding of money, reform and rescission and it will not always be clear to a judge at the commencement of an action when a party is requesting any one of these types of injunctive relief; precisely, the amounts of money which would potentially be involved; and also whether or not the order would exceed these amounts.

"So, Mr. President, what in effect will have to happen is that the court will have to have a hearing with respect to this matter, and then if he finds, as I suspect he frequently will, that the matter is not properly within the jurisdiction of his court, the parties will then have to go either to the District Court or even possibly to another court in the Circuit Court.

"So, Mr. President, I feel that what this particular measure will do is to create more problems than it will solve. It will put people in the area of attempting to practice law on some extremely complex matters, seeking injunctive relief without the benefit of counsel. I feel that this is a very ill-advised bill and I think that we should vote 'no' on it."

Senator O'Connor then responded as follows:

"Mr. President, I'd like to explain to my learned colleague the reason for this added section.

"Several years ago, in our wisdom, we gave the Small Claims Court complete jurisdiction over the Landlord-Tenant Code. The Landlord-Tenant Code provides for this exact relief in all matters pertaining to the landlord-tenant situation.

"Because judges of the Small Claims Court are today sitting and giving equitable relief in the very areas of repair, replacement, refund, reform and so forth under the Landlord-Tenant Code, that court has asked for this jurisdiction to be explicit in the statute. That's why it is added to this bill. It's not something that they are not doing today; they are doing it already; this simply makes it more explicit."

Senator Carroll, in rebuttal, spoke as follows:

"Mr. President, I'm really very tired of hearing the comment that something is being done and therefore we ought to legalize it.

"I'm fully aware of the fact which the Senator from Hawaii Kai has

just mentioned, but the real problem is that when we open up the jurisdiction, as we're very clearly doing here, we're not leaving it in the Landlord-Tenant Code. We're taking it out and we're saying that this subject matter will now be subject matter within the jurisdiction of that court and that is precisely the reason I'm raising it. That is the reason I ask we vote 'no'."

The motion was put by the Chair and carried, and S.B. No. 283, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Anderson, Carroll and Soares). Excused, 1 (Yee).

Senate Bill No. 393, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 393, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 554, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 554, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", was recommitted to the Committee on Judiciary.

Senate Bill No. 587, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 587, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 1051:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1051, entitled: "A BILL FOR AN ACT RELATING TO PERSONNEL OF THE DISCIPLINARY BOARD OF THE SUPREME COURT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused,

1 (Yee).

Senate Bill No. 1230:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1230, 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, 2 (Abercrombie and Cayetano). Excused, 1 (Yee).

At 9:58 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:59 o'clock p.m.

Senate Bill No. 1677, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", was recommitted to the Committee on Judiciary.

Senate Bill No. 1682, S.D. 1:

Senator O'Connor moved that S.B. No. 1682, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie spoke against the bill as follows:

"Mr. President, you could call this a chicken bill, possibly or something in that nature...a chicken bill, some people might add another phrase to that but I however, have learned my lesson. If it's any gambling device, fighting animals are birds and paraphernalia implements, furniture, etc.

"I think it's a bill that has an invidious intent. Chickens will now become the property of apparently, the Honolulu Police Department.

"We have just recommitted a bill, which, I believe the House Bill had not come over, might well have passed, on terroristic threat. I wonder if we will find a situation in which chickens will be brought into court and charged with terroristic threatening of a police officer because they have little gaffs on their claws.

"I really don't see where it's going to be at all possible to deal with this particular measure except in

situations in which it is directed towards cockfighting. And I think that we have for too long avoided the realities involved in that.

"While Senator Carroll has made an excellent point of not accommodating something that is already going on, and making it legal or recognizing it or acquiescing to it, simply because it is going on, I think that a case can be made here that this kind of addition to the language, will be directed principally at cockfighting and that the capacity of the police department to deal with this language, in a way which will not end up with the police department having to get into all kinds of tangles in court over what constitutes furniture, what constitutes personal property, what constitutes vessels, possibly not aircraft...I wasn't aware that there were fighting chickens and aircrafts these days, but I suppose it is possible...that this personal property thing and all the rest of it will become an awesome burden for the courts to deal with.

"I'd much rather see a bill directed towards cockfighting than vote for this bill. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1682, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Carpenter). Excused, 1 (Yee).

Standing Committee Report No. 515 (S.B. No. 483):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 515 was adopted and S.B. No. 483, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1494, S.D. 1:

By unanimous consent, consideration of S.B. No. 1494, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 517 (S.B. No. 1588, S.D. 2):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand.

Com. Rep. No. 517 and S.B. No. 1588, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", were recommitted to the Committee on Economic Development.

Senate Bill No. 336, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.B. No. 336, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EAST-WEST CENTER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Hara, Saiki and Soares). Excused, 1 (Yee).

Senate Bill No. 1196:

Senator O'Connor moved that S.B. No. 1196, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie spoke against the measure as follows:

"Mr. President, I wish to speak against the bill on the grounds that the language presently existing in the law is far more of a deterrent than the changes that have been made.

"It is my distinct impression that the judges may, where they may now in the area of drunk driving, fine up to a thousand dollars, in prison for not more than one year, may be guided by the new language as the intent of the legislature that the first offense be as little as a \$150 fine with no minimum suspension. For the second offense within one year, \$250 fine and one month suspension.

"I am ill at ease with the continuing insertion of the offense one year. It indicates to me that if a similar offense occurred more than one year after the first offense, it would be treated as if it was just starting all over again.

"I think that drunk driving is probably the worst, the single worst social act of criminality, that takes place in our society, on a basis in which there is little or no regulation other than the individual himself or herself, to rely upon in terms of their discretion.

"I have driven drunk myself in the past. I'm not happy at all that that happened. Through good fortune, I did not injure myself or anyone else. It may be that there are others here

who have experienced a similar situation, and may have experienced them, as I have, more than once.

"So, Mr. President, I'm not making an argument on the basis of self-righteousness; I'm making an argument on the basis that anyone who drives drunk is not only a threat to himself or herself, but a threat to everyone else on the road and that it is vitally important that we make clear to people that such activity will not be tolerated. I think this is an area of activity not necessarily thought to be criminal as such, and yet the taking of lives probably exceeds that of, in all probability, exceeds that of deliberate murder in the United States of America.

"In this respect, I feel that the language as it now exists, the \$1,000 fine and prison for not more than one year, gives the kind of latitude to a judge that would encourage, rather than discourage the kind of... encourage more appropriate sentences rather than the language that has been added which I believe discourages a more harsh attitude towards drunk driving. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1196, 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, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 247, S.D. 1:

By unanimous consent, consideration of S.B. No. 247, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1535, S.D. 1:

By unanimous consent, consideration of S.B. No. 1535, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1548, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1548, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", was recommitted to the Committee on Health.

Senate Bill No. 870, S.D. 2:

Senator Mizuguchi moved that S.B. No. 870, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Mizuguchi then spoke for the measure as follows:

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

"The purpose of this bill is to strengthen and improve Hawaii's Water Carrier Act.

"The Senate Committees on Transportation and Public Utilities were briefed on the Governor's Task Force Report on Inter-Island Surface Transportation. This report was quite critical of methods utilized by the common carrier which now holds the certificate of public convenience and necessity to evade its responsibilities and to take advantage of deficiencies or loopholes in the Water Carrier Act.

"The file and suspend procedures of the Act are substantially revised by this bill. Existing law provides that the Public Utilities Commission may suspend any new rate, fare, or charge for a period not to exceed six months. Under current law, when the carrier files for an increase, it goes into effect by operation of law upon the expiration of six months even though the Commission may not have made a decision as to the reasonableness of the increased rates.

"The Water Carrier Act has been amended so that the procedure will be similar to that already applicable to other public utilities. Under this bill the Commission may permit a changed rate to go into effect in accordance with the filing of the carrier or it may suspend the rate pending a hearing and final decision. No rate increase which would have the effect of increasing the carriers' gross revenues during the test year by three percent or more may take effect without the prior approval of the Commission.

"In the case of a rate increase exceeding that amount, a contested case hearing and a public hearing must be held for consumers of each county who are affected. It is essential that large rate increases by a single carrier in the vitally important inter-island barge trade should be subject to scrutiny by the Commission and the public. However, the Commission will still be able to grant a temporary rate increase after a public hearing and upon a showing by the carrier of probable entitlement and financial need.

"The traditional arguments made by utilities in favor of file and suspend provisions, i.e., that they are necessary

in order to insure that there is no undue regulatory lag, are no longer persuasive with our full-time Public Utilities Commission, for they have been able to make final decisions within a reasonable length of time. Other utilities have been successful at realizing good profits under a similar but more stringent system for rate increases.

"The existing file and suspend provisions of Hawaii's Water Carrier Law have encouraged excessive filings and abuse by the certified carrier. The report of the Governor's Task Force on Inter-Island Surface Transportation documents a blizzard of rate requests from the certified carrier.

"Beginning with the establishment of such procedures in mid 1974, and continuing with distressing regularity for the next four years, such requests were the most prolific of any company or utility under P.U.C. jurisdiction. These numerous filings became so complex that two applications were sometimes being considered concurrently. As a result of this confusion, which the carrier was able to induce under the existing law, the carrier received \$500,000 in excess of what the Commission determined was necessary to enable it to learn a reasonable rate of return. The modified file and suspend procedures of this bill will encourage the carrier to plan its financial needs in advance and approach the Commission with fewer but better prepared cases.

"This bill will also increase the civil penalty which may be levied against a water carrier or any officer, agent, employee, or representative. The existing penalty of only \$100 is unreasonably low for a large corporation with considerable resources. The Commission will be authorized to impose a civil penalty ranging from \$100 to \$5,000 depending on the circumstances.

"The existing language in subsection (e) of Section 271G-14 provides that a water carrier shall not be required to secure from the Commission authority to lease vessels, vessel equipment, or vessel towing equipment from another water carrier.

"The effect of this section is to limit the Commission's ability to act as a check on inter-corporate transactions which may result in benefits to the affiliate companies at the expense of the water carrier. For example, approximately one third of the present carrier's expenses are paid to affiliates. A significant portion of such expenses is paid for tug services. While the Commission has disallowed some expenses paid to affiliates, the carrier has argued

that this section limits its authority to do so. The Report of the Governor's Task Force on Inter-Island Surface Transportation found that inter-corporate self dealing between the certified carrier and its affiliate companies operated to the detriment of the carrier's rate-payers. By the repeal of subsection (e) these transactions may be examined by the Commission.

"I urge you to vote for Senate Bill No. 870, S.D. 2, which should prevent future abuses of the Water Carrier Act."

The motion was put by the Chair and carried, and S.B. No. 870, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 868, S.D. 2:

Senator Mizuguchi moved that S. B. No. 868, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Mizuguchi then spoke in favor of the measure as follows:

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

"The purpose of this bill is to establish a temporary General Aviation Airport Site Selection Commission. This Commission would be charged with the responsibility of selecting a site for a new general aviation airport.

"I am very concerned about the safety of all who use the Honolulu International Airport. Recent events in San Diego and other places around the world have clearly demonstrated the serious danger created by the heavy mix of jetliners and general aviation aircraft at or near a high-traffic international airport. In order to reduce the danger of collisions and consequent loss of life and property, smaller aircraft must be assigned to a general aviation airport which is situated so as to be safe, convenient and economical. Such assignment would eliminate some of the traffic at Honolulu International Airport, thereby making that airport safer for all users and passengers.

"The greater needs of the community for safety require the siting and

construction of such an airport within the shortest possible time. Since the Legislature does not have sufficient time to critically examine what types of aircraft and services should be moved to a new general aviation airport site, review all proposed sites, receive vital community input, weigh the advantages and disadvantages of each proposed site and thereafter make a selection based on the needs for safety, economics and convenience, both at Honolulu International Airport and at the newly selected site, the Legislature should pass this bill which will establish a Commission to make the final site selection for the State.

"The Commission is designed to maximize community input in the decision-making process. It will have seventeen members. There will be a citizens advisory council, which will choose from among its members those who shall sit on the Commission. Citizens to the council will be from the Neighborhood Boards for all the communities that might be affected by the site selection.

"There will be members of the Commission who have the necessary technical expertise on the needs of the general aviation community for a safe and useable location. There will be representation from the general aviation sector. There will be representatives from the agricultural industry. There will be a representative from our business community. Finally there will be members from the relevant governmental agencies. The Director of the Department of Transportation will be the chairman of this Commission since his department will be responsible for implementing the final decision.

"This Commission will be required to first investigate the feasibility of securing joint use of existing military facilities.

"This bill will provide the general public with a significant opportunity to make actual decisions which will affect the daily lives of all residents of the state. This bill sets forth guidelines for their decision-making.

"I urge you all to vote in favor of this bill and allow for a community consensus on this issue."

Senator Carroll spoke in favor of the bill as follows:

"Mr. President, I just want to urge everyone to vote 'aye' on this measure, but I have just one reservation; and that is, that in the Standing Committee Report, they are talking about a temporary General Aviation Airport Site Selection Commission and I presume that the temporary

refers not to the site but rather to the Commission."

Senator Mizuguchi assured the previous speaker that he was correct in his presumption.

The motion was put by the Chair and carried, and S.B. No. 868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL AVIATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1117:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 1117, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

By unanimous consent, consideration of S.B. No. 608, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 609:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 609, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", was recommended to the Committee on Education.

Senate Bill No. 610:

By unanimous consent, consideration of S.B. No. 610 was deferred to the end of the calendar.

Senate Bill No. 931:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO RELIGIOUS HOLY DAYS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 530 (S.B. No. 1059, S.D. 1):

On motion by Senator Campbell,

seconded by Senator Young and carried, Stand. Com. Rep. No. 530 was adopted and S.B. No. 1059, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PAU HANA YEARS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1518, S.D. 1:

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 1518, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 532 (S.B. No. 28, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 532 was adopted and S.B. No. 28, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF THE BOARD OF EDUCATION (CONSTITUTIONAL AMENDMENTS OF ARTICLE X, SECTION 3)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Hara). Excused, 1 (Yee).

Standing Committee Report No. 533 (S.B. No. 46, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 533 was adopted and S.B. No. 46, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Standing Committee Report No. 534 (S.B. No. 172, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 534 was adopted and S.B. No. 172, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

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

Senate Bill No. 174:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 174, entitled: "A BILL FOR AN ACT RELATING TO ATTACHMENT", was recommitted to the Committee on Judiciary.

Senate Bill No. 176, S.D. 1:

Senator O'Connor moved that S.B. No. 176, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Chong then spoke against the bill as follows:

"Mr. President, recorded land title is a relatively recent development in Hawaii's history and there are many descendants to whom these islands once belonged, who are unable to substantiate or legally establish their right to the land.

"The cutting edge of this legislation, I feel, would be felt by these individuals although, I'm sure that the intent of this bill has some justification because it purports to clarify the existing law.

"At the public hearing on the bill, there was no extended debate, there was no strong testimony for or against it and consequently I feel that no compelling need for this kind of legislation was demonstrated at this time. I don't think that we should rush into something like this hastily in view of the previous statements I have made.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 176, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTANCE TO DISPLACED PERSONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Carpenter, Chong and Kawasaki). Excused, 1 (Yee).

Senate Bill No. 596, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

CRIMINAL PROPERTY DAMAGE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 639:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 639, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 539 (S.B. No. 670):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 539 was adopted and S.B. No. 670, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 757:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 757, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE RECORDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Chong). Excused, 1 (Yee).

Senate Bill No. 1681, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1681, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was recommitted to the Committee on Judiciary.

Senate Bill No. 1703, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1703, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", 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, 1 (Yee).

Senate Bill No. 1091, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1091, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (George and Kuroda). Excused, 1 (Yee).

Standing Committee Report No. 544 (S.B. No. 1322, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 544 was adopted and S.B. No. 1322, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 545 (S.B. No. 710):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 545 was adopted and S.B. No. 710, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson). Excused, 1 (Yee).

Standing Committee Report No. 546 (S.B. No. 1492, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 546 and S.B. No. 1492, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1727, S.D. 1:

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, S.B. No. 1727, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Cayetano). Excused, 1 (Yee).

Senate Bill No. 849, S.D. 1:

By unanimous consent, consideration of S.B. No. 849, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1003, S.D. 1:

Senator Ushijima, moved that S.B. No. 1003, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Carroll then rose to speak in favor of this measure as follows:

"Mr. President, I rise to speak in favor of this measure and I would like to offer as part of my remarks a letter from William E. Wanket who is the Acting Director of the City and County of Honolulu, Department of Land Utilization.

"This bill is an excellent bill. It's badly needed in Waikiki but unfortunately as with many measures which pass through these halls, it has a problem, and in this case, piggeries in Waianae were not contemplated when the bill was written up.

"I do not want to see the bill die and Mr. Wanket, having been informed of my concerns, informed me in turn that he has designated--and I indicate all the areas in yellow on this map--as areas which will allow piggery use which is currently very restricted on this island.

"He also attaches a proposed ordinance to allow for the permit issuance for persons wishing to get this special permit. So with the assurance from Mr. Wanket that persons who have prior nonconforming use piggeries in existence will be taken care of.

"With this extended allowance, I would urge that we vote on it. I'd like to ask that this letter, the map as attachment 1 and the proposed ordinance as attachment 2 be inserted into the record and incorporated with these remarks. Thank you."

"CITY AND COUNTY
OF HONOLULU

DEPARTMENT OF
LAND UTILIZATION

March 8, 1979

Honorable John S. Carroll
The Senate
10th Legislature
State Capitol
Honolulu, Hawaii

Dear Senator Carroll:

Senate Bill 1003 Relating to the
Amortization of Non-conforming UsesMr. Robert Jones of our department
told me of your concern for piggeries
which could be affected under Senate
Bill 1003 relating to the amortization
of non-conforming uses.On the particular subject of piggeries,
the City Administration and theCity Council are considering the attached
proposed ordinance which would permit
piggeries to be located in areas from
which they are currently prohibited.The attached map shows in red the
areas in which they are permitted
today and the areas in yellow are
the new sections where they could
locate under the special permit provisions
of the proposed ordinance. See
page 4 of the attached proposed ordinance.

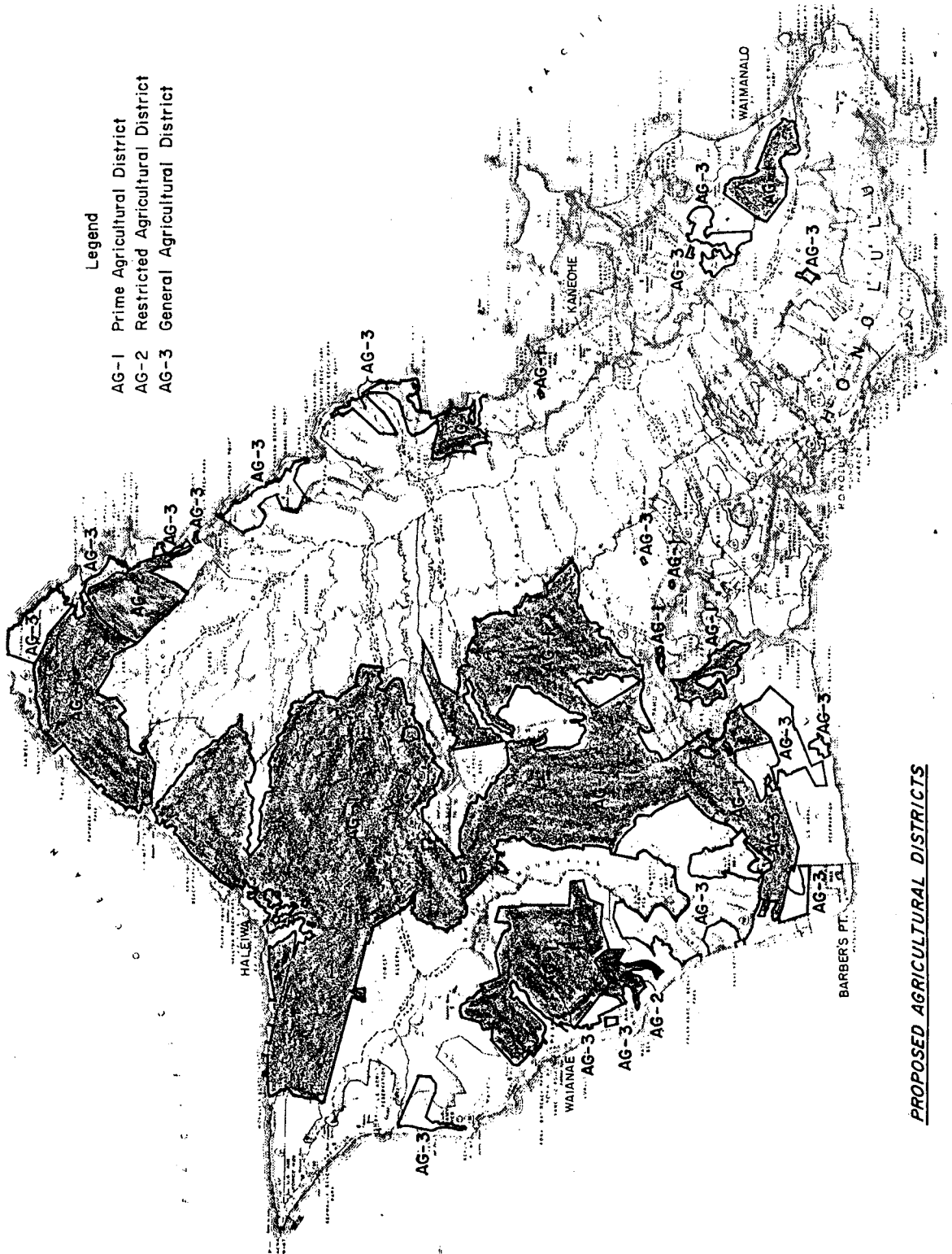
Respectfully,

/s/ William E. Wanket

WILLIAM E. WANKET
Acting DirectorWEW:ey
Attach."

SEE FOLLOWING PAGES FOR MAP

AND PROPOSED CITY AND COUNTY ORDINANCE

ATTACHMENT 1PROPOSED AGRICULTURAL DISTRICTS

ATTACHMENT 2

ORDINANCE NO. _____

BILL NO. _____ (1978)
(DRAFT No. 1)

A BILL FOR AN ORDINANCE TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1969, AS AMENDED, BY AMENDING VARIOUS SECTIONS RELATING TO AGRICULTURAL USES AND AGRICULTURAL DISTRICTS AND TO RECLASSIFY EXISTING AGRICULTURAL DISTRICTS ACCORDING TO SUCH AMENDED DISTRICTS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION I. Section 21, Revised Ordinances of Honolulu 1969, as amended, is hereby further amended in the following particulars:

A. A new Section 21-292 is added as follows:

Section 21-292. Agricultural Cooperative

- (a) Agricultural Cooperative shall be applicable in any Agricultural District.
- (b) Use Regulations.
 - (1) For the purpose of this Article, Agricultural Cooperative shall mean an area accommodating joint facilities for farming activities by farm cooperatives including the clustering of homes within a larger site to promote economy of services and utilities as well as to promote the most efficient use of the remainder area for agricultural pursuits. The maximum number of dwelling units shall not exceed 2 per 5 acres.
 - (2) Within an Agricultural Cooperative, all principal, accessory, and Special Permit uses and structures permitted within AG-1 Prime Agricultural District and AG-2 Restricted Agricultural District shall be permitted.
- (c) Land Area Requirements. The minimum land area required for an Agricultural Cooperative shall be 10 acres.
- (d) A farming plan for the Agricultural Cooperative shall be submitted.
- (e) Sufficient evidence shall be presented that such Agricultural Cooperative can be economically self-sustaining in an agricultural pursuit including but not limited to estimated gross receipts, soil suitability, and type of agricultural pursuit proposed.
- (f) Dwelling units shall be occupied solely by those pursuing agricultural production within the Agricultural Cooperative.
- (g) Certification shall be submitted that any lessors or buyers will conform with conditions (d), (e), and (f) above.
- (h) Building Height and Setbacks. Building height and setbacks shall be determined by the approved Agricultural Cooperative plan taking into consideration the surrounding land use, and compliance with the intent of the General Plan and other requirements of the underlying zoning district.
- (i) Parking, Loading and Sign Regulations. Parking, loading and sign requirements shall be specified in the approval of the Agricultural Cooperative plan.
- (j) Development Under the Plan. The Director of Land Utilization shall approve final drawings prior to issuance of building permits in accordance with the approved plan.
- (k) Transfer of Rights. Any assignment and/or transfer of any substantial interest in the land parcel designated as an Agricultural Cooperative by resolution shall be subject to the approval and consent of the City Council (except for such assignment and/or transfer to any mortgagee or to any purchaser upon foreclosure). Such approval and consent shall not be unreasonably withheld provided

that the assignee and/or transferee agrees in writing to comply with all the conditions imposed herein.

- B. Article 4, including Sections 21-400 through 21-412, is hereby amended in its entirety to read as follows:

ARTICLE 4. AGRICULTURAL DISTRICTS

A. AG-1 Prime Agricultural District.

Sec. 21-400. Legislative Intent.

The purpose of the AG-1 Prime Agricultural District is to protect and preserve prime agricultural lands for the performance of agricultural functions by permitting only those uses which perpetuate the retention of those lands in the production of food, feed, forage, fiber crops, and horticultural plants.

Sec. 21-401. Use Regulations.

Within an AG-1 Prime Agricultural District, only the following uses and structures shall be permitted:

(a) Principal uses and structures:

- (1) Agricultural, aquacultural, apiary and horticultural uses, including orchards, vineyards, nurseries and the raising and grazing of livestock and other than swine.
- (2) Forests and forestry.

(b) Accessory uses and structures:

Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including:

- (1) In connection with the principal use, no more than one roadside stand for sale of products produced on the premises, provided that no such stand shall exceed 500 square feet in floor area nor be erected within 20 feet of the property line fronting any street.

(c) Special Permit uses and structures:

Uses and structures hereinafter specified, subject to compliance with the provisions of parts E and F of Article 2 hereof as applicable to specific uses:

- (1) Extractive industries, including the removal of sand, rock, soil and gravel.
- (2) Public utility transmission and distribution lines and substations to primarily serve agricultural purposes.
- (3) Watersheds, wells, water reservoirs and water control structures.
- (4) The keeping of swine.
- (5) Dwellings not exceeding one for each five acres of lot area provided that:
 1. The occupants of such dwelling shall be full-time employees pursuing agricultural production on that parcel.
 2. Sufficient evidence is presented that such lots can be economically self-sustaining in an agricultural pursuit including but not limited to estimated gross receipts, availability of water, soil suitability, and type of agricultural pursuit proposed.
 3. The recorded owner of the land encompassed by this Special Permit shall be required to file with the Bureau of Conveyances of the State of Hawaii a declaration of the above-mentioned restrictive conditions 1 and 2. A certified copy of the documents issued by the Bureau of Conveyances shall be presented to the Department of Land Utilization as evidence of recordation prior to issuance of the Building Permit.

Sec. 21-402. Minimum Lot Area, Lot Width, Yard Spacing and Maximum Lot Coverage Regulations.

Within an AG-1 Prime Agricultural District, the following shall constitute the lot, yard and open space requirements:

- (a) The minimum lot area shall be no less than 5 acres.
- (b) The minimum lot width shall be not less than 150 feet.
- (c) The minimum front yard setback shall be not less than 15 feet.
- (d) The minimum side and rear yard setbacks shall be not less than 10 feet.
- (e) All front, side and rear yards shall be landscaped or cultivated open space, provided that guy wires, walks, driveways and paved living areas shall be permitted.
- (f) The maximum lot coverage of all residential buildings shall be 2,500 square feet per dwelling.

Sec. 21-403. Height Regulations.

No portion of any building or other structure located within an AG-1 Prime Agricultural District shall exceed 15 feet in height provided that additional height of 2 feet is permitted for every foot of additional setback. Said additional setback shall be a continuous vertical plane from the top of the structure to the 15-foot height limit, provided that residential structures shall not exceed 25 feet above the high point of the ground under the structure.

Sec. 21-404. Sign Regulations.

Within an AG-1 Prime Agricultural District, only one sign, not exceeding 12 square feet in area, shall be permitted on any zoning lot in connection with any use. No sign shall be directly illuminated or mounted closer than 10 feet to the property line fronting a street or be higher than 8 feet above the ground elevation.

Sec. 21-405. Off-Street Parking Requirements.

Within an AG-1 Prime Agricultural District, the following specified uses shall comply with the off-street parking requirements designated therefor:

- (a) Dwellings: 2 spaces per dwelling unit. The requirement for providing and maintaining off-street parking spaces with an all-weather surface as called for by Section 21-204(b) (1) shall not apply. In lieu of an all-weather surface, the off-street parking spaces may be surfaced with crushed rock or limestone.
- (b) Uses permissible under Special Permits shall comply with the off-street parking requirements specified in the Special Permit.

B. AG-2 Restricted Agricultural District.

Sec. 21. Legislative Intent.

The purpose of the AG-2 Restricted Agricultural District is to permit a wider range of agricultural uses than that allowed in the AG-1 Prime Agricultural District. Accordingly, this district should be located away from urban areas and in areas where urbanization is not expected in the foreseeable future.

Sec. 21-411. Use Regulations.

All of the uses and structures permitted in the AG-1 Prime Agricultural District shall be permitted in the AG-2 Restricted Agricultural District. In addition, the raising or keeping of swine shall be permitted as a principal use.

Sec. 21-412. Other Requirements Generally.

All of the other requirements applicable to an AG-1 Prime Agricultural District shall apply within an AG-2 Restricted Agricultural District, except that

the minimum lot area shall not be less than 3 acres.

C. AG-3 General Agricultural District.

Sec. 21-420. Legislative Intent.

The purpose of the AG-3 General Agricultural District is to set aside agricultural lands for the performance of agricultural functions and other uses which would not detract from the agricultural character of the district.

Sec. 21-421. Use Regulations.

Within an AG-3 General Agricultural District, only the following uses and structures shall be permitted:

(a) Principal uses and structures:

- (1) Agricultural, aquacultural, apiary, horticultural uses, including orchards, vineyards, nurseries and the raising and grazing of livestock other than swine.
- (2) Dwellings, one-family detached, provided that such dwellings and any accessory uses appurtenant thereto shall be contained within an area not to exceed 5,000 square feet of the lot.
- (3) Fish hatcheries and fish ponds.
- (4) Forests and forestry.
- (5) Game preserves.
- (6) Public utilities installations and substations, provided that offices or storage or maintenance facilities shall be permitted only as a Special Permit.
- (7) Watersheds, wells, water reservoirs and water control structures.

(b) Accessory uses and structures:

Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including:

- (1) In connection with agricultural use, no more than one roadside stand for sale of agricultural products produced on the premises, provided that no such stand shall exceed 500 square feet in floor area nor be erected within 20 feet of the property line fronting any street.

Private utilities, including temporary sewage treatment plants, shall also be permitted as accessory uses, provided such use is approved by the Director of Department of Land Utilization. Private utilities so approved shall be permitted notwithstanding the location on a non-contiguous zoning lot or in another zoning district of the principal use or uses served thereby, and paragraph (1) of the definition of "accessory use" in Section 21-110 shall be inapplicable thereto.

(c) Special Permit uses and structures:

Uses and structures hereinafter specified, subject to compliance with the provisions of parts E and F of Article 2 hereof as applicable to specific uses:

- (1) Airports and heliports.
- (2) Animal hospitals, pounds, shelters, commercial kennels.
- (3) Cemetery, columbarium, crematory, and mausoleum.
- (4) Churches.
- (5) Extractive industries, including the removal of sand, rock, soil and gravel.

- (6) Private golf courses, including par-3 with a minimum area of 10 acres, together with such uses which are incidental to golf courses, provided that such uses shall be designed and scaled to meet only the requirements of the users of the golf courses, and no signs or other indications of such uses shall be visible from any public way.
- (7) Monasteries and convents.
- (8) Private marinas, including facilities for storage and repair of boats and sale of boating supplies and fuel.
- (9) Public structures and uses.
- (10) Private refuse dumps, sanitary fills and incinerators.
- (11) Storage or maintenance installations for public utilities.
- (12) Television or broadcasting line-of-sight relay devices.
- (13) Private recreational camps.
- (14) Private riding academies.
- (15) Facilities for movie and television program production.
- (16) Carnivals, circuses, luaus, and fairs.
- (17) Temporary structures and uses incidental to land development or building construction.

Sec. 21-422. Minimum Lot Area, Lot Width, Yard Spacing and Maximum Lot Coverage Regulations.

Within an AG-3 General Agricultural District, the following shall constitute the lot, yard and open space requirements:

- (a) The minimum lot area shall be not less than 2 acres, provided further that the aforesaid minimum lot area requirement shall not be applicable to lots which were approved or were approved tentatively under the Subdivision Rules and Regulations of the City Planning Commission prior to January 2, 1969.
- (b) The minimum lot width shall be not less than 150 feet.
- (c) The minimum front yard setback shall be not less than 15 feet.
- (d) The minimum side and rear yard setbacks shall be not less than 10 feet.
- (e) All front, side and rear yards shall be landscaped or cultivated open space, provided that guy wires, walks, driveways and paved living areas shall be permitted.
- (f) The maximum lot coverage shall be 50 percent for all buildings and structures situated on a zoning lot except those used for purposes of production of agricultural products shall not be considered for purposes of maximum lot coverage.
- (g) Notwithstanding the requirements set forth in subsections (c) and (d) hereinabove, nonconforming lots which are less than one acre in area shall have the following minimum yard requirements:

Front yard setbacks 10 feet

Side and rear yard setbacks 6 feet

It is further provided that such lots shall be exempt from the requirements of subsection (b) hereinabove.

Sec. 21-423. Height Regulations.

No portion of any building or other structure located within an AG-3

Prime Agricultural District shall exceed 15 feet in height provided that additional height of 2 feet is permitted for every foot of additional setback. Said additional setback shall be a continuous vertical plane from the top of the structure to the 15-foot height limit, provided that residential structures shall not exceed 25 feet above the high point of the ground under the structure.

Sec. 21-424. Sign Regulations.

Within an AG-3 General Agricultural District, only one sign, not exceeding 12 square feet in area, shall be permitted on any zoning lot in connection with any use. No sign shall be directly illuminated or mounted closer than 10 feet to the property line fronting a street or be higher than 8 feet above the ground elevation.

Sec. 21-425. Off-Street Parking Requirements.

Within an AG-3 General Agricultural District, the following specified uses shall comply with the off-street parking requirements designated therefor:

- (a) Animal hospital, pound, shelter, commercial kennel: at least 1 space per 400 square feet of floor space, provided that there shall be provided no less than 4 parking spaces.
- (b) Churches: at least 1 space per 5 seats or bench seating spaces in the main auditorium.
- (c) Dwellings: at least 2 spaces per dwelling unit. The requirement for providing and maintaining off-street parking spaces with an all-weather surface as called for by Section 21-204(a)(4) shall not apply. In lieu of an all-weather surface, the off-street parking spaces may be surfaced with crushed rock or limestone.
- (d) Elementary and intermediate schools: at least 1 space per 15 seats in the main auditorium.
- (e) Golf courses: at least 3 spaces per hole of the main course.
- (f) High school, college or university: at least 1 space per 5 seats in the main auditorium or 5 spaces per classroom, whichever is greater.
- (g) Lodging units: at least 1 space for each lodging unit outside of the District of Honolulu; at least 1 space per 2 lodging units within the District of Honolulu.
- (h) Botanical and zoological gardens: at least 1 space per 10,000 square feet of lot area.

SECTION II. All existing AG-1 Restricted Agricultural zoned land depicted on Exhibits ___ through ___ attached hereto are reclassified to AG-1 Prime Agricultural District.

SECTION III. All other existing AG-1 Restricted Agricultural zoned land is hereby reclassified AG-3 General Agricultural District.

SECTION IV. All AG-2 General Agricultural District zoned land is hereby reclassified AG-2 Restricted Agricultural District.

SECTION V. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Council members

DATE OF INTRODUCTION:

 Honolulu, Hawaii

APPROVED AS TO FORM & LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 1978.

FRANK F. FASI, Mayor
City and County of Honolulu"

The motion was put by the Chair and carried, and S.B. No. 1003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ZONING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 551 (S.B. No. 286, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 551 and S.B. No. 286, S. D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 552 (S.B. No. 451):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 552 was adopted and S.B. No. 451, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 553 (S.B. No. 494, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 553 was adopted and S.B. No. 494, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 554 (S.B. No. 665, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried,

Stand. Com. Rep. No. 554 and S.B. No. 665, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 555 (S.B. No. 893, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 555 was adopted and S.B. No. 893, S.D. 2, 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, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 1043, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1043, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDING OF INTEREST IN CIVIL CASES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1049, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1049, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Ajifu, Saiki and Soares). Excused, 1 (Yee).

Senate Bill No. 1284, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1284, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", having

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

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Yee).

Standing Committee Report No.
559 (S.B. No. 1324, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 559 was adopted and S.B. No. 1324, S.D. 2, 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, 1 (Abercrombie).
Excused, 1 (Yee).

Senate Bill No. 1415:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1415, 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, 21. Noes, 3 (Abercrombie, Cayetano and Chong). Excused, 1 (Yee).

Standing Committee Report No.
561 (S.B. No. 1437, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 561 was adopted and S.B. No. 1437, 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, 23. Noes, 1 (Abercrombie).
Excused, 1 (Yee).

Standing Committee Report No.
562 (S.B. No. 1657, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 562 be adopted and S.B. No. 1657, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carpenter then declared that he is an employee of C. Brewer and Co., Ltd. and may be in conflict on this measure.

The President announced that Senator Carpenter would be excused from voting on this bill.

The motion was put by the Chair

and carried, and Stand. Com. Rep. No. 562 was adopted and S.B. No. 1657, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kawasaki).
Excused, 2 (Carpenter and Yee).

Senate Bill No. 83, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 83, S.D. 1, 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, 24. Noes, none. Excused, 1 (Yee).

Senate Bill No. 84, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 84, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Yee).

Senate Bill No. 158, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 158, S.D. 2, 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, 20. Noes, 4 (Carroll, Cayetano, O'Connor and Soares). Excused, 1 (Yee).

Senate Bill No. 205:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 205, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 212, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXICABS", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

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

Senate Bill No. 557:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 557, entitled: "A BILL FOR AN ACT RELATING TO THE VEHICLE INDUSTRY LICENSING ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No.
570 (S.B. No. 581, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 570 was adopted and S.B. No. 581, 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 (Yee).

Senate Bill No. 652, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 652, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 691:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 691, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 692:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 692, 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, 24. Noes, none. Excused,

1 (Yee).

Senate Bill No. 694:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 694, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 695, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 695, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 696, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 696, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 697:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 697, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 698:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 698, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETOLOGY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (George, Saiki and Takitani). Excused, 1 (Yee).

Senate Bill No. 881, S.D. 1:

By unanimous consent, consideration of S.B. No. 881, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 885:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 885, 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, 14. Noes, 10 (Ajifu, Anderson, Carroll, George, Hara, Saiki, Soares, Takitani, Toyofuku and Ushijima). Excused, 1 (Yee).

Senate Bill No. 922:

Senator Cobb moved that S.B. No. 922, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I'm speaking against the bill, for a very simple reason. This opens up the situation to kick-backs, to extortion, possibly even blackmail.

"I don't see any reason why there is a necessity for this bill. On the contrary, I see a lot of danger with the kind of control that is already existing in the real estate area in the state as a result of money coming from the outside which has little or no regard for individuals here in the State of Hawaii.

"I fear that this will become an opportunity for a kind of splitting of fees for payback system that will now be given a cover by this real estate broker-salesman bill...that a commission will be a mask for favoritism for considerations that might not otherwise be legal. I would not like to give this kind of activity the cloak of legitimacy.

"Mr. President, the intent may be good in the drafting of the bill and in the motivation behind it, but I believe its results will be such that nefarious activity will be encouraged."

The motion was put by the Chair and carried, and S.B. No. 922, 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, 21. Noes, 3 (Abercrombie, Carroll and Cayetano). Excused, 1 (Yee).

Senate Bill No. 923:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 923, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 924, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 924, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 946:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 946, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF MOTOR VEHICLE REPAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1116, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1116, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOXING CONTESTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1188, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1188, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS

ACT", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1278, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1278, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROOFING CONTRACTOR GUARANTEE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1315:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1315, 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, none. Excused, 1 (Yee).

Senate Bill No. 1375, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1375, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 1428, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1428, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1435:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1435, entitled: "A BILL FOR AN ACT RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1438, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES",

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

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

Senate Bill No. 1439, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1439, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1440, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1440, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Hara). Excused, 1 (Yee).

At 10:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:40 o'clock p.m.

Senate Bill No. 1441, S.D. 1:

By unanimous consent, consideration of S.B. No. 1441, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 597 (S.B. No. 1634, S.D. 2):

Senator Cobb moved that Stand. Com. Rep. No. 597 be adopted and S.B. No. 1634, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator O'Connor then spoke against the bill as follows:

"Mr. President, although I agree with the intent of this bill, the bill has also unfortunately knocked out the provisions as it applies to canned, picked and preserved fruits or foods. Therefore, I'm going to have to vote against it and I just...it's unfortunate, but it's done two things. Thank you."

Senator Soares then inquired if the Chairman of the Committee on Consumer

Protection and Commerce would yield to a question, to which Senator Cobb replied that he would.

Senator Soares then asked how this bill would affect the Portuguese pickled onions and Senator Cobb answered that they would be excluded.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 597 was adopted and S.B. No. 1634, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (O'Connor).
Excused, 1 (Yee).

Senate Bill No. 1752, S.D. 1:

By unanimous consent, consideration of S.B. No. 1752, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 599 (S.B. No. 1769, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 599 was adopted and S.B. No. 1769, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGISTS AND AUDIOLOGISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 600 (S.B. No. 1778, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Chong and carried, Stand. Com. Rep. No. 600 and S.B. No. 1778, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTERED NURSES: QUALIFICATION: LICENSES: FEES: TITLE: EXISTING LICENSED NURSES: VERIFICATION OF LICENSES", were recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 168, S.D. 1:

By unanimous consent, consideration of S.B. No. 168, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 273:

Senator O'Connor moved that S.B. No. 273, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Cayetano then spoke against the bill noting that it is his hope that this measure will "die" in the House of Representatives.

The motion was put by the Chair and carried, and S.B. No. 273, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Cayetano and Chong). Excused, 1 (Yee).

Senate Bill No. 182, S.D. 1:

Senator O'Connor moved that S.B. No. 182, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie spoke against the measure as follows:

"Mr. President, my reason for speaking against the bill is that we are moving more and more into the area of mandatory sentencing provisions and less and less from an area, which I thought we want to take a more enlightened view as to what should be the direction of our jurisprudence and penology, less and less in the area of discretion on the part of judges.

"From my somewhat brief experience in the criminal courts, sometime back, it was apparent to me virtually from the first day that I appeared in court, where sentencing was to take place, that it was absolutely vital that the judge have as much discretion as possible so that he or she might direct attention to the dynamics of the case that was before the court.

"We do not, in my judgment, alter one wit, the circumstances which bring people into the criminal courts, by virtue of imposing mandatory sentencing. The only circumstance in which I believe an indication of mandatory sentencing or its equivalent would have any effect is in the area of firearms, that is to say, the utilization of a gun and a commission of an offense--a criminal offense. Other than that...and I realize that that may be involved in some of these felony situations...other than that, to extend mandatory sentencing provisions as a philosophy, regardless of whether it is manifested in any particular bill, is to take away from the judge, the kind of discretion that is necessary in order that our system of justice distinguish itself from others throughout the world, on the grounds that it treats each individual as an

individual and each case as an individual case within the context of the value system that we espouse as Americans.

"There seems to have been a penchant recently for trying to solve our problems as they relate to criminal activity in our social structure by mandatory sentencing. The end result, at least to some degree, has been increased tension in the prisons, an increased cost to the state, in terms of the kind of custodial care that is necessary for prisoners put in under the circumstances of mandatory sentencing and a diminishing of the role of the judge.

"Inevitably, Mr. President, when you diminish the role of the judge in this area, you diminish the caliber of the judges. There is no incentive, if you will, to place good judges on the bench when the society is indicating ahead of time that it does not trust the judges' discretion; that the judges' intelligence, the judges' willingness and ability to judge the individual circumstance in the interest of society, is not a requirement for being placed in that judgeship. This is regardless of whether we appoint judges or whether we elect judges or whether we have judges on the bench by some intermediate means.

"It seems to me that, if we go this route to its logical extension, carry it out to the logical end, that we will remove completely from judges, their ability and capacity to direct their attention to the individual case. If we do so, we have entered into a situation which I believe will have political repercussions, political repercussions, in this sense, that we will be treating all people as if they were other class; all people as if their motivations were all the same; all people as if the premises upon which a judgement is to be made can be seen in a singular case, in a singular sense. This simply is not true.

"I don't care if it's a case of murder on down to traffic tickets. This is not true.

"Spending a single day in a criminal courtroom will convince even the most casual observer that this is not true. This violates, from my perspective, the most fundamental premise of the American jurisprudence system...that we treat each other as individuals and that no matter how difficult it is, to see this as a necessity.

"Mr. President, it is precisely at the time that it is most difficult

that we must stand fast to that kind of principle. Precisely at those times when the emotions run the highest when one is most likely to cry out for a kind of vengeance that goes across the board regardless of the individuals before the bar. It's precisely that time that we must draw back and reaffirm our commitment to justice in terms of the individual in the United States of America.

"The alternative I fear is a gradual slide into a form of American fascism. The kind of fascism that is now practiced in the Soviet Union. You can see by the most cursory introduction to an examination of how the legal system has gradually evolved with increasing severity in the Soviet Union in the last decade, the last fifteen years rather, that the criminal courts are now being utilized to punish political crime and that no differentiation is made among the people who appear before the courts there.

"This has been done of course in the past in other societies and is done now, throughout the world in one society after another, which posits a view that the individual does not count in front of the bar.

"The Soviet Union has a constitution, Mr. President, which not only parallels that of the United States in terms of its recognition on paper of individual rights, but in some instances could be said to exceed it. And yet in practice, because of the lockstep methods by which people are dealt with, the sense of the individual humanity that is before the bar in the Soviet Union disappears.

"I maintain to you, Mr. President, and to the members here, that mandatory sentencing is a step in the direction of a kind of American fascism that will be defined by us as freedom--freedom from fear, freedom from the criminal elements, and in the process, we will destroy the very elements that make the American jurisprudence system stand above all others in terms of its fairness. Thank you."

Senator Anderson then spoke in favor of the measure as follows:

"Mr. President, I'd like to speak in favor of this bill. You're talking about, Mr. President, requiring a mandatory sentence for murder, kidnapping, assault in the first degree, rape, robbery, etc. and on and on and on.

"I think the public has become pretty much fed up with the process. I think the public is pretty much fed up with the courts and the judges and the politicians.

"I think the fear of being able to leave your home at night for fear of being robbed or raped or murdered, is paramount in this town like never before. I think the time has come, while it may be an over-reaction, to pass this kind of legislation.

"I think the criminal element that you find in Oahu Prison, the repeaters and habituals, in tremendous percent, are the people that are in that institution.

"We have tried rehabilitation over the years. We have spent thousands and hundreds of thousands of dollars trying to rehabilitate these people, to try to give them this so-called first, second, third, fourth, fifth and sixth chance to rehabilitate, all to no avail.

"I think the time has come to demonstrate to this element that enough is enough. I think the time has come to show them that a mandatory sentence is what they can expect if they're going to continually prey on the public and the people of our state and I think it's time to crack down on them, Mr. President.

"I think this concern for fellow man is legitimate in some areas, but to this element of society, who thinks nothing of being arrested anymore, because they know they're going to be back on the streets tomorrow or the next day or before the policeman has really typed out his report, has gotten our criminal courts and our criminal justice into a rather comical situation.

"This bill should have passed last year or the year before. It's just too bad that we can't amend it to, once we lock them up, we throw the key away."

Senator Abercrombie responded as follows:

"Mr. President, this is by way of rebuttal. If you will notice in the offenses here, we are relating, promoting a dangerous drug in the first degree, dangerous drug in the second degree, relating promoting of a harmful drug in the first degree. I can assure you that there is a great deal of difference between someone who has found himself in that circumstance, committing a second offense of some kind, than someone who is a murderer or rapist, burglar and so on. The fact of the matter is, if we were to arrest the people who were doing that, I suspect that the sons and daughters of some of the people in this room would

be eligible for this mandatory sentencing.

"I recall very well when I first dealt with this issue, being berated by a member of the Board of Supervisors in the County of Marin, for what he termed a scare situation by speaking about this that the sons and daughters of people, perhaps even as high as the officials of the County of Marin in California, might be involved in this and would therefore be considered criminals. And I found it interesting that six months later, this particular individual's son was arrested for precisely the circumstance that I outline.

"Mr. President, that did not give me any joy--quite the contrary. It affirmed what I thought to be a rather foolish attitude on the part of society which had consequences that went far beyond the necessities of defending the public against criminal activity. I want to indicate as well that if I thought for a moment that the imposition of mandatory sentencing would do anything about some of the other categories, I would most certainly have to change my opinion. But nothing which was said by the previous speaker, addressed itself in the least, to mandatory sentencing having anything to do with the prevention of these crimes.

"I do not think the people would walk the streets any safer tonight, nor whether the public is fed up or not, that appealing to what might be popular in terms of mandatory sentencing, will do the slightest bit to alter the circumstances."

Senator Carroll then spoke in favor of the measure as follows:

"Mr. President, it is indeed a popular thing to do today to vote for this type of a measure and I suppose it will sound smug for us to say that many of us here on this particular side of the aisle have been introducing and hoping that this type of measure would come to pass from as long ago as 1966 and 1968. It think that it's a mark of success in a way that the message has finally gotten home to where it's going to do some good.

"With respect to the comments of my learned colleague from Manoa, having to do with the promotion of drugs, I think it's very clear and I think that even he will agree with me, when we think back over the impact that drug users had in our community. When we go to Hahione, when we go to Waimano Home, when we go to the Koolau Home, when we go to the Oahu Prison and even when we go to our high schools and when we do see the impact

on some of our own children and we see the devastating effects of drugs, I believe, Mr. President, that the impact of that particular crime is just as bad, if not worse, than burglary and arson and some of the other types of property crimes which are very readily accepted under this law. I think this bill is long overdue and I urge that we all vote 'aye'."

Senator O'Connor then stated as follows:

"Mr. President, just to clarify what this bill is all about, I would like to state that this bill amends a bill which was passed two years ago for minimum mandatory sentencing.

"This bill straightens out a situation that existed in the prior law where the minimum mandatory sentence would only apply where exactly the same crime was committed again. This bill imposes a sentence, if one of these heinous felonies where bodily injury is involved is committed after the person becomes a felon and has been found guilty and convicted of a class A or class B felony, making the law easier to work with.

"So, Mr. President, we have this law on the books. This bill is put forth in order to clarify an existing law on mandatory minimum sentencing."

The motion was put by the Chair and carried, and S.B. No. 182, 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, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 1241:

Senator O'Connor moved that S.B. No. 1241, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Ushijima then spoke against the measure as follows:

"Mr. President, I signed the committee report on this bill free and clear. Now I'm going to vote against this bill and I want to explain my reasons for voting 'no'.

"When this bill was considered in the Judiciary Committee, I asked one question and that was the cost implications on this particular bill. At that time, no one could answer it. In the meantime, I found out that there are cost implications

and that the workload for the Attorney General's office will increase significantly and I just want to point out to this Body that by legislation this is the way that we increase costs.

"I think that insofar as making the State the defendant in all action to quiet titles, we have been living it without the necessity up to this point. I don't see any necessity for doing it now--except to increase costs."

The motion was put by the Chair and carried, and S.B. No. 1241, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Cayetano and Ushijima). Excused, 1 (Yee).

Senate Bill No. 1238, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1238, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1339:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1339, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTION FOR DAMAGES BASED ON CONSTRUCTION TO IMPROVE REAL PROPERTY", was recommitted to the Committee on Judiciary.

Senate Bill No. 1510, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1510, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY GUARDS", was recommitted to the Committee on Judiciary.

Senate Bill No. 1680, S.D. 1:

Senator O'Connor moved that S.B. No. 1680, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Campbell then spoke in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this bill. The purpose of the bill is to strengthen the Crime Commission which was deputized to fight crime

in this state.

"Mr. President, I wouldn't take up the time of this Body to simply state my support for the bill if it were not for the fact that the opportunity to sign the committee report somewhat escaped me and I want to urge my colleagues to support the measure. Thank you."

Senator Soares then inquired if the Chairman of the Committee on Judiciary would yield to a question, to which Senator O'Connor replied that he would.

Senator Soares then proceeded, "Mr. President, I am not a member of the Committee on Judiciary but I recall that during last year's testimony before the Ways and Means Committee regarding the Crime Commission, a number of statements were made by the Police Department relative to the immunity being asked for by the Commissioner's staff and employees that was not accorded or not the privilege of the Police Department. I wonder if that still prevails in this bill--whether the police department members of the enforcement bureau are immune to civil penalty or civil cases or not."

Senator O'Connor answered, "Mr. President, the Police Department has a certain type of privilege which attaches to each of the members if they act within the scope and purview of their office. They then are privileged from civil actions in those particular actions."

"If you will notice the words which are used in this civil immunity section, we tried to track existing Supreme Court law in the State of Hawaii. We only gave the Commission members and the staff and employees civil immunity except where done or made with actual malice...actual malices where someone intentionally or maliciously takes an act which impairs or injures another individual."

"This same kind of privilege would attach to an ethics commission, a disciplinary commission for the bar and other commissions in the community by action of law, and since this is a statutory immunity, we extended the same type of immunity to the Commission members."

Senator Soares then continued, "Mr. President, the second question I might ask of the Chairman, and that is that also on the discussion of this bill during the last session in the Ways and Means Committee...the apprehension that probably the various police departments was the requirement or the need to provide information to the Commission on cases

that were being worked on in exclusive confidence, you might call it, by the departments, and the Commission would then have the right or the privilege to step into that case or investigation and ask for information from the department that they felt to be very confidential and very delicate at the time. I'm wondering whether that question was also raised this year in committee by the Police Department."

Senator O'Connor replied, "The question was raised and answered by the Chairman of the Crime Commission to the extent that such request for information would not be made, and that, in fact, there still exists a diversion between the police and the Commission on this particular point."

"The matter was included in the bill this time with a clear understanding that there will be an attempt made by the Commission not to tread in the areas where the police were acting. However, if such be the case in the future, this certainly can be changed."

Senator Soares queried further, "Mr. President, did the various county police departments testify in favor of this bill?"

Senator O'Connor answered, "Mr. President, they testified against it, particularly in the immunity area, which caused us to change the immunity area that fit the testimony given by the police."

The motion was put by the Chair and carried, and S.B. No. 1680, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Soares and Yamasaki). Excused, 1 (Yee).

Standing Committee Report No. 609 (S.B. No. 1702, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 609 was adopted and S.B. No. 1702, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HORIZONTAL PROPERTY REGIMES: QUIET TITLE ACTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 610

(S.B. No. 889, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 610 was adopted and S.B. No. 889, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1184:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1184, entitled: "A BILL FOR AN ACT RELATING TO STATE COURT RECEIVER-SHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1191:

Senator O'Connor moved that S.B. No. 1191, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie stated that he was voting against the measure as "this will open the door to union-busting."

The motion was put by the Chair and carried, and S.B. No. 1191, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Standing Committee Report No. 613 (S.B. No. 1539, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 613 was adopted and S.B. No. 1539, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Cayetano). Excused, 1 (Yee).

Senate Bill No. 1650, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1650, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 615 (S.B. No. 32, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 615 was adopted and S.B. No. 32, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 2)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 616 (S.B. No. 446, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 616 was adopted and S.B. No. 446, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Ajifu, Hara and Soares). Excused, 1 (Yee).

Senate Bill No. 919, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 919, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Standing Committee Report No. 618 (S.B. No. 1333, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 618 was adopted and S.B. No. 1333, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (Yee).

Senate Bill No. 1161, S.D. 1:

By unanimous consent, consideration of S.B. No. 1161, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 390, S.D. 1:

By unanimous consent, consideration of S.B. No. 390, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 522, S.D. 1:

By unanimous consent, consideration of S.B. No. 522, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 622 (S.B. No. 664, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 622 was adopted and S.B. No. 664, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 623 (S.B. No. 891):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 623 and S.B. No. 891, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", were recommitted to the Committee on Judiciary.

Senate Bill No. 1042, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1042, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT COSTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1169, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGISTRATION OF VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 1218, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", was recommitted to the Committee on Judiciary.

Standing Committee Report No. 627 (S.B. No. 1282):

By unanimous consent, consideration of Stand. Com. Rep. No. 627 and S.B. No. 1282 was deferred to the end of the calendar.

Standing Committee Report No. 628 (S.B. No. 1591):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 628 was adopted and S.B. No. 1591, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 629 (S.B. No. 632):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 629 was adopted and S.B. No. 632, entitled: "A BILL FOR AN ACT RELATING TO ADULT THEATERS, BOOKSTORES, AND CABARETS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Ajifu, Chong and Soares). Excused, 1 (Yee).

Senate Bill No. 1323, S.D. 2:

Senator O'Connor moved that S.B. No. 1323, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Chong then spoke against the bill as follows:

"Mr. President, I'd just like to repeat what I said when this bill came up earlier in the session. We're dealing with a very serious issue here, and by watering down existing statutes which protected the plug from being pulled, I think that we may be making a serious mistake."

The motion was put by the Chair and carried, and S.B. No. 1323, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Chong). Excused, 1 (Yee).

Senate Bill No. 1328, S.D. 1:

Senator Chong moved that S.B. No. 1328, S.D. 1, be recommitted to the Committee on Public Utilities, seconded by Senator Mizuguchi.

Senator Chong then stated as follows:

"Mr. President, the intent of this administration bill is to nudge the motor carrier industry of Hawaii towards a free enterprise, free competition model. I believe that most of us agree with this intent because we believe that government should not intrude into the lives of our people where this is not warranted. That is why your Committee moved this bill to the floor for full consideration of the Senate.

"However, over the past three days several serious concerns and questions were raised that require further inquiry. I feel that these serious concerns should be looked at and I request that this administration bill be recommitted so that your Committee on Public Utilities can examine them during the interim."

The motion was put by the Chair and carried, and S.B. No. 1328, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", was recommitted to the Committee on Public Utilities.

Senate Bill No. 1516, S.D. 1:

By unanimous consent, consideration of S.B. No. 1516, S.D. 1, was deferred to the end of the session.

Senate Bill No. 1737, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1737, 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, 23. Noes, 1 (Abercrombie). Excused, 1 (Yee).

Senate Bill No. 3, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried,

S.B. No. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", was recommitted to the Committee on Ways and Means.

MATTER DEFERRED FROM THE MORNING SESSION

Senate Bill No. 1400, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 1400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was recommitted to the Committee on Human Resources.

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

The Senate reconvened at 11:27 o'clock p.m.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Standing Committee Report No. 503 (S.B. No. 1292, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 503 be adopted and S.B. No. 1292, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I oppose this because I think it is unconstitutional in line with my previous conversation on the floor. I believe I should vote against it. The unconstitutionality revolves around disallowing me to receive a contribution over \$2,000."

Senator Carroll then spoke in opposition to the measure as follows:

"Mr. President, I rise also to speak against it. There is an income tax check-off method here which will provide initially a fund for this.

"In addition to that method, there is also a provision for public funding from the public coffers for these campaigns. I realize that the language of the Standing Committee Report says that we will clean it up elsewhere and do more with it and it will be a vehicle and so on and so forth; but, Mr. President, it's my belief that what goes out of the floor of this Senate should be in a finished format.

"As far as I'm concerned, there's nothing in the mandate of the Constitutional Convention that says that anybody

has to pay for my or anybody else's campaign. And if people want to voluntarily contribute and create a public fund for public financing, that's fine, but I certainly am not going to vote for this measure and I urge that all others do likewise."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 503 was adopted and S.B. No. 1292, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUFFRAGE AND ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTIONS 5 AND 6)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 5 (Abercrombie, Ajifu, Anderson, Carroll and Kawasaki). Excused, 2 (Yee and Young).

Standing Committee Report No. 504 (S.B. No. 1611, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 504 was adopted and S.B. No. 1611, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Yee and Young).

Senate Bill No. 1494, S.D. 1:

Senator Yim moved that S.B. No. 1494, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Mizuguchi then spoke in favor of the bill as follows:

"Mr. President, the purpose of this bill is to provide added protection for remaining conservation land. I believe that there is a vital need to protect land classified as conservation land from further encroachments.

"Since lands were originally placed within the conservation district for specific reasons including watersheds, parks, scenic, historical or archaeological sites, wilderness, beach reserves, the conservation of natural eco-systems, endemic flora and fauna and open space, their removal from the conservation district may result in a loss of important values to the State.

"This bill will require the demonstration of a compelling reason by the petitioner before the Land Use Commission grants a petition to reclassify lands classified

as conservation land. This will ensure that reclassification of conservation land will be permitted only for the exceptional case.

"In 1975, we adopted guidance policies or guidelines to guide the Land Use Commission in acting on petitions for reclassification (HRS 205-16.1). One of the guidelines stated that 'insofar as practicable conservation lands shall not be reclassified as urban lands' (HRS 205-16.1(7)). Yet conservation land has been reclassified, even as urban land. However, there is already ample land classified as urban that is not being utilized or that is under-utilized. Thus, the amount of land classified as conservation has dwindled while the amount of urban land has increased.

"There is adequate land already classified as urban on all the islands of Hawaii for the full development of the urban uses forecast for the next twenty years without taking conservation land for that purpose. Thus, this interim guideline has not provided adequate guidance to the Land Use Commission, when considered in light of the need to preserve what conservation land remains. This bill will take positive steps to further protect conservation land.

"In addition, this bill will require recommendations in conservation cases from the Department of Land and Natural Resources and the County Board of Water Supply in order to insure that the Land Use Commission may adequately evaluate if there will be significant adverse effects upon the environment, endemic flora and fauna, forest reserves, watershed areas, water supply or other resources of the area. It will aid the Land Use Commission in its decision-making to receive more direct input from these two important agencies.

"I urge you to vote in favor of this bill."

The motion was put by the Chair and carried, and S.B. No. 1494, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION LAND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Soares). Excused, 2 (Yee and Young).

Senate Bill No. 247, S.D. 1:

Senator Carpenter moved that S.B. No. 247, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Kawasaki then stated as follows:

"Mr. President, I am voting 'no' for this because I'm a little concerned about reducing the indemnity fund from five to three million dollars.

"I understand from staff of the Department of Regulatory Agencies that there is one suit pending in court today that involves about a million dollars. Supposing we had about three of this kind of suits involving these sums of money, it would completely deplete the fund of three million dollars.

"It just seems odd to me that a profession that's supposed to be the highest paying profession in contemporary society today, with about twelve hundred physicians in the profession, that they could not raise a fund of five million dollars for their insurance requirements.

"I am just concerned about the inadequateness of the three million dollar figure. If we have a whole rash of suits involving large sums of money, it would just be completely depleted. For that reason, I am voting 'no'."

The motion was put by the Chair and carried, and S.B. No. 247, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1535, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHMENT OF AN EMERGENCY MEDICAL TRAINING SERVICES' LIST", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

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

On motion by Senator Campbell, seconded by Senator Young and carried, S.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMPULSORY ATTENDANCE OF SCHOOL CHILDREN", was recommitted to the Committee on Education.

Senate Bill No. 610:

On motion by Senator Campbell,

seconded by Senator Young and carried, S.B. No. 610, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", was recommitted to the Committee on Education.

Standing Committee Report No. 546 (S.B. No. 1492, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 546 be adopted and S.B. No. 1492, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Ushijima then asked for a ruling of the Chair on a possible conflict of interest as he is associated with a life insurance company.

The President announced that there was no conflict and Senator Ushijima was allowed to vote.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 546 was adopted and S.B. No. 1492, S.D. 2, 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, 23. Noes, 1 (Abercrombie).
Excused, 1 (Yee).

At 11:37 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:40 o'clock p.m.

Senate Bill No. 849, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 849, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS FROM THE SALE OR EXCHANGE OF REAL PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Ajifu, Anderson, Carroll, George, Kawasaki and Saiki).
Excused, 1 (Yee).

Standing Committee Report No. 551 (S.B. No. 286, S.D. 1):

Senator O'Connor moved that Stand. Com. Rep. No. 551 be adopted and S.B. No. 286, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I am voting 'no' for this bill because I think this is too much of an incursion on a citizen's right to work for whomever he pleases and to work for whatever wages he wants to. To require a government worker to have to work at 'prevailing wages', may be, I think, incurring a hardship many times.

"I think there are extenuating circumstances by which a government worker would like to work on an outside job, at wages not prevailing. I think this is just another step in the direction of our government edict, thus controlling a life of a citizen in this state.

"As I said, Mr. President, I think this is too much of an incursion on a citizen's right and for that reason I will vote 'no' for this bill."

Senator Carroll then spoke against the measure as follows:

"Mr. President, I'd like to have the learned Senator's remarks adopted by reference and made as my own and I believe, in addition, that we have no business interfering with what somebody does with their time."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 551 was adopted and S.B. No. 286, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTSIDE EMPLOYMENT FOR PUBLIC EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 14. Noes, 10 (Ajifu, Anderson, Campbell, Carroll, Chong, Cobb, George, Kawasaki, Saiki and Soares). Excused, 1 (Yee).

Senate Bill No. 881, S.D. 1:

Senator Cobb moved that S.B. No. 881, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Cayetano then spoke in opposition to the measure as follows:

"Mr. President, the reason I am opposing this bill is that the amendment to the bill states that 'any person who', and the amendment is 'wilfully violates or omits to comply with any of the provisions of this chapter shall be fined not more than \$5,000 and his license may be revoked.'

"My understanding of the present law is that a violation may be either wilfully or by negligence, and this bill would amend the law to mandate that a violation could only be one that

is wilfully done and not negligently done. I don't think that is correct."

The motion was put by the Chair and carried, and S.B. No. 881, 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, 21. Noes, 3 (Abercrombie, Ajifu and Cayetano). Excused, 1 (Yee).

Senate Bill No. 1441, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1441, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1752, S.D. 1:

Senator Cobb moved that S.B. No. 1752, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Carroll then spoke against the measure as follows:

"Mr. President, only one state has a law similar to this one and that is Colorado and that law does not take effect, apparently until 1981.

"I signed the committee report free and clear and I had intended to vote in favor of it, but as I examine my conscience and this bill, I think that rather than enhancing or benefiting our students who are in the very difficult field of accounting, that rather we are penalizing them. I therefore urge that we vote 'no' on this measure."

Senator Soares then asked if the Chairman of the Committee on Consumer Protection and Commerce would yield to a question, to which Senator Cobb replied in the affirmative.

Senator Soares then asked why the committee report indicates that an applicant may take the exam if he expects to complete the minimum educational requirements within 120 days of the exam, and yet the provision is not reflected in the bill.

Senator Cobb then stated that the bill originally intended to have the 120-day provision but that the Committee amended it to allow a student two years to take that examination and to get the

thirty additional hours, and directed the attention to page 4, lines 16 to 18 of the bill.

Senator Cobb then explained further, "Mr. President, the question has been raised concerning the technicality of the 120 days and the bracketing from that. We'll address the problem to the House of Representatives in terms of removing the bracketing item and allowing the discretion for the students particularly from the neighbor islands, to take it and I'll so inform the members of the House committee on that. It was not reflected in the committee report."

At 11:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

The motion was put by the Chair and carried, and S.B. No. 1752, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Carroll and Yamasaki). Excused, 1 (Yee).

RECONSIDERATION OF ACTION TAKEN EARLIER

Senate Bill No. 881, S.D. 1:

Senator O'Connor moved that the Senate reconsider its action taken earlier on S.B. No. 881, S.D. 1, seconded by Senator Cayetano.

Senator O'Connor stated, "Mr. President, the reason I made the motion to reconsider the action on this bill is that, if the bill passes as is, with the word 'wilful' in it, there will be no penalty section in this chapter for any of the other offenses which are not necessarily wilful."

The motion was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 881, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", was recommitted to the Committee on Consumer Protection and Commerce.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Bill No. 168, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B.

No. 168, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1161, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1161, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 390, S.D. 1:

Senator O'Connor moved that S.B. No. 390, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Ushijima then remarked as follows:

"Mr. President, I just want to explain my 'I do not concur' signature on this committee report.

"First of all, I believe that the committee report does not clarify the question as to whether this bill meets the constitutional test of one man, one vote, and I believe that it does not. This is the reason why I have signed, 'I do not concur'.

"Also, looking very closely at the bill, I believe that the title is defective, because it refers to Articles II, III and VII of the Constitution and the bill amends only Article II.

"Section 1 of the bill is defective, I believe also, because it states that the purpose of the bill is to propose amendments to Articles II, III and VII, whereas the bill only amends Article II.

"I don't know what weight that would have, but I'm just pointing these things out and for these reasons I am voting 'no' against this particular bill."

Senator Ajifu then rose on a point of personal privilege and stated as follows:

"Mr. President, my support for the initiative process has always been well known among my fellow legislators and in the community. To my knowledge, I have never given reason for there

to be any doubt of this support.

"I have been aggrieved, however, by certain unfair tactics practiced to discredit me in the community by two organizations that I ordinarily would have high regard for.

"During the past few days, representatives of these organizations--the League of Women Voters and Common Cause--have called me to task because they believed I was opposed to this bill, which would begin the initiative mechanism for our state.

"They made the mistake of jumping to conclusions about my position on this issue, and then directing a telephone campaign against me based on this erroneous information.

"Maybe it's not the first time anyone has ever made a mistake, but because these two organizations have such wide community influence and because they use a telephone campaign technique very successfully, I find it inexcusable that they proceeded to spread false rumors about my position on this issue.

"Especially disturbing was the fact that many of the members who were directed to call me are my constituents.

"All this damage to my reputation has been done, and all based on misinformation. It seems that it would have been better all around for their reputations and for mine if they had taken a few minutes to check with me first-hand and find out my feelings on the matter.

"I think it is incumbent upon such citizen groups as the League of Women Voters and Common Cause to be ever more careful of their information and to be wary of sources who may be misstating the facts... particularly if they intend to direct any kind of large-scale lobbying effort at an individual or group of elected officials.

"We need greater vigilance on the part of citizen groups, and I wholeheartedly support the intentions of these volunteers who seek to bring about improvements in the government process.

"While I give both these organizations a lot of credit for the hard work they have done in the past, I cannot condone this kind of practice on their part.

"I hope they will realize how this damages their own credibility and the causes they so strongly support, and that in the future, they will use greater care in confirming vital information before dispensing it to others.

"Thank you."

The motion was put by the Chair and carried, and S.B. No. 390, S.D. 1, entitled: "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", 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, 19. Noes, 5 (Hara, Takitani, Toyofuku, Ushijima and Yamasaki). Excused, 1 (Yee).

Senate Bill No. 522, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried S.B. No. 522, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Cayetano). Excused, 1 (Yee).

Standing Committee Report No. 627 (S.B. No. 1282):

Senator O'Connor moved that Stand. Com. Rep. No. 627 be adopted and S.B. No. 1282, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then stated as follows:

"Mr. President, hesitant to do so, I must rise and speak against this. I think that we're reaching some new height in legislative activity when we want to move in a situation where people may very well have a different idea as to what constitutes a legitimate claim in an unemployment case and start talking about felonies.

"Maybe the people who are willing to vote for the measure don't picture the time when they might ever find themselves in the unemployment line, trying to explain themselves to someone or feeling that they have told the truth, when in fact, someone else views the matter in a different way and accuses them of making false information... to put a felonious category in the area of unemployment insurance, seems to me to be a travesty."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 627 was adopted and S.B. No. 1282,

entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Kawasaki and Yamasaki). Excused, 1 (Yee).

Senate Bill No. 1516, S.D. 1:

Senator Cobb moved that S.B. No. 1516, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Carroll then spoke in opposition to the measure as follows:

"Mr. President, I have really quite a lot to say, but I can't get it in and still allow the bill to pass. What I will say is that the committee work on this bill is not done and that what we're sending to the House is nothing that I feel that any of us can put our names on with pride.

"There are all kinds of problems with the bill--legal problems, definition problems. We're not taking care of the problems that we should be looking down the road to see. I'm quite certain that this matter is not going to be cleaned up in conference. I think that the passage of this measure is probably the best argument I've ever heard, and I've always opposed a unicameral legislature and I hope we all vote 'no'."

Senator Cobb then requested that the following letter be entered into the Journal regarding S.B. No. 1516, S.D. 1:

"HAWAII COUNCIL OF
ASSOCIATIONS OF APARTMENT OWNERS
A non-profit organization
P.O.Box 22817
Honolulu, Hawaii 96822

March 8, 1979

Mr. Russell Blair, Chairman
House Committee on Consumer Protection
and Commerce
State Capitol
Honolulu, Hawaii 96813

RE: Time Sharing Legislation

Dear Mr. Blair:

We are very much concerned about the need for some legislation to be

passed this session to restrict the selling of individual apartments on a time-sharing basis. We are, therefore, very pleased to learn that Senate Bill 1516 is progressing and may be suitable as a vehicle for passage of the law in this session.

However, if it is not possible to get this Bill or any of the House Bills passed, it will create a period of risk for many of our Council members. In the absence of any law, we understand it is possible for individual apartment owners to sell their apartments on a time-sharing basis.

We therefore, urge that should there be difficulty in getting some time-sharing legislation in this session, that a stop-gap measure be taken to pass a law which would restrict the sale on a time-sharing basis of apartments in existing condominiums without some appropriate approval e.g., approval of the Board of Directors.

Should you have any questions, please call me at 531-1684. Thank you for your consideration.

Very truly yours,

/s/ William G. Van Allen

William G. Van Allen
Vice President

WGVA/njt

cc: Messrs.
Gus Kirkpatrick,
Aaron M. Chaney, Inc.
Brian Thomas, P.O. Box 3727
Richard Hagstrom, VP, Bank of Hawaii
Mitsuo Shito, Chairman, House Committee
on Housing
Dennis Yamada, Chairman, House Committee
on Judiciary
Wright Hiatt, President, HCAAO"

The motion was put by the Chair and carried, and S.B. No. 1516, 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, 18. Noes, 6 (Abercrombie, Carroll, Cayetano, Kawasaki, Toyofuku and Ushijima). Excused, 1 (Yee).

ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 15, 1979.

THIRTY-SIXTH DAY

Thursday, March 15, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Warren G. Studer, Christ Church Uniting Disciples and Presbyterians, after which the Roll was called showing all Senators present, with the exception of Senator Yee, who was excused.

The President announced that he had read and approved the Journal of the Thirty-Fifth Day.

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

Senator Toyofuku introduced a group of members of the NRTA/AARP Hawaii Joint State Legislative Committee as follows: Miss Lucille Berg of Maui, Acting Chairman; Mr. Ed Webster of Oahu, Secretary; Miss Josephine Day, President of the Hawaii State Retired Teachers Association; Masao Uyematsu and Arthur Flynn of Kauai; Mrs. Lillian Givens, Mr. Edward Henry and Mrs. Louis Machado of Oahu; Mr. Howard Cate of Hilo; Mr. John Kown of Maui; Mrs. Grace Terranella of Oahu, State Director, AARP; Mr. Gabriel I of Kauai, State Director, NRTA; and Mrs. Marian LeeLoy, President of the Oahu Retired Teachers Association. Mr. Nick Willard of Washington, D.C., National Legislative Representative of NRTA, who accompanied the group was also introduced.

Senator Chong, on behalf of the Senators from the Sixth Senatorial District, introduced 82 fifth grade students from Jefferson School, accompanied by their teachers Mrs. Fran T. Heatherman, Mrs. Kay Sakuma, Mrs. Betty Shimogawa and Mrs. Mary Chote.

Senator Kuroda introduced Mr. William Wong, former principal of Roosevelt High School, also a member of the NRTA/AARP Hawaii Joint State Legislative Committee, and followed with an introduction of Mr. William Pound, Director of State Services, National Conference of State Legislatures, and stated as follows:

"The National Conference of State Legislatures, with headquarters in Denver, has recognized the Hawaii State Legislative Reference Bureau for the work done last year on the work-sharing law and also recognized Senator T. C. Yim's energy program and, of course, Senator Richard Wong's budget work of the past year when he was Chairman of the Ways and Means Committee. Thank you."

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 240 to 242) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 240), entitled: "SENATE RESOLUTION REQUESTING REVIEW OF THE STATUTES, PROGRAMS, AND RESOURCE REQUIREMENTS OF THE OFFICE OF CHILDREN AND YOUTH", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Young, Carpenter, Kuroda, Ushijima, Soares, Hara, O'Connor, Yamasaki, Kawasaki, Yee, Saiki, George and Campbell.

By unanimous consent, S.R. No. 240 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 241), entitled: "SENATE RESOLUTION REQUESTING A STUDY RELATING TO THE WORKERS' COMPENSATION PROGRAM", was jointly offered by Senators Toyofuku, Hara, Takitani, Ushijima, Chong, Abercrombie, Kuroda, Cayetano, Young, Carpenter, Soares, O'Connor, Yamasaki, Ajifu and Yee.

By unanimous consent, S.R. No. 241 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 242), entitled: "SENATE RESOLUTION CONGRATULATE MOANALUA HIGH SCHOOL BASKETBALL TEAM", was jointly offered by Senators Campbell, Wong, Yim, Kawasaki, Chong, Yamasaki, Ushijima, Takitani, Toyofuku, Young, Mizuguchi, and Ajifu.

On motion by Senator Campbell, seconded by Senator Yim and carried, S.R. No. 242 was adopted.

Senator Campbell then introduced the members of the Moanalua Basketball Team; their co-captains Brian Lee and Ross Shimabukuro; assistant coach Cal Hashimoto; head coach Eric Hew; and stated as follows:

"Mr. President and members of the Senate, the Moanalua High School Menhunes, the basketball team which has shown that it can challenge the best basketball teams in the state have only been in competition for six years and yet, this fabulous team, although entering the Hawaii High Schools Athletic State Basketball Tournament for the first time, went to the finals. This they accomplished in spite of the fact that they were seeded

seventh when the tournament began."

Senator Kawasaki then presented copies of the resolution to the co-captains and coaches.

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.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 635), informing the Senate that Senate Resolution Nos. 234 to 239 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, Stand. Com. Rep. No. 635 was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 636), recommending that Senate Resolution No. 16, as amended in S.D. 1, be referred to the Committee on Legislative Management.

Senator Cobb then moved that the report of the Committee be adopted and that S.R. No. 16 be referred to the Committee on Legislative Management, seconded by Senator Chong.

Senator Anderson then rose to state as follows:

"Mr. President, I find the resolution sort of, let's use the word, amusing.

"We had an opportunity here Monday night to totally deregulate the motor carrier act but the bill was recommitted to committee. Now a resolution is being passed asking the departments to initiate deregulation.

"Mr. President, if you're going to wait for the departments to initiate deregulation of businesses in this state, all hell's going to freeze over first.

"The amount of jobs that are created in this state regulating businesses are thousands. If we don't set an example and practice what we preach, then how are the departments going to initiate? The 'BE IT RESOLVED by the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, that this Body urges all government agencies which regulates businesses to initiate deregulation...' -- I might say that the departments don't regulate, we do. We instruct the departments to regulate; we set up the criteria for regulation; so, if there's going to be any initiation for deregulation, it ought to

start here, and it could have started on Monday."

Senator Cobb then replied as follows:

"Mr. President, in rebuttal to the remarks, the opportunity, as I understand it for total deregulation of the motor carriers, I don't believe was presented to the Senate in the form of an amendment and I don't recall having an opportunity to examine the proposal in detail, either as an amendment or in discussion Monday night.

"Furthermore, Mr. President, this resolution was adopted by the committee weeks before the subject matter of Monday night was ever discussed. This was merely held back until after the rush of all the bills and the third reading deadline yesterday. It was brought out today as a convenience for the members of the Senate, so as to not clutter-up our calendar with resolutions when we're reconsidering so many bills.

"In addition, I think it's only fair to point out that in many cases, businesses and departments have recommendations to make to the legislature as to how possible areas of deregulation can be accomplished. While we set the policy and pass the statutes on this, I do think we should also rely on them as one of the many resource people who're involved in the area of regulation, as to what recommendations to make. And I would further point out that our committee has listed the recommendations of the Chamber of Commerce, the Hawaii Business League, and many other businesses, as well as consumer groups, in the area of regulation. This is addressing itself to the other side of the coin; namely, the departments that are already involved in it.

"Thank you."

Senator Chong added as follows:

"Mr. President, I also would like to make a few comments with regard to the comments of the minority floor leader on deregulating the motor carrier industry.

"I'm delighted to hear that he is on record and in long standing, always has been on record, to deregulate. He's a member of the Public Utilities Committee, had the opportunity to urge with alacrity the movements of my bill to deregulate the motor carrier industry. After the hearing, he himself said not to do so and waited until, as you know, Monday night when he then so graciously withdrew his original amendment to the bill in favor of the partial deregulation bill which, unfortunately, did not gain

sufficient support last night. That's why I'm very curious to hear his comments today on this excellent beginning--the senate resolution part of the majority package to get the various departments of the State of Hawaii out of the lives of the people of our state so that we may well start getting closer to a free enterprise system."

Senator Soares then remarked as follows:

"Mr. President, I would like to speak on the point that's illustrated by my colleague from the Sixth Senatorial District.

"I'd like to know why the resolution leaves out the Committee on Public Utilities which is responsible for most of the regulation in this state? I do know that the Committee on Consumer Protection and Commerce is very capable of handling this resolution, but I'd like to know why the Committee on Public Utilities which is dealing entirely with the commission that regulates businesses throughout the State of Hawaii, why, they were not included; and being a member of that committee with Senator Chong, I'd like to be able to participate, if possible."

Senator Chong replied as follows:

"Mr. President, I'd like to assure Senator Soares that we will have a separate resolution doing just that. In fact, there already are several in the committee that we will be moving out and I'm glad that he has committed his vote to them."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 16, S.D. 1, entitled: "SENATE RESOLUTION URGING ALL GOVERNMENT AGENCIES WHICH REGULATE BUSINESSES TO INITIATE DEREGULATION PROGRAMS", was referred to the Committee on Legislative Management.

At this time, the President made the following observation and stated as follows:

"The Chair would like to thank all the members of the Senate for actions taken last night on the Senate bills on deck, for their patience and endurance. People were very much aware of the time constraints; within those time constraints Senate bills that emanated from the committees were passed in total to the House. The Chair wishes to take this opportunity to thank all the members of the Senate for their patience."

Senator Cobb then rose on a point of personal privilege and stated as follows:

"Last night, because of a rush of business, I think a lot of our remarks were abbreviated, to say the least, but I would like to comment on the recommittal of the bill relating to nursing.

"It was done at the request of one of the primary movers of the bill in order to give various nursing groups in the state time to get their act together and to present comprehensive recommendations to the Legislature next year. In effect, the bill was deferred for nine months. I can assure you that those recommendations are not forthcoming. The bill will have a rabid test and will be ready to move in January.

"Thank you."

ADJOURNMENT

At 11:56 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 16, 1979.

THIRTY-SEVENTH DAY

Friday, March 16, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the Vice-President in the Chair.

The Divine Blessing was invoked by the Reverend Henry McCloskey of the Star of the Sea Church, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Wong and Yee, who were excused.

The Vice-President announced that the President had read and approved the Journal of the Thirty-Sixth Day.

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

Senator Saiki introduced fifty-four students from the second and third grades at Royal School, with their teachers, Mrs. Betty Ito and Mrs. Dorothy Luke.

Senator Campbell introduced seventy students from the fourth grade at Kalihi-Uka School, with their teachers, Ms. Alice Takata, Ms. Sarah Whyte, Ms. Wendy Nakanishi and Mr. Ricky Fukumoto.

Senator Toyofuku then introduced thirty-six students from the American Problems Class at Waimea High School, Kauai, together with their advisors, Mrs. Francis Moriguchi and Mrs. Mitsue Ibara.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 106), transmitting a report prepared by the Department of Health in response to House Resolution No. 18 (1978) which requested a review of the referral system for mental health patients, was read by the Clerk and was referred to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 212 to 305) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 212), transmitting House Bill No. 1, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George 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.

A communication from the House (Hse. Com. No. 213), transmitting House Bill No. 2, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 214), transmitting House Bill No. 9, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 9, H.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS AND FOR SALARY ADJUSTMENTS OF EMPLOYEES EXCLUDED FROM CERTAIN BARGAINING UNITS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 215), transmitting House Bill No. 14, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 14, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 216), transmitting House Bill No. 18, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 18, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 217), transmitting House Bill No. 20, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 20, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 218), transmitting House Bill No. 23, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 23, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed First Reading by title and was referred to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 219), transmitting House Bill No. 25, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 25, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE", passed First Reading by title and was referred to the Committee on Health, then jointly to the Committee on Judiciary and the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 220), transmitting House Bill No. 38, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 38, H.D. 2, 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, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 221), transmitting

House Bill No. 44, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 44, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC SERVICE EMPLOYMENT PROGRAM", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 222), transmitting House Bill No. 48, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 48, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 223), transmitting House Bill No. 69, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 69, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 224), transmitting House Bill No. 77, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 77, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY LEASES", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 225), transmitting House Bill No. 102, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 102, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 226), transmitting House Bill No. 130, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 130, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A VEHICLE EMISSIONS INSPECTION PROGRAM", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 227), transmitting House Bill No. 137, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 137, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 228), transmitting House Bill No. 160, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 229), transmitting House Bill No. 181, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 181, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 230), transmitting House Bill No. 183, H.D. 1, which passed Third Reading in the House

of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 183, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII WATER CARRIER LAW", passed First Reading by title and was referred to the Committee on Public Utilities.

A communication from the House (Hse. Com. No. 231), transmitting House Bill No. 188, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 188, 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, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 232), transmitting House Bill No. 275, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 275, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT FOR SOLAR ENERGY", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 233), transmitting House Bill No. 281, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 281, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", passed First Reading by title and was referred to the Committee on Government Operations and Efficiency, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 234), transmitting House Bill No. 405, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 405, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 235), transmitting House Bill No. 417, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 417, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC BOTTLES", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 421, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 421, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 237), transmitting House Bill No. 438, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 494, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 494, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 511, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 511, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 515, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 515, 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 Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 520, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 520, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 242), transmitting House Bill No. 553, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 553, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH FACILITIES", passed First Reading by title and was referred to the Committee on Health, then jointly to the Committee on Judiciary and the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 243), transmitting House Bill No. 583, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 583, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", passed First Reading by title and was referred to the Committee

on Ecology, Environment and Recreation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 638, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 660, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 660, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS FROM THE SALE OR EXCHANGE OF REAL PROPERTY", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 705, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 705, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION BENEFITS FOR PERMANENT TOTAL DISABILITY OR DEPENDENCY", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 247), transmitting House Bill No. 743, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 743, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", passed First Reading by title and was referred

to the Committee on Education, then to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 248), transmitting House Bill No. 890, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 890, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Judiciary, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 249), transmitting House Bill No. 925, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 925, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OPEN PRIMARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 250), transmitting House Bill No. 931, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 251), transmitting House Bill No. 936, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 936, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 252), transmitting House Bill No. 961, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator George and carried, H.B. No. 961, 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.

A communication from the House (Hse. Com. No. 253), transmitting House Bill No. 1026, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1026, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 254), transmitting House Bill No. 1039, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1039, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 255), transmitting House Bill No. 1060, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1060, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 256), transmitting House Bill No. 1085, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1085, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURES ACT", passed First Reading by title and was referred to the Committee on Intergovernmental Relations, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 257), transmitting House Bill No. 1099, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1099, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 258), transmitting House Bill No. 1127, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF CREDIT CARDS FOR HOSPITAL CHARGES", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 259), transmitting House Bill No. 1140, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1140, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING 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 referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 260), transmitting House Bill No. 1162, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1162, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 261), transmitting House Bill No. 1178, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1178, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COOPERATIVE REAL PROPERTY LEASES", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 262), transmitting House Bill No. 1183, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1183, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR EMPLOYMENT SERVICE FEES", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 263), transmitting House Bill No. 1200, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1200, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 264), transmitting House Bill No. 1206, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1206, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 265), transmitting House Bill No. 1252, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1252, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", passed First Reading by title and was referred to the Committee on Agriculture, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 266), transmitting House Bill No. 1254, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1254, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 267), transmitting House Bill No. 1322, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1322, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 268), transmitting House Bill No. 1338, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1338, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 269), transmitting House Bill No. 1355, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1355, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 270), transmitting House Bill No. 1382, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1382, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 271), transmitting House Bill No. 1386, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1386, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 272), transmitting House Bill No. 1406, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1406, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE HAWAII MEDICAL ASSOCIATION-EMERGENCY MEDICAL SERVICES PROGRAM FOR THE PERIOD JULY 1, 1979 -JUNE 30, 1980", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 273), transmitting House Bill No. 1496, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1496, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTION FOR DAMAGES BASED ON CONSTRUCTION TO IMPROVE REAL PROPERTY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 274), transmitting House Bill No. 1510, which passed

Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1510, entitled: "A BILL FOR AN ACT RELATING TO LIVING WILLS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 275), transmitting House Bill No. 1526, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER REQUIREMENTS", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 276), transmitting House Bill No. 1528, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1528, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF SOLID WASTES", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 277), transmitting House Bill No. 1531, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ALU LIKE INC. FOR THE NATIVE HAWAIIAN PROGRAM UNDER THE NATIVE AMERICANS ACT OF 1978", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 278), transmitting House Bill No. 1576, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator George and carried, H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 279), transmitting House Bill No. 1577, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1577, 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.

A communication from the House (Hse. Com. No. 280), transmitting House Bill No. 1581, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1581, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 281), transmitting House Bill No. 1588, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1588, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 282), transmitting House Bill No. 1589, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1589, H.D. 1, 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.

A communication from the House (Hse. Com. No. 283), transmitting House Bill No. 1606, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1606, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 284), transmitting House Bill No. 1609, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1609, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 285), transmitting House Bill No. 1630, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1630, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 286), transmitting House Bill No. 1634, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1634, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 287), transmitting House Bill No. 1639, H.D. 1, which passed

Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1639, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 288), transmitting House Bill No. 1647, H.D. 2, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1647, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", passed First Reading by title and was referred to the Committee on Higher Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 289), transmitting House Bill No. 1652, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1652, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE AQUACULTURE LOAN PROGRAM", passed First Reading by title and was referred to the Committee on Economic Development, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 290), transmitting House Bill No. 1657, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1657, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", passed First Reading by title and was referred to the Committee on Health, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 291), transmitting House Bill No. 1642, H.D. 1, which passed Third Reading in the House

of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1642, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 292), transmitting House Bill No. 1646, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 293), transmitting House Bill No. 1656, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 294), transmitting House Bill No. 1663, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1663, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 295), transmitting House Bill No. 1671, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1671, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed First Reading by title and was referred to the Committee on Judiciary, then to

the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 296), transmitting House Bill No. 1695, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII", passed First Reading by title and was referred to the Committee on Education, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 297), transmitting House Bill No. 1716, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1716, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 298), transmitting House Bill No. 986, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 986, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 299), transmitting House Bill No. 173, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 173, 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 Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 300), transmitting House Bill No. 850, H.D. 1, which

passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 850, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKER'S COMPENSATION", passed First Reading by title and was referred to the Committee on Human Resources, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 301), transmitting House Bill No. 1015, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1015, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE OFFENDERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 302), transmitting House Bill No. 1222, H.D. 1, which passed Third Reading in the House of Representatives by not less than two-thirds vote of all the members to which the House is entitled on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1222, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)", passed First Reading by title and was referred to the Committee on Public Utilities, then jointly to the Committee on Judiciary and the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 303), transmitting House Bill No. 1223, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1223, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)", passed First Reading by title and was referred to the Committee on Public Utilities, then jointly to the Committee on Judiciary and the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 304), transmitting House Bill No. 1432, H.D. 1, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1432, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 305), transmitting House Bill No. 1667, which passed Third Reading in the House of Representatives on March 14, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator George and carried, H.B. No. 1667, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed First Reading by title and was referred to the Committee on Public Utilities, then to the Committee on Judiciary.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 49), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY AND THE SIMULTANEOUS IMPLEMENTATION OF APPROPRIATE ACTIONS PURSUANT TO THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA) OF 1978", was jointly offered by Senators Takitani, Hara, Ajifu, Chong, Kuroda, Campbell, Saiki and Toyofuku and was read by the Clerk.

By unanimous consent, S.C.R. No. 49 was referred to the Committee on Ecology, Environment and Recreation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 243 to 258) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 243), entitled: "SENATE RESOLUTION CONGRATULATING THE HAWAII LAVA ROCKERS FRISBEE CLUB ON THE OCCASION OF HAWAII'S PREMIER FRISBEE EXTRAVAGANZA", was offered by Senator Abercrombie.

On motion by Senator Abercrombie, seconded by Senator Chong and carried, S.R. No. 243 was adopted.

A resolution (S.R. No. 244), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO SUBMIT A REPORT ON THE CAUSES OF THE DISAPPEARANCE

OF THE HOLO HOLO AND WHAT IS BEING DONE TO PREVENT SIMILAR TRAGEDIES", was offered by Senator Campbell.

By unanimous consent, S.R. No. 244 was referred to the Committee on Higher Education.

A resolution (S.R. No. 245), entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A TIMETABLE FOR QUALITY EDUCATION", was offered by Senator Campbell.

By unanimous consent, S.R. No. 245 was referred to the Committee on Education.

A resolution (S.R. No. 246), entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF QUANTITATIVE GOALS TO MEASURE PERFORMANCE IN THE PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 246 was referred to the Committee on Judiciary.

A resolution (S.R. No. 247), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO SUBMIT A STATUS REPORT ON THE SITUATION OF TEACHERS WHO ARE UNEMPLOYED OR ENGAGED IN OCCUPATIONS OTHER THAN TEACHING", was offered by Senator Campbell.

By unanimous consent, S.R. No. 247 was referred jointly to the Committee on Education and the Committee on Higher Education.

A resolution (S.R. No. 248), entitled: "SENATE RESOLUTION COMMENDING AMFAC INCORPORATED, KAUAI ELECTRIC COMPANY, AND FOSTER WHEELER CORPORATION ON THEIR JOINT VENTURE TO BUILD A BAGASSE-BURNING PLANT ON KAUAI", was jointly offered by Senators Toyofuku, Saiki, Mizuguchi, Hara, Takitani, Ushijima, Abercrombie, Kuroda, Kawasaki, Cayetano, Yim, Young, Cobb, Anderson, Carpenter, Soares, O'Connor, Yamasaki, Ajifu, Chong, Yee, George, Campbell and Carroll.

On motion by Senator Saiki, seconded by Senator Cobb and carried, S.R. No. 248 was adopted.

A resolution (S.R. No. 249), entitled: "SENATE RESOLUTION RESPECTFULLY REQUESTING HAWAII'S DELEGATION TO THE UNITED STATES CONGRESS TO SPONSOR AND SUPPORT LEGISLATION RELATING TO THE FARM OWNERSHIP PROGRAM LOANS OF THE FEDERAL FARMERS HOME ADMINISTRATION", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 249 was referred to the Committee on Agriculture.

A resolution (S.R. No. 250), entitled: "SENATE RESOLUTION URGING ESTABLISHMENT OF INTERN WORK-EXPERIENCE PROGRAMS IN THE AGRICULTURAL CURRICULA AT THE MANOA AND HILO CAMPUSES OF THE UNIVERSITY OF HAWAII", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 250 was referred to the Committee on Higher Education.

A resolution (S.R. No. 251), entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF AN ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURAL EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 251 was referred to the Committee on Higher Education.

A resolution (S.R. No. 252), entitled: "SENATE RESOLUTION REQUESTING THE CONSTRUCTION OF A WATER RESERVOIR AT WAIAKEA-UKA, HAWAII, FOR DOMESTIC, AGRICULTURAL, AND OTHER PURPOSES", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 252 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 253), entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE COMMUNITY COLLEGES OF THE UNIVERSITY OF HAWAII SYSTEM TO DEVELOP A COMPREHENSIVE AND INTEGRATED PROGRAM FOR STUDENTS PURSUING CAREERS IN COMMERCIAL AGRICULTURE", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 253 was referred jointly to the Committee on Education and the Committee on Higher Education.

A resolution (S.R. No. 254), entitled: "SENATE RESOLUTION REQUESTING A STUDY AND THE SIMULTANEOUS IMPLEMENTATION OF APPROPRIATE ACTIONS PURSUANT TO THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA) OF 1978", was jointly offered by Senators Takitani, Hara, Ajifu, Chong, Kuroda, Campbell, Saiki and Toyofuku.

By unanimous consent, S.R. No. 254 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 255), entitled: "SENATE RESOLUTION REQUESTING IMPROVEMENTS AND EXPANSION OF THE STATE OPERATED LALAMILO IRRIGATION SYSTEM IN HAWAII COUNTY", was jointly offered by Senators Takitani, Hara, Ushijima, Yamasaki and Toyofuku.

By unanimous consent, S.R. No. 255 was referred jointly to the Committee on Agriculture and the Committee on Economic Development.

A resolution (S.R. No. 256), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON WAYS AND MEANS TO REVIEW AND REEVALUATE THE STATUS OF THE UNIVERSITY OF HAWAII'S MEDICAL AND LAW SCHOOLS IN VIEW OF EXISTING BUDGET RESTRAINTS AND ADDITIONAL BUDGET REQUIREMENTS", was jointly offered by Senators Soares, Abercrombie, Anderson and Ajifu.

By unanimous consent, S.R. No. 256 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 257), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF BERNARD H. LEVINSON AND EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO HIS FAMILY", was jointly offered by Senators Cobb, O'Connor, Carroll, Ajifu, Abercrombie, Soares, Mizuguchi, Cayetano, Kuroda, Hara, Yim, Carpenter, George and Saiki.

Senator Cobb moved that S.R. No. 257 be adopted, seconded by Senator O'Connor.

Senator Carroll then stated as follows:

"Mr. President, I would like to make several remarks regarding the passing of Justice Bernard H. Levinson. He was my neighbor and we practiced law on the same floor in his retirement years.

"I knew him as a very warm, gentle, humane man. I think that all of us who knew him, either from the bench, or individually, will sorely miss him.

"I would like to record my condolences and I'm sure I reflect the feelings of those here who knew him. Thank you."

The motion was put by the Chair and carried, and S.R. No. 257 was adopted by a rising vote.

A resolution (S.R. No. 258), entitled: "SENATE RESOLUTION RELATING TO SAINT PATRICK OF IRELAND, SHAMROCKS,

SNAKES, SHILLELAGHS, AND SONS AND DAUGHTERS (REAL OR TEMPORARY) OF ERIN", was jointly offered by Senators O'Connor, Kuroda, Young, Hara, Cobb, Ajifu, Carroll, Saiki, Campbell, Abercrombie, Carpenter, Yim, Chong, Cayetano, Soares, Takitani, Ushijima, Yamasaki, Mizuguchi and George.

Senator O'Connor moved that S.R. No. 258 be adopted, seconded by Senator Kuroda.

Senator Kuroda then stated as follows:

"Mr. President, I would like to ask that the lady in orange describe the reason for her wearing the orange. She has explained in the past, but there are many children and teachers here who would like to have a little history of the wearing of the orange.

"Also, I'd like to know whether the ones in the orange or the ones in the green are the ones who claim that they lived on corned beef and cabbage when they immigrated from Ireland."

Senator George then answered:

"Mr. President, I should like very much to speak to the point of this resolution. It will be noted that I signed the resolution with orange reservations and under some protest. I think the reasons for my signing with such reservations can be made perfectly evident.

"If you look at Senate Resolution No. 258 offered by the Senator from the Seventh Senatorial District, you will note that there's one fatal defect, which causes us to think seriously about whether or not we indeed want to pass this resolution. The final 'RESOLVED' clause requires it to be printed in green.

"Now, I don't know what leprechauns have haunted the Printshop, but I do not consider this to be green. I consider this to be a fatal defect in this resolution. I would therefore offer for your consideration, whether or not we should indeed turn it down and not pass it.

"I also offer the thought that this is an errant case of plagiarism. I remember vividly an almost identical resolution offered to this Body in this very same place in 1975, again in 1976, again in 1977. How long are we to be burdened with passing the same identical resolution? I ask you, Mr. President, is this fair?

"I would also offer the thought that another defect exists. It is violative of us, a sacred tradition...that of home rule. What business have we in interfering with the affairs of foreign princes, foreign jurisdictions? Indeed, colleagues, this is a dangerous resolution.

"I also offer the thought that a further, even more fatal defect exists. No true son of the old thought would make the mistake of erring in the dates of St. Patrick's Day. Today, ladies and gentlemen, is not St. Patrick's Day. St. Patrick's Day is tomorrow.

"Now it may be alright for officers of this Body to make slight errors in calculation of the dates when the international dateline is involved, as I understand has been done from time to time. However, that's traveling westward; traveling eastward to Erin, I believe the date is the same.

"St. Patrick's Day, Mr. President, is tomorrow. Today I offer the thought is St. Orhos' Day, and I will cite, no less an authority than the Honolulu Advertiser, yesterday's date, which quoting in part says, 'the Finns have found an answer to St. Patrick's Day wearing of the green--St. Orho's Day--and they celebrate it with the wearin' of the purple, a day before the Irish holiday.

"They go on to say that 'today is St. Orho's Day, honoring a man legend says rid Finland of a plague of grasshoppers. A dozen states, most recently Wisconsin, officially recognize the Finnish holiday. Legend says succulent grapes that grew wild in the area now known as Finland before the last glacial period, were threatened by swarming grasshoppers. Orho stood on the shores of one of Finland's many lakes and chanted, "Heinasirkka, Heinasirkka mene taalta hilitteen", which as you all know means, "grasshopper, grasshopper, go away from here", and indeed they did.

"Now I offer the thought that we might be better advised to follow the suggestion made by a dozen other states, including Wisconsin, and offer officially today as St. Orho's Day, and whatever anybody wants to do tomorrow, is their own business. Thank you, Mr. President."

Senator O'Connor then responded:

"Mr. President, unable to let that orange woman's remarks go unanswered, I rise to speak in favor of the resolution.

"First, let it be noted very clearly, that today at one o'clock specifically, it shall be St. Patrick's Day in Ireland.

"Secondly, the remarks of the previous speaker remind me of that famous story which concerned two illustrious Irishmen named Pat and Mike. Now Pat and Mike were driving one day into Dublin, and they were driving along in their vehicle having had many, many toots of Irish whiskey.

"The vehicle was going at approximately 100 miles an hour, and Pat was sitting in the right hand seat, and Mike was sitting in the left hand seat. As they went whipping down the roadway, Pat threw his hands over his eyes because the car was zigzagging back and forth across the street, and finally he ducked down behind the dash board.

"He would not say anything to Mike because he was too proud, but finally when the car almost struck a hay wagon and squealed around it and glanced off the horses, Pat shouted at Mike, 'Mike, step on the brakes, you're going too fast!' Mike said to Pat, 'Pat, you're driving.' And that's what reminds me of the remarks of the earlier speaker.

"At this time, Mr. President, I will yield to my colleague from Waikiki, who will pick up the cudgels for this resolution with a few brief stories."

Senator Carroll remarked:

"Mr. President, I am aggrieved in the sense to hear the remarks of my esteemed colleague from the Windward District, but anybody who would wear orange around St. Patrick's Day, really, I cannot give much consideration or weight to their comments.

"What I would like to do, Mr. President, is to share with you a story that I know puts my fellow Senator from Moanalua into spasms of laughter, but he's heard it so many times, I'm surprised he's even interested in hearing it again.

"It's the story of an Irish priest in Dublin, who is literally starving to death in his parish, and the reason was that he was such a holy and a humble man that he could not ask the members of his parish to contribute to him. The Diocesan Bishop, of course, provided but 20 pounds per month for his subsistence.

"So the Bishop learning of this terrible situation, went to visit him and said, 'Pat', he said, 'I know how you feel about this business about the contributions, but we've

got to do something about it. This Sunday, I want you to go on the altar and when you give your sermon, I want you to inform these folks that you receive but 20 pounds per month. They will respond and bring in some vegetables and potatoes and the sort of thing that they can afford.

"Pat answered, 'Well, your Holiness, if it must be, it must be.'

"So that Sunday, he goes on the altar and as holy a man as he was, he simply couldn't bring himself to ask the parishioners for this kind of a donation. But heedful of the Bishop's warning, he decided to frame his request within a Gregorian chant, and it went something like this..(sing) 'I am the pastor of the parish and I receive but 20 pounds per month for my subsistence.'

"The Bishop was agog and he thought, 'My Lord, this is really a way to get a message across.' So he jumps up and elbows the little priest out of the way and he sang, 'I am the Diocesan Bishop, and I receive but 40 pounds per month for my subsistence.'

"And in the back of the church, of course, the organ player was there and he had never witnessed such a thing in his entire life. And he stands up behind his organ and he takes over and he sang, 'I am the organ player of this parish and I receive 200 pounds per month for my subsistence, which only goes to show that...there's no business like show business!'"

Senator George then commented:

"Mr. President, I would like briefly to comment on my attire which has been called into question now on two occasions by two of my learned colleagues. And I would just like to offer the thought that it's better to be all green or all orange than a 'namby pamby, who knows what', like the Senator over there who is wearing the both of them."

Senator Abercrombie then stated:

"Mr. President, I can't let this opportunity pass, inasmuch as I was viciously attacked this morning on my way down to the floor by Senator O'Connor, who openly accused me of English ancestry.

"As you know, the Irish are sometimes given to wild exaggeration and impulsive behavior and so naturally, I forgave him for it, as I informed him that, well, the name 'Abercrombie' has been on occasion plagiarized by the English.

"It was indeed originally Scottish

and that our clan exist in somewhat diminished fashion in Scotland because some years ago, we were discovered...and I must confess rightly so...for being sheep thieves in Scotland and asked to leave.

"I always thought that was good because we were fighting against the king, and I've tried to carry on that tradition right into the very floor of this Senate, under different circumstances.

"I will admit I am not always as bright as I might be on this floor and in other areas, but I have an excuse--my ancestors were so dumb that they went to Ireland for refuge. So, having received the hospitality of Ireland, they subsequently realized that they would have to immigrate to Canada and then to the United States.

"So, I do feel that it is important for those of us who have, by way of our ancestors, shared the hospitality and beauty of Ireland, to rise to its defense when it is attacked.

"This reminds me of a rumor that has been going around the Capitol today concerning an attack. It seems that the bad news is that, as you know, there is a well known animosity between Ireland and the English; and the rumor is that the Irish are about to attack England once again--that is the bad news.

"The good news is that they have acquired a fleet of septic tanks to do it and won't be able to invade until they learn how to drive them. Thank you."

The motion was put by the Chair and carried, and S.R. No. 258 was adopted.

At this time, Senator O'Connor introduced to the members of the Senate a group of students from the eighth grade at St. Patrick's School.

Then, Senator O'Connor introduced to the members of the Senate Mr. Arthur P. Murphy, the President of the Society of the Friendly Sons of Saint Patrick of Hawaii, and his wife, who were then presented with leis by Senators George and O'Connor.

Senator O'Connor then presented a certified copy of the resolution to Mr. Murphy.

At 12: 01 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.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 637), informing the Senate that Senate Resolution Nos. 240 to 242 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills that had been received on Monday, March 12, 1979:

House Bill Referred to:

No. 426 Committee on Health, then
 to the Committee on Judiciary

No. 1401,
H.D. 1 Committee on Health, then
 to the Committee on Judiciary

No. 1686,
H.D. 2 Committee on Housing and
Hawaiian Homes, then jointly to
the Committee on Judiciary and
the Committee on Ways and Means

RE-REFERRAL OF A SENATE RESOLUTION

The President made the following re-referral of a resolution which had been offered on Monday, January 29, 1979:

Senate
Resolution Referred to:

No. 56 Committee on Tourism,
then to the Committee on Housing
and Hawaiian Homes

ADJOURNMENT

At 12: 05 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator George and carried, the Senate adjourned until 11: 30 o'clock a.m., Monday, March 19, 1979, in memory of the late Judge Bernard H. Levinson.

THIRTY-EIGHTH DAY

Monday, March 19, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Kenneth Stewart, Pearl Harbor Memorial Christian Church, after which the Roll was called showing all Senators present, with the exception of Senators Abercrombie, Anderson and Ushijima, who were excused.

The President announced that he had read and approved the Journal of the Thirty-Seventh Day.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 107 and 108) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 107), transmitting a Report to the Governor 1976-1977, prepared by the Department of Land and Natural Resources, pursuant to Act 254, 1967, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 108), transmitting a report on the Medical Claim Conciliation Panels, FY 1976-1977 and 1977-1978, prepared by the Department of Regulatory Agencies, pursuant to Act 219, Session Laws of Hawaii 1976, was referred to the Committee on Consumer Protection and Commerce.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 306 and 307) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 306), transmitting House Concurrent Resolution No. 37, H.D. 1, which was adopted in the House of Representatives on March 16, 1979, was placed on file.

By unanimous consent, H.C. R. No. 37, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING PRESIDENT CARTER TO INVOKE THE PELLY AMENDMENT TO THE FISHERMEN'S PROTECTIVE ACT TO PREVENT THE ILLEGAL SLAUGHTER OF WHALES", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 307), transmitting House Concurrent Resolution No. 136, which was adopted in the House of Representatives on March 16, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING HAWAII PUBLIC TELEVISION FOR ITS PRODUCTION 'ALOHA, BRUYERES!' AND URGING FULL COMMUNITY VIEWING OF THIS ONE-HOUR TV SPECIAL", was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 50 and 51) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 50), entitled: "SENATE CONCURRENT RESOLUTION ADOPTING THE STATEWIDE TRANSPORTATION PLAN", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 50 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 51), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A TOURISM FUNCTIONAL PLAN IN THE STATE OF HAWAII", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 51 was referred to the Committee on Tourism.

SENATE RESOLUTION

A resolution (S.R. No. 259), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO EUSTAQUIO PADILLA, JR. ON HIS SELECTION AS A POP WARNER ALL-AMERICAN", was jointly offered by Senators Toyofuku, Hara, Yamasaki, Soares, Abercrombie, O'Connor, Chong, Ajifu, Takitani, Young, Kuroda, Mizuguchi, Ushijima, Yee, Anderson, Cobb, Carpenter, Saiki, Yim, Cayetano, Kawasaki, George, Campbell, Carroll and Wong, and was read by the Clerk.

On motion by Senator Toyofuku, seconded by Senator Mizuguchi and carried, S.R. No. 259 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 638), informing the Senate that Senate Concurrent Resolution No. 49 and Senate Resolution Nos. 243 to 258 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded

by Senator George and carried, the report of the Committee was adopted.

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

The Senate reconvened at 11:41 o'clock a.m.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 639), recommending that House Bill No. 732, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 732, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 640), recommending that House Bill No. 1232, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1232, 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 Wednesday, March 21, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1232, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 641), recommending that House Bill No. 1638, 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 Yim, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1638, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENTS", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF A HOUSE BILL

The President made the following re-referral of a House Bill that was received on Monday, March 12, 1979:

House Bill Referred to:

No. 1636,
H.D. 1 Committee on Human Resources,
then to the Committee on Judiciary,
then to the Committee on Ways and
Means

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 15 and 16) were read by the Clerk and were disposed of as follows:

A communication from Mr. Jack H. Watson, Jr. (Misc. Com. No. 15), The White House, Washington, D.C., acknowledging receipt of Senate Resolution No. 103, Regular Session of 1978, was placed on file.

A communication from the Office of Human Resources, City and County of Honolulu, (Misc. Com. No. 16), submitting a report outlining a modification of its current grants transferring all separate program plans into one Comprehensive Employment and Training Plan (CETP), comprising of five titles: Title II A, B, C; Title II-D: Title III; Title IV; and Title VI; was referred to the Committee on Human Resources.

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

"Mr. President, on Friday at approximately 1:00 o'clock in the afternoon came St. Patrick's Day. We were all regaled with frivolity and resolutions, flowers and boutonnieres and the words to 'When Irish Eyes are Smiling', all through the courtesy and forethought of our learned colleague from Hawaii Kai.

"I have not been authorized to speak on behalf of the other members of the Senate, but I certainly would like to thank him and acknowledge his courtesy and kindness at this time.

"There's one other point I'd like to raise. Senator O'Connor used a joke book to tell us a joke but he left a portion of it out which I think everybody should hear. It is the beginning portion of the joke which gives it a little more sense. So if I might, just for the record, indicate that that was missing and I'm certain he would like to adopt it and ask that it be added by reference to his remarks of last Friday. That was, that when Pat and Mike were proceeding in the automobile as he first indicated, Pat says to Mike, 'Slow down, I think we're coming into Dublin.' And Mike says, 'Well, how do you know?' And Pat says, 'Well, we seem to be running

over more people."

Senator Campbell, Chairman of the Education Committee, then requested a waiver of the 48-hour notice of a hearing on the following measures:

H.B. No. 38, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

H.B. No. 581, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN"; and the President granted the waiver.

H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS";

H.B. No. 743, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION";

H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION"; and

H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII",

ADJOURNMENT

At 11:45 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 20, 1979.

THIRTY-NINTH DAY

Tuesday, March 20, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Richard Du Fresne of the Community Church of Honolulu, after which the Roll was called showing all Senators present with the exception of Senator Anderson, who was excused.

The President announced that he had read and approved the Journal of the Thirty-Eighth Day.

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

Senator Yee introduced fifty-six students from the sixth grade at Hawaii Baptist Academy, with their teachers, Ms. Darlene Kaneshiro, Ms. Gayle Tomokiyo and Mr. Tim Kaneshiro.

Senator Hara introduced Mr. John Sosa, Vice Principal of Kau High School, and the Student Observers from the Big Island.

Senator Yee introduced forty-five members of the Paradise Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 109), transmitting a report prepared by the State Commission on Manpower and Full Employment to fulfill the requirements of Title II, Public Law 94-482, the Vocational Education Amendments of 1976, and entitled, "Vocational Education Annual Report, FY 1978", was read by the Clerk and was referred to the Committee on Human Resources.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Legislative Auditor (Dept. Com. No. 10), transmitting a report entitled, "General Audit of the Office of Environmental Quality Control", was read by the Clerk and was referred to the Committee on Ecology, Environment and Recreation.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 308), transmitting House Concurrent Resolution No. 117, which was adopted by the House

of Representatives on March 19, 1979, was read by the Clerk and was placed on file.

By unanimous consent, H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SECRETARY PATRICIA M. HARRIS TO EXPEDITE THE ADOPTION OF REGULATIONS FOR FHA SECTION 240 INSURED MORTGAGE LOANS", was referred to the Committee on Housing and Hawaiian Homes.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 52 to 54) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 52), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW BY THE STATE AND COUNTY GOVERNMENTS OF CERTAIN EMPLOYMENT PRACTICES AND PROCEDURES", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Cobb, Hara, Young, Saiki, Carpenter, Soares, Ajifu and Kuroda.

By unanimous consent, S.C.R. No. 52 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 53), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY AREA AGENCIES ON AGING TO COOPERATE WITH THE EXECUTIVE OFFICE ON AGING, OFFICE OF THE GOVERNOR OF HAWAII, IN THE DEVELOPMENT OF THEIR AREA PLANS ON AGING", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Carroll, Yamasaki, Young, Carpenter, Soares, Hara, Saiki, Cobb, Campbell, Ajifu and Kuroda.

By unanimous consent, S.C.R. No. 53 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 54), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DENTAL HEALTH DIVISION OF THE STATE DEPARTMENT OF HEALTH", was jointly offered by Senators Carpenter, Abercrombie, Chong, Saiki and Campbell.

By unanimous consent, S.C.R. No. 54 was referred to the Committee on Health, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 260 to 274) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 260), entitled:

"SENATE RESOLUTION REQUESTING A REVIEW BY THE STATE AND COUNTY GOVERNMENTS OF CERTAIN EMPLOYMENT PRACTICES AND PROCEDURES", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Cobb, Hara, Young, Saiki, Soares, Campbell, Carpenter, Kuroda and Ajifu.

By unanimous consent, S.R. No. 260 was referred to the Committee on Human Resources.

A resolution (S.R. No. 261), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE SAFETY AND HEALTH PROFESSION", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Carroll, Yamasaki, Young, Saiki, Carpenter, Soares, Kuroda, Hara, Cobb, Campbell and Ajifu.

By unanimous consent, S.R. No. 261 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 262), entitled: "SENATE RESOLUTION REQUESTING THE COUNTY AREA AGENCIES ON AGING TO COOPERATE WITH THE EXECUTIVE OFFICE ON AGING, OFFICE OF THE GOVERNOR OF HAWAII, IN THE DEVELOPMENT OF THEIR AREA PLANS ON AGING", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Carroll, Yamasaki, Young, Carpenter, Soares, Kuroda, Hara, Saiki, Cobb and Ajifu.

By unanimous consent, S.R. No. 262 was referred to the Committee on Human Resources.

A resolution (S.R. No. 263), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD TO ESTABLISH GENERAL STANDARDS OR CRITERIA FOR EMPLOYEES NOT COVERED UNDER THE PROVISIONS OF CHAPTER 89, HAWAII REVISED STATUTES", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Carroll, Yamasaki, Young, Carpenter, Soares, Kuroda, Hara, Saiki, Cobb and Campbell.

By unanimous consent, S.R. No. 263 was referred to the Committee on Human Resources.

A resolution (S.R. No. 264), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CHARGES MADE TO EMPLOYERS UNDER THE HAWAII EMPLOYMENT SECURITY LAW", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Carroll, Yamasaki, Hara, Young,

Saiki, Carpenter, Soares, Cobb, Campbell, Ajifu and Kuroda.

By unanimous consent, S.R. No. 264 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 265), entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS STANDARDS", was jointly offered by Senators Carpenter, Takitani, Abercrombie, Chong, Yamasaki, Campbell and Cobb.

By unanimous consent, S.R. No. 265 was referred to the Committee on Health.

A resolution (S.R. No. 266), entitled: "SENATE RESOLUTION REQUESTING REQUIREMENT OF PATIENT RIGHTS PROTOCOLS IN HOSPITALS", was jointly offered by Senators Carpenter, Takitani, Abercrombie, Chong, Yamasaki, Campbell and Cobb.

By unanimous consent, S.R. No. 266 was referred to the Committee on Health.

A resolution (S.R. No. 267), entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE DENTAL HEALTH DIVISION OF THE STATE DEPARTMENT OF HEALTH", was jointly offered by Senators Carpenter, Abercrombie and Saiki.

By unanimous consent, S.R. No. 267 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 268), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE HAWAIIAN HIGHER EDUCATION COUNCIL", was jointly offered by Senators Carpenter, Young, Takitani, Abercrombie, Yamasaki, Cobb, Hara, Chong, Ajifu and Saiki.

By unanimous consent, S.R. No. 268 was referred to the Committee on Higher Education.

A resolution (S.R. No. 269), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE KAISER HIGH SCHOOL BASKETBALL TEAM FOR WINNING THE OIA EASTERN DIVISION AND THE HONOLULU DISTRICT CHAMPIONSHIPS", was jointly offered by Senators Soares, Saiki, Cobb, O'Connor, Takitani, Yamasaki, Kawasaki, Mizuguchi, Campbell, Kuroda, Chong, Toyofuku, Carpenter and Hara.

On motion by Senator Soares, seconded by Senator Saiki and carried, S.R. No. 269 was adopted.

Senator Soares introduced to the members

of the Senate the following from Kaiser High School: Mr. Ted Fukushima, head basketball coach; Mr. Randy Hudnall, team manager; and Chris Whaley, co-captain of the team. Senator Soares then presented them with certified copies of the resolution.

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

The Senate reconvened at 11:45 o'clock a.m.

A resolution (S.R. No. 270), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO LEANNE SHIGENO HIGA, THE 1979 CHERRY BLOSSOM QUEEN", was jointly offered by Senators Young, Cayetano, Kuroda, Mizuguchi, O'Connor, Cobb, Hara, Campbell, Yamasaki, Kawasaki, Carpenter, Chong, Ajifu, Carroll, Saiki, Yee, Ushijima, George, Toyofuku, Soares, Takitani and Wong.

By unanimous consent, consideration of S.R. No. 270 was deferred to the end of the calendar.

A resolution (S.R. No. 271), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO PUNAHOU SCHOOL VARSITY BASKETBALL TEAM FOR WINNING THE STATE BASKETBALL CHAMPIONSHIP", was jointly offered by Senators Soares, Yee, Saiki, Cobb, Young, Carroll, Ajifu, Yamasaki, O'Connor and Chong.

On motion by Senator Soares, seconded by Senator Yee and carried, S.R. No. 271 was adopted.

A resolution (S.R. No. 272), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO THE 1979 CHERRY BLOSSOM COURT", was jointly offered by Senators Kawasaki, Young, Takitani, Soares, Cobb, Ajifu, Yamasaki, Ushijima, Carpenter, Toyofuku, Cayetano, Kuroda, Abercrombie, Yim, Carroll, Saiki, Campbell and Yee.

By unanimous consent, consideration of S.R. No. 272 was deferred to the end of the calendar.

A resolution (S.R. No. 273), entitled: "SENATE RESOLUTION EXTENDING ALOHA AND BEST WISHES TO THE NISEI WEEK QUEEN AND HER COURT", was jointly offered by Senators Mizuguchi, Takitani, Young, Yee, Carroll, Saiki, Kuroda, Yamasaki, Wong, Yim and Cayetano.

By unanimous consent, consideration of S.R. No. 273 was deferred to the end of the calendar.

A resolution (S.R. No. 274), entitled: "SENATE RESOLUTION CONGRATULATING COACH LES MURAKAMI FOR HIS UNSELFISH EFFORTS AND DEDICATION IN BUILDING THE UNIVERSITY OF HAWAII BASEBALL TEAM TOWARDS NATIONAL RECOGNITION IN COLLEGIATE BASEBALL", was jointly offered by Senators Mizuguchi, Young, Campbell, Kuroda, Chong, Carpenter, Takitani, Hara, Toyofuku, O'Connor, Wong, Cayetano, Yee, Kawasaki, Yamasaki, Yim, Carroll and Saiki.

On motion by Senator Mizuguchi, seconded by Senator Young and carried, S.R. No. 274 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 642), informing the Senate that Senate Concurrent Resolution Nos. 50 and 51, Senate Resolution No. 259 and Standing Committee Report Nos. 639 to 641 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 643), recommending that House Bill No. 4 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 4, 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 O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 644), recommending that House Bill No. 19, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and H.B. No. 19, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was referred to the Committee

on Ways and Means.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 645), recommending that House Bill No. 93, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted, and, Roll Call vote having been requested, H.B. No. 93, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", passed Second Reading, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Carroll).
Excused, 1 (Anderson);

and was placed on the calendar for Third Reading on Thursday, March 22, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 93, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 646), recommending that House Bill No. 451, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Anderson);

and was placed on the calendar for Third Reading on Thursday, March 22, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 451, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 647), recommending that House Bill No. 577 pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 577, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 648), recommending that Senate Resolution No. 166 be adopted.

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and S.R. No. 166, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP AND IMPLEMENT A WASTE PAPER RECOVERY PROGRAM FOR MAJOR STATE OFFICE BUILDINGS IN HONOLULU", was adopted.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 649), recommending that Senate Resolution No. 209, as amended in S.D. 1, be adopted.

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, the report of the Committee was adopted and S.R. No. 209, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF COST COMPARISON FOR STATE OFFICE SPACE", was adopted.

At 11:47 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.

Senators Cobb and Hara, for the Committee on Consumer Protection and Commerce and the Committee on Ecology, Environment and Recreation, presented a joint report (Stand. Com. Rep. No. 650), recommending that Senate Resolution No. 17, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Hara and carried, the joint report of the Committees was adopted and S.R. No. 17, S.D. 1, entitled: "SENATE RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO REPLACE THE CATALYTIC CONVERTERS ON AUTOMOBILES WITH ALTERNATIVE DEVICES IN THE INTEREST OF PROTECTING THE NATION'S CONSUMERS AND SERVING AN IMPORTANT PUBLIC PURPOSE", was adopted.

Senators Cobb and Hara, for the Committee on Consumer Protection and Commerce and the Committee on Ecology, Environment and Recreation, presented a joint report (Stand. Com. Rep. No. 651), recommending that Senate Concurrent Resolution No. 2, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Hara and carried, the joint report of the Committees was adopted and S.C.R. No. 2, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING A CONCERTED NATIONAL EFFORT TO REPLACE THE CATALYTIC CONVERTERS ON AUTOMOBILES WITH ALTERNATIVE DEVICES IN THE INTEREST OF PROTECTING THE NATION'S CONSUMERS AND SERVING AN IMPORTANT PUBLIC PURPOSE", was adopted.

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

The Senate reconvened at 11:51 o'clock a.m.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 652), recommending that House Bill No. 1636, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1636, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", passed Second Reading and was referred to the Committee on Judiciary.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of House Bills which had been received on Friday, March 16, 1979:

House Bills	Referred to:
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No. 660, H.D. 2	Committee on Consumer Protection, then to the Committee on Ways and Means
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No. 1060	Committee on Higher Education, then to the Committee on Ways and Means
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MISCELLANEOUS COMMUNICATION

A communication from the Honorable Elmer F. Cravalho, Mayor, County of Maui, (Misc. Com. No. 17), acknowledging receipt of Senate Resolution No. 177 (1979), was read by the Clerk and was placed on file.

At 11:52 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.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Senate Resolution No. 270:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 270 was adopted.

Senate Resolution No. 272:

On motion by Senator Kawasaki, seconded by Senator Young and carried, S.R. No. 272 was adopted.

Senate Resolution No. 273:

On motion by Senator Mizuguchi, seconded by Senator Takitani and carried, S.R. No. 273 was adopted.

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

Senator Young introduced Miss LeAnne Shigeno Higa, the 1979 Cherry Blossom Queen.

Senator Kawasaki prefaced his introduction of the 1979 Cherry Blossom Court as follows:

"Mr. President, a few days ago, Senator Patsy Young, a little concerned about my tarnished image as being the male chauvinist pig in this Body, decided that I should change that image and she practically mandated my staff and myself to prepare Senate Resolution No. 272.

"As a result, we did that and I thank Senator Young for trying to change my enviable image around here."

Senator Kawasaki then proceeded to introduce the Court as follows: Miss Cheryl Hiroko Imai, Miss Mona Nobue Ogitani and Miss Charlene Kiyoko Oka, Attendants; Miss Janet Keiko Kitaguchi, Miss Popularity; and Miss Willette Tsukiyo Okuda, Miss Congeniality.

Senator Mizuguchi then introduced Miss Lisa Tomiko Yamamoto, the Nisei Week Queen, and members of her Court: Princess Victoria Frances Okada; Attendants, Miss Marsha Ann Aseka, Miss Diana Elizabeth Dutcher, Miss Tammie Chikaye Katayama and Miss Christine Emi Toguchi; and Miss Tomodachi, Miss Lynn Tomomi Nakamura.

Senators Young, Mizuguchi, Kawasaki, Cayetano, Kuroda and Yamasaki then presented certified copies of the various resolutions to the two Queens and members of their Court. Senator Kawasaki presented certified copies of Senate Resolution Nos. 270 and 272 to a representative of the Honolulu Japanese Junior Chamber of Commerce, sponsors of the 27th Annual Cherry Blossom Festival.

At 12: 35 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 Kawasaki then commented, "Mr. President, you will note in this Body that some of the resolutions were presented by the, what we call back here, 'old man's row'. I think some of us need a little bright spot in our otherwise prosaic lives once in a while."

The President then appointed Senators Cobb and Carpenter to escort Miss

LeAnne Shigeno Higa and Miss Lisa Tomiko Yamamoto, respectively, to the rostrum where they addressed the members of the Senate.

Miss LeAnne Shigeno Higa, the 1979 Cherry Blossom Queen, stated:

"Thank you. Good morning. On behalf of the 1979 Court and myself, I would like to extend our warmest and deepest appreciation to all of you this morning.

"Thank you to the Honolulu Japanese Junior Chamber of Commerce for all they have done for us and to the State of Hawaii for all that you have done and will be doing for us.

"Thank you again."

Miss Lisa Tomiko Yamamoto, the Nisei Week Queen, then remarked:

"Good morning. I'd like to first thank you for having us here today. We're all having a very good time and I hope our presence here helps to encourage our relationship between Los Angeles and Hawaii.

"Thank you very much."

ADJOURNMENT

At 12: 44 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11: 30 o'clock a.m., Wednesday, March 21, 1979.

FORTIETH DAY

Wednesday, March 21, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Ms. Healani Hamilton, Koolau Poko Bahai Community, after which the Roll was called showing all Senators present, with the exception of Senator Anderson, who was excused.

The President announced that he had read and approved the Journal of the Thirty-Ninth Day.

Senator Chong, then introduced to the members of the Senate Mr. Elliot Char, a student of Far Eastern philosophies and religions, who is here today as a legislative observer.

HOUSE COMMUNICATIONS

The following communications (Hse. Com. Nos. 309 to 312) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 309) transmitting House Concurrent Resolution No. 22, H.D. 1, which was adopted in the House of Representatives on March 20, 1979, was placed on file.

By unanimous consent, H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO EXEMPT HAWAII'S BANKS FROM THE RESERVE REQUIREMENT PROVISION OF ANY FEDERAL RESERVE MEMBERSHIP LEGISLATION WHICH IT SHOULD PASS", was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 310) transmitting House Concurrent Resolution No. 23, which was adopted in the House of Representatives on March 20, 1979, was placed on file.

By unanimous consent, H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESSIONAL ACTION TO ESTABLISH REEMPLOYMENT RIGHTS FOR FEDERAL EMPLOYEES WHO ARE ORDERED TO NATIONAL GUARD DUTY BY THEIR STATE GOVERNOR", was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 311) transmitting House Concurrent Resolution No. 49, H.D. 1, which was adopted in the House of Representatives on March 20, 1979, was placed on file.

By unanimous consent, H.C.R. No. 49, H.D. 1, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING THE HAWAII STATE OCCUPATIONAL INFORMATION COORDINATING COMMITTEE (HSOICC) TO UTILIZE AN ADVISORY COMMITTEE STRUCTURE FOR THE PURPOSE OF INCREASING THE INPUT AND PARTICIPATION IN THE INFORMATION SYSTEM", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 312) transmitting House Concurrent Resolution No. 61, H.D. 1, which was adopted in the House of Representatives on March 20, 1979, was placed on file.

By unanimous consent, H.C.R. No. 61, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A PEACESAT STUDY", was referred to the Committee on Higher Education.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 55 to 60) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 55), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE DEVELOPMENTALLY DELAYED CITIZEN IN HAWAII", was jointly offered by Senators Carpenter, Kuroda, Chong, Mizuguchi, Cayetano, Cobb and Campbell.

By unanimous consent, S.C.R. No. 55 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 56), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON PAYMENTS FOR MEDICAL CARE, SERVICES, AND SUPPLIES IN WORKERS' COMPENSATION CASES", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Hara, Young, Carpenter, Soares, Campbell, Ajifu and Kuroda.

By unanimous consent, S.C.R. No. 56 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 57), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF PERSONNEL SERVICES TO REVIEW COMPENSATION PLANS OF SECRETARIAL CLASSES OF THE CIVIL SERVICE", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Hara, Young, Saiki, Carpenter, Soares, Cobb, Ajifu and Kuroda.

By unanimous consent, S.C.R. No. 57 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 58), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW AND STUDY OF HAWAII'S FEE REIMBURSEMENT PROVISION FOR PROFESSIONAL HEALTH CARE SERVICES OF THE STATE'S MEDICAL ASSISTANCE PROGRAMS ADMINISTERED BY THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Young, Carpenter, Soares and Hara.

By unanimous consent, S.C.R. No. 58 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 59), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE EFFECTIVENESS OF THE COORDINATION OF EMPLOYMENT TRAINING, VOCATIONAL-TECHNICAL EDUCATION, AND RELATED MANPOWER TRAINING PROGRAMS WITH ECONOMIC DEVELOPMENT ACTIVITIES", was jointly offered by Senators Toyofuku, Takitani, Carpenter, Soares, Cobb, Ajifu and Kuroda.

By unanimous consent, S.C.R. No. 59 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 60), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A TEMPORARY FEDERAL INTERGOVERNMENTAL PLANNING COMMISSION FOR HAWAII", was jointly offered by Senators Ushijima, Kuroda, Cobb, Saiki, Yee, Carpenter, Yamasaki, Young, Takitani and Carroll.

By unanimous consent, S.C.R. No. 60 was referred to the Committee on Intergovernmental Relations.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 275 to 288) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 275), entitled: "SENATE RESOLUTION COMMENDING THE TWENTY-SECOND HAWAIIAN SCIENCE AND ENGINEERING FAIR", was jointly offered by Senators Kuroda, Chong, Yamasaki, Campbell, Kawasaki, Ushijima, Carpenter, Abercrombie, Takitani, Toyofuku, George, Hara, Ajifu, Soares, Saiki, Young, Wong, Cobb and Mizuguchi.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.C.R. No. 275 was adopted.

At this time, Senator Kuroda introduced to the members of the Senate Professor Robert Campbell, Director of the 22nd Hawaiian Science and Engineering Fair, and Professor John Kotrady, Coordinator-in-Charge of Public and Chemical Relations, who were then presented with certified copies of the resolution and leis by Senators Young and Saiki.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

Senator Kuroda then introduced to the members Mr. Jerry Norris, Director of the Council of State Governments, who was sitting in the gallery.

A resolution (S.R. No. 276), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE DEVELOPMENTALLY DELAYED CITIZEN IN HAWAII", was jointly offered by Senators Carpenter, Kuroda, Chong, Mizuguchi, Cayetano, Cobb and Campbell.

By unanimous consent, S.R. No. 276 was referred to the Committee on Health.

A resolution (S.R. No. 277), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON ALTERNATE CROPS WHICH CAN REPLACE SUGAR IF THE SUGAR INDUSTRY CAN NOT SURVIVE IN HAWAII", was jointly offered by Senators Carpenter, Hara, Yim, Yamasaki, Chong, Mizuguchi, Campbell and Cayetano.

By unanimous consent, S.C.R. No. 277 was referred to the Committee on Agriculture.

A resolution (S.R. No. 278), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF PATIENT RIGHTS AND INFORMED CONSENT TO HEALTH CARE TREATMENT", was jointly offered by Senators Carpenter, Hara, Kuroda, Chong, Mizuguchi, Cayetano and Campbell.

By unanimous consent, S.R. No. 278 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 279), entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATIONS OF SECTION 480, HAWAII REVISED STATUTES AND TO OBTAIN FROM THE FEDERAL JUSTICE DEPARTMENT A DETERMINATION OF THE EXTENT OF FEDERAL PREEMPTION IN THE AREA OF ANTITRUST EXEMPTIONS FOR JOINT NEWSPAPER OPERATIONS", was jointly offered by Senators Kawasaki, Abercrombie, Wong, Kuroda, Yim, Chong,

Carpenter, Campbell, Toyofuku, Ajifu, Young, Cobb, Cayetano, Yee, Mizuguchi and Takitani.

By unanimous consent, S.R. No. 279 was referred to the Committee on Judiciary.

A resolution (S.R. No. 280), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE STABILITY AND VIABILITY OF EXISTING BUSINESS ENTERPRISES AND INDUSTRIES IN HAWAII WITH PRIORITY CONSIDERATION TO THOSE ENTITIES WITH HISTORICAL SIGNIFICANCE", was jointly offered by Senators Mizuguchi, Ajifu, Abercrombie, Takitani, Saiki, Cobb, Hara, Cayetano, Kawasaki, Young, Yee and Carroll.

By unanimous consent, S.R. No. 280 was referred to the Committee on Economic Development, then to the Committee on Legislative Management.

A resolution (S.R. No. 281), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE THE EFFECTIVENESS OF THE COORDINATION OF EMPLOYMENT TRAINING, VOCATIONAL-TECHNICAL EDUCATION, AND RELATED MANPOWER TRAINING PROGRAMS WITH ECONOMIC DEVELOPMENT ACTIVITIES", was jointly offered by Senators Toyofuku, Takitani, Saiki, Carpenter, Soares, Cobb, Kuroda, Campbell and Ajifu.

By unanimous consent, S.R. No. 281 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 282), entitled: "SENATE RESOLUTION REQUESTING REVIEW AND STUDY OF HAWAII'S FEE REIMBURSEMENT PROVISION FOR PROFESSIONAL HEALTH CARE SERVICES OF THE STATE'S MEDICAL ASSISTANCE PROGRAMS ADMINISTERED BY THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Young, Carpenter, Soares, Kuroda, Hara, Campbell and Ajifu.

By unanimous consent, S.R. No. 282 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 283), entitled: "SENATE RESOLUTION REQUESTING THE DIRECTOR OF PERSONNEL SERVICES TO REVIEW COMPENSATION PLANS OF SECRETARIAL CLASSES OF THE CIVIL SERVICE", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Yamasaki, Hara, Young, Saiki, Carpenter, Soares, Cobb, Kuroda, Campbell and Ajifu.

By unanimous consent, S.R. No. 283 was referred to the Committee on Human Resources.

A resolution (S.R. No. 284), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON PAYMENTS FOR MEDICAL CARE, SERVICES, AND SUPPLIES IN WORKERS' COMPENSATION CASES", was jointly offered by Senators Toyofuku, Takitani, Abercrombie, Young, Carpenter, Soares, Ajifu and Kuroda.

By unanimous consent, S.R. No. 284 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 285), entitled: "SENATE RESOLUTION CONGRATULATING THE CASTLE HIGH SCHOOL THEATRE GUILD ON ITS 1979 PRODUCTION OF 'OKLAHOMA'", was jointly offered by Senators Ajifu, George, Soares, Takitani, Toyofuku, Young, Yamasaki, Kawasaki, Carpenter, Carroll, Chong, O'Connor, Wong, Hara, Cayetano, Cobb, Abercrombie, Yee, Mizuguchi, Campbell, Kuroda, Saiki and Ushijima.

On motion by Senator Ajifu, seconded by Senator George and carried, S.R. No. 285 was adopted.

A resolution (S.R. No. 286), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, DEPARTMENT OF TRANSPORTATION, AND UNIVERSITY OF HAWAII TO DETERMINE THE FEASIBILITY OF THE RELOCATION OF THE WAIKIKI AQUARIUM IN THE 1995 MASTER PLAN FOR HONOLULU HARBOR", was jointly offered by Senators Hara and Abercrombie.

By unanimous consent, S.R. No. 286 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 287), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS TO STUDY AND REVIEW THE PROPOSED UNIFORM CODE OF MILITARY JUSTICE", was jointly offered by Senators Ushijima, Kuroda, Saiki, Carpenter, Yee, Yamasaki, Young, Takitani, and Carroll.

By unanimous consent, S.R. No. 287 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 288), entitled: "SENATE RESOLUTION EXTENDING HAWAII'S ALOHA TO AND CONGRATULATING THE SHINSEI MUSICAL GROUP FOR ITS CURRENT CONCERT TOUR OF THE STATE OF HAWAII", was jointly offered by Senators Wong, Cobb, Kuroda, Kawasaki, Young, Chong, Toyofuku, George, Hara, Cayetano, Campbell, Yim, Takitani, O'Connor, Mizuguchi, Carroll and Yamasaki.

On motion by Senator Kawasaki, seconded by Senator Cobb and carried, S.R. No. 288 was adopted.

At 11:47 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.

At this time, Senator Kawasaki introduced to the members of the Senate the Shinsei Musical Group, who then honored the members with their musical talent by a performance of a number of songs. Certified copies of the resolution were presented to Mrs. Chieko Akiyama and to each member of the group by Senator Kawasaki.

At 11:51 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.

At this time, Senator Kuroda thanked the Shinsei Musical Group for the entertainment and their visit to the Senate with a musical reciprocation in Japanese. The members of the Senate and the audience thereafter joined in singing "Aloha Oe".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 653), informing the Senate that Senate Concurrent Resolution Nos. 52 to 54, Senate Resolution Nos. 260 to 274 and Standing Committee Report Nos. 643 to 652 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 654) recommending that House Bill No. 1505, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Takitani and carried, the report of the Committee was adopted and H.B. No. 1505, H.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.

Senators Toyofuku and Carpenter, for the Committee on Human Resources and Health, presented a joint report (Stand. Com. Rep. No. 655) recommending that Senate Resolution No. 45, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded

by Senator Carpenter and carried, the joint report of the Committees was adopted and S.R. No. 45, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT ON THE NECESSITY OF INCREASING VARIOUS EMERGENCY TREATMENT SERVICES, ON THE FEASIBILITY OF COORDINATING THESE SERVICES, AND ON ANY ATTEMPTS IN PROGRESS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 656) recommending that House Concurrent Resolution No. 30 be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING RENEWED EFFORTS BY HAWAII'S CONGRESSIONAL DELEGATION FOR LEGISLATION TO ASSIST HAWAII'S IMMIGRANT POPULATION", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 657) recommending that Senate Resolution No. 134 be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.R. No. 134, entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO RAISE SOCIAL SECURITY LUMP-SUM DEATH BENEFITS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 658) recommending that Senate Resolution No. 135 be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.R. No. 135, entitled: "A SENATE RESOLUTION REQUESTING CONGRESS TO PROVIDE FINANCIAL ASSISTANCE TO STATES DISPROPORTIONATELY AFFECTED BY IMMIGRATION", was adopted.

Senators Toyofuku and O'Connor, for the majority of the Committees on Human Resources and Judiciary, presented a joint report (Stand. Com. Rep. No. 659) recommending that House Bill No. 588, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator O'Connor and carried, the joint report of the majority of the Committees was adopted and, Roll Call having been requested, H.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY

LAW", passed Second Reading and was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Anderson and Yee).

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 660) recommending that House Bill No. 340, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 340, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACILITIES FOR THE ELDERLY", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 340, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 661) recommending that House Bill No. 357, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 357, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NON-COMPETITIVE PROMOTIONS OF PUBLIC OFFICERS AND EMPLOYEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 662) recommending that House Bill No. 544, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 544, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 663) recommending that House Bill No. 1607, as amended in

S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 664) recommending that Senate Concurrent Resolution No. 6 be adopted.

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

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

Senator O'Connor then moved that the report of the majority of the Committee be adopted and S.C.R. No. 6 be adopted, seconded by Senator Campbell.

Senator Campbell then rose to speak in favor of the resolution and stated as follows:

"Mr. President, I rise to speak in favor of the resolution but first of all, I would like to express my thanks to the chairmen of the subject matter committees for the expeditious manner in which they dealt with S.C.R. No. 6. I refer to Senator John Ushijima and Senator Dennis O'Connor and, of course, to you, Mr. President, for joining us in introducing this resolution.

"Mr. President and members of the Senate, some 20 years ago, March 18, 1959 to be exact, President Dwight D. Eisenhower signed a legislation which gave the citizens of Hawaii two senators and a representative in the U.S. Congress. Today, it seems fitting that this upper chamber of Hawaii's legislature vote to ratify an amendment which will give to the citizens of Washington, D.C. two senators and a representative in the U.S. Congress.

"Mr. President, I guess I'm trying to say that today could be a very significant day in Hawaii's legislative history. We could be the only state in the union to unanimously ratify Joint House Resolution No. 554.

"The best system of government in the world today is a democracy. Now, if the people of the world are going to believe this then democracy must be practiced at home. The living room

of the showcase, if you please, of American democracy is Washington, D.C.

"It is strange--indeed, that the United States of America is the leading democracy in the world and at the same time, the only democratic nation who has not accorded full representation in its national government to the citizens of its nation's capital.

"There was a time that our American government denied women, minorities and people without property--the right to vote. Today, these people can vote for their representatives in the national government. I trust that our action here today will aid in the struggle of the people of the District of Columbia to finally get representation in their national government.

"Because one of the basic principles which has ingrained itself into the fiber of American democratic tradition is representation in the government that has the power and the right to tax--the movement that freed this country from England was precisely this issue--taxation without representation. Annually, the citizens of Washington, D.C. pay over one billion dollars to the federal government, but they have no voice in the halls of Congress. They pay more federal taxes per capita than 49 other states.

"It is a point of interest and concern that the citizens of the District of Columbia fought in every American war since the Boston Tea Party and had more casualties in the Vietnam War than 10 other states--but, they have no voice in foreign policy.

"Mr. President, I know that Senator Kennedy wrote to many of our legislators and I received a letter from him and I want to at least read a portion of that letter to this Body.

"He says, 'I am hopeful that the State of Hawaii will act to ratify the amendment at the earliest opportunity. I look forward to the day when it will become part of our Constitution, so that the people of the District of Columbia may at last enjoy their rightful voice in the proceedings of Congress.'

"Mr. President, your Committee on Intergovernmental Relations found 'that the citizens of the District of Columbia have all of the obligations of citizenship including the payment of federal taxes, but are without a vote in the deliberations of the national government.' The committee, without an opposing vote, recommended the passage of this resolution.

"Mr. President, your Judiciary Committee, which had no testimony against the measure, had some notable things to say and here are some excerpts from the committee report:

'The people of Hawaii remember the lengthy struggle and the heartfelt longing for adequate representation in the halls of Congress.

'Only with the support of other states did Hawaii achieve the full benefits of first-class citizenship demanded by the basic democratic principle of "one-person-one-vote."

'Your Committee believes that simple justice also calls for equal representation for the people of the District of Columbia.

'As Hawaii is the last state to achieve such privileges, your Committee feels that it must support the District of Columbia in its bid for full representation, and strongly recommends the ratification of this amendment to the Constitution of the United States.'

"So, Mr. President and members of the Senate, the President of the United States supports giving the citizens of Washington, D.C. representation in Congress. The Congress of the United States, both the Senate and the House support it. The Republican and Democratic Parties support it. Our Governor supports it. Without an exception, the Hawaii Congressional Delegation voted for it. I urge each of you to do the same.

"Thank you very much."

The motion was put by the Chair and carried, and the report of the majority of the Committee was adopted and, Roll Call having been requested, S.C.R. No. 6, entitled: "SENATE CONCURRENT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR REPRESENTATION OF THE DISTRICT OF COLUMBIA IN CONGRESS", was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Carroll and Cayetano). Excused, 2 (Anderson and Yee).

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

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

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 665) recommending that House Bill No. 402 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 402, entitled: "A BILL FOR AN ACT

RELATING TO FIREARMS AND AMMUNITION", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 402.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 666) recommending that House Bill No. 404 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 404.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 667) recommending that House Bill No. 585, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 23, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 585, H.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 668) recommending that House Bill No. 1341 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1341, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE-HOLD", passed Second Reading and was referred to the Committee on Judiciary.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 669) recommending that House Bill No. 1687 pass Second

Reading and be referred to the Committee on Judiciary.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1687, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", passed Second Reading and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

RE-REFERRAL OF HOUSE BILLS

The President made the following re-referral of bills that were received on March 16, 1979:

House Bill Referred to:

No. 25,
H.D. 1 Committee on Health, then
to the Committee on Judiciary, then
to the Committee on Ways and Means

No. 553,
H.D. 1 Committee on Health, then
to the Committee on Judiciary, then
to the Committee on Ways and Means

No. 1222,
H.D. 1 Committee on Public Utilities,
then to the Committee on Judiciary,
then to the Committee on Ways and
Means

No. 1223,
H.D. 1 Committee on Public Utilities,
then to the Committee on Judiciary,
then to the Committee on Ways and
Means

No. 1528,
H.D. 1 Committee on Ecology,
Environment and Recreation

The President made the following re-referral of bills that were received on March 12, 1979:

House Bill Referred to:

No. 1637,
H.D. 1 Committee on Economic
Development, then to the Committee
on Ways and Means

No. 1686,
H.D. 2 Committee on Housing and
Hawaiian Homes, then to the Committee
on Judiciary, then to the Committee
on Ways and Means

At 12:14 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16

o'clock p.m.

THIRD READING

House Bill No. 1232, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 1232, 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, 21. Noes, 2 (Chong and Cobb).
Excused, 2 (Anderson and Yee).

MISCELLANEOUS COMMUNICATION

A communication from the 1978 Commission on Legislative Salary (Misc. Com. No. 18), transmitting a report of a salary plan for the members of the Hawaii State Legislature, was read by the Clerk and was referred to the Committee on Ways and Means.

Senator Abercrombie then rose on a point of personal privilege in respect to Misc. Com. No. 18 and stated as follows:

"Mr. President, I think that the arrival of this communication is an insult to this Body and an insult to the intelligence of the people of the State of Hawaii. I don't know how in God's name, it must have been in God's name and not the people of the state's name, that this report was drafted.

"We have just heard an eloquent commentary by the chairman of the education committee in respect of what the meaning of democracy is and then have arrive on our desk the very same day, a communication from a commission established under the Constitution in this democracy, which proceeds to outline a plan which has every indication of taking us right back to the very elements of not being able to participate in government unless you own property, that the chairman of education alluded to in his remarks.

"What this guarantees is that there will be little or no participation, in terms of election to the legislature, of people who would desire to give full or majority of their time to the legislative functions as they see them, when they take their oath of office.

"Referring to a total attendance of 69 people representing some 14 persons and/or organizations and every county of the state, this report indicates that it shall be the policy of the people of the state that only those who are well-off enough to be able to afford being in the legislature, run for the legislature. To come to any other conclusion than this, it seems to me, is to defy any reasonable interpretation of the English language.

"In addition, it indicates to me, it indicates rather that we have a voluntary and optional plan called the optional incentive portion, which is a cynical a device as I have ever witnessed for legislative largesse, which actually encourages the legislature to save money in its legislative budgetary expenses so that the legislators can take the money home with them. It is unbelievable to me, as to where this optional incentive portion arose. It must have come like a phoenix. Someone had a nightmare and decided to put it in words the next day.

"Mr. President, I would gladly see savings made in the legislative budgetary appropriations and see every single penny of that put back into staff for the legislators. I would gladly see my own staff paid twice what I'm paid, in order to have a staff.

"To indicate, as this report does, that this is to promote the concept of the citizen legislature is akin to the idea that unless one owns property, unless one has the leisure time and financial capacity to serve, that you will be discouraged from doing so. The salaries at a level which can attract qualified candidates from all sectors and not limit elective office to those who can well afford to run without receiving any compensation--this is Orwellian logic. It amounts to a kind of newspeak, double think, that is more appropriate to 1984 and I understand that in 1984, or by 1985, we're supposed to have all of this in so we will pass through 1984; this is one of the more appropriate documents I've seen to that period. The commission recognizes the salary received by the legislators is the principal part of their total compensation. It does not do that; in fact, the exact opposite is the truth. The principal part of their compensation would be from the other jobs that they'll hold.

"Very few, if any, legislators will be able to hold out in today's situation, hold out against the necessities of paying rent and food, let alone clothing or other essentials to existence. The accoutrements of public office, I love this, the accoutrements of public office include per diem payments, expense allowances. I put more than a thousand dollars of my own salary into my office every year.

"We get \$1500 in here that doesn't remotely cover the expenses of the office; and that's charged as income against us and we have to account for every single penny to the state tax department and to the IRS.

"I keep books that show that we pay everything by check in my office, including

getting stamps, so that on any given day, any citizen or any tax official can walk into the office and have an accounting right up to the moment as to where that so-called expense allowance is going.

"Transportation allowances, health and retirement benefits, we pay into those things. My retirement benefits in 19-- , whenever the h--- it's going to be that I would retire unless the voters retire me in 1982 so that I don't get a shot at any of it, will not be what I consider some princely sum that will allow me to live in some Sybaritic fashion.

"In addition, the commission formulated to fix some \$3500 per session etc. and then, whenever the h--- it is after that, based on the department of the executive branch of government which equals \$42,000. Now that should give you some brief idea of where the people are being considered. It's entirely a managerial orientation of this committee.

"I knew what I was getting when I came into the legislature. I was not dragged kicking and screaming in here. I knew what the compensation was and it's no different than any other situation where if you want to do something you take what goes along with it. In other words, you take what comes with the territory. But, I will not be insulted by saying that this kind of a report remotely addresses the question of whether or not you can encourage citizens to try and take their chances at the poll and still have at least a possibility of being able to support themselves and their families, should they choose to take up public service.

"What this bill (report) does is penalize voters who wish to vote for people who would like to devote fuller majority time or a major portion of their time to the legislature and to its interim work.

"For myself, I refer to the incentive part on page 7, the ceiling of \$4000 per year of incentive payments that was included to meet any concern on the part of the public that there might be undue curtailment of services. We have no services. When we end on April 20th you know, Mr. President, as well as every member here, that if we're lucky, we'll have eight hours a week for somebody to answer the phone with the minimum wage. We have no services for our people even though we are called upon full-time. We have no one and nothing available in our offices.

"The report speaks of the Legislative Reference Bureau and the Legislative Auditor, they are carrying out much of the work that we are putting together right now and we should be in constant contact with them.

"There are questions right now before us as to how the various departments of the state function and operate. We are turning the government over to an executive. We are creating our own Caesarism. We are creating and are on the edge right now of an American facism, and we're going to define it as freedom. I am not going to go along with this.

"I understand that there has to be a resolution; that the salary plans submitted shall become effective, as provided in the plan, unless the legislature disapproves the plan by adoption of a concurrent resolution prior to the adjournment sine die of the legislative session in which the plan is submitted and the governor disapproves the plan, by a message of disapproval transmitted to the legislature prior to such an adjournment.

"Well, I'm going to put in such a concurrent resolution to turn this down, because I would rather stay at the salary that I'm at and go and get another job, because I earn every single penny of the \$12,000 gross that is provided me by the taxpayers of this state. I have never been ashamed to cash a single paycheck that I've earned here. And I would dearly love to have the two or three thousand or three or four thousand of whatever amount of extra money there is in here. But, as a result of the way this plan is put together, what that means is that that will come on top of other compensation from another job, unless I or someone similar in views to what I have is fortunate enough to have a personal income, family fortunes, some other methodology for having an income available to them.

"I would rather turn it down to shove this hypocrisy back in the face of the people who put it forward. I earn my living honestly and I'm not going to take two or three thousand dollars bonus money by trying to see how I can cut down on the services available to the people of this state or to my own constituents in order to put money in my pocket.

"I've never been so disappointed in receiving or in reading or in participating in an activity extensively in the public purpose in the entire time that I have participated in government, whether as a citizen petitioning the Governor making his views known or as a legislator, as I am in this so-called report.

"This is for the rich, by the rich, to keep the rich in power. This is to keep the citizens of this state collared before the almighty dollar to keep them fearful of running for the legislature,

to disenfranchise them. This is a movement.

"This report constitutes in my opinion, in my judgment, a ringing message to the people of this state that if you're not on the inside, if you're not wealthy, if you don't have insider friends, if you can't make it with those who count in power, you're not going to have the opportunity to run because that's what the effect is going to be.

"This is the most single shameful piece of information, officially presented to the state, that I have ever witnessed."

Senator Cobb then added his remarks as follows:

"Mr. President, in line with the previous remarks, I'd just like to say, personally, I hope we're given an opportunity to vote on that resolution."

Senator Kawasaki added as follows:

"Mr. President, on our reaction to the Legislative Salary Commission's report to us, less Senator Abercrombie's remarks be construed as being an isolated reaction, I just want to go on record to say that it's quite interesting to me that he used the word 'insulting' because when Emerald Yeh of Channel 4 and June Watanabe of the press asked me for my reaction, the exact words I used were 'it's an insult

to the intelligence of both the people and the members of the legislature.'"

Senator Carroll then stated as follows:

"Mr. President, I didn't intend to raise any questions with regard to the matter which was raised by my learned colleague from Manoa but I would like to ask that his remarks, as they relate to this so-called incentive plan, which I really agree is an insult to the rich and the poor, that that portion of his remarks which relate to that plan be recorded for the Journal and made my own by adoption. Thank you."

At this time, Senator Hara, Chairman of the Committee on Ecology, Environment and Recreation, requested a waiver of the 48-hour notice of Public Hearing on the following measure:

H.B. No. 1528, H.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
DISPOSAL OF SOLID WASTES",

and the President granted the waiver.

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator George and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 22, 1979.

FORTY-FIRST DAY

Thursday, March 22, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Virgil K. Grover, Superintendent of the Hawaii District Church of the Nazarene, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie, who was excused.

The President announced that he had read and approved the Journal of the Fortieth Day.

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

Senator George introduced Mrs. Irving Stone, wife and collaborator of the famous author, who was visiting Hawaii for a day, having arrived on the Queen Elizabeth.

Senator Carroll introduced Mr. Joseph Semanoff, a former member of the Pennsylvania House of Representatives.

Senator Young introduced 100 students from the fifth grade at Honowai Elementary School, with their teachers, Ms. Lorraine Yasui, Ms. Barbara Fukumoto, Ms. Lillian Uyeda and Mr. Mike Odachi.

Senator Anderson introduced a group of senior citizens from the Community Church of Honolulu. Senator Chong then introduced two of his aunts, Mrs. K.F. Lum and Mrs. Richard Wong, who were visiting with that group.

Senator Yee then introduced 110 students from the fifth grade at Ala Wai Elementary School, with their teachers, Mrs. Edith Price, Mrs. Alice Arakaki, Mrs. Betty Muraoka and Mrs. Thelma Oda.

Senator Yamasaki introduced 28 students from Haiku School, Maui, with their chaperones, Mr. Sadao Yanagi, Mr. Roy Yamaguchi, Mr. Nelson Yoshida and Mrs. Charlotte Kanaele.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 61), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED

STATES DEPARTMENT OF AGRICULTURE TO ADOPT GRADING STANDARDS ON GINGER ROOT IMPORTED INTO THE UNITED STATES", was jointly offered by Senators Hara, Toyofuku, Abercrombie, Yamasaki, Cayetano, Young, Saiki, Takitani, Carpenter, Chong, Ushijima and Yee and was read by the Clerk.

By unanimous consent, S.C.R. No. 61 was referred to the Committee on Agriculture.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 289 to 294) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 289), entitled: "SENATE RESOLUTION RELATING TO COASTAL ZONE MANAGEMENT", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 289 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 290), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON AGRICULTURE TO REVIEW THE STATE'S COORDINATING MECHANISM AS IT RELATES TO DIVERSIFIED AGRICULTURE", was jointly offered by Senators Takitani, Hara, Abercrombie, George, Mizuguchi, Chong, Young, Kawasaki, Yee, Carroll and Saiki.

By unanimous consent, S.R. No. 290 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 291), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON AGRICULTURE TO REVIEW PROBLEMS RELATING TO THE CLASSIFICATION OF LANDS FOR AGRICULTURAL PURPOSES", was jointly offered by Senators Takitani, Hara, Abercrombie, George, Mizuguchi, Chong, Young, Kawasaki, Yee, Carroll and Saiki.

By unanimous consent, S.R. No. 291 was referred to the Committee on Agriculture, then to the Committee on Legislative Management.

A resolution (S.R. No. 292), entitled: "SENATE RESOLUTION RECOGNIZING THE KOHALA FFA'S OPEN MARKET '79 AND COMMENDING THE KOHALA FFA FOR THEIR CONTRIBUTIONS IN DEVELOPING AGRICULTURE IN THE STATE OF HAWAII", was jointly offered by Senators Hara, Takitani, Campbell, Cobb, Ushijima, Toyofuku, Carpenter, Yamasaki, Soares, Chong, Ajifu, Abercrombie,

Cayetano, Young, Saiki, Carroll, Yee and George.

On motion by Senator Hara, seconded by Senator Takitani and carried, S.R. No. 292 was adopted.

A resolution (S.R. No. 293), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF THE LATE DR. KATSUMI KOMETANI", was jointly offered by Senators Saiki, Soares, Cobb, Carroll, Yee, Ajifu, Wong, Young, Takitani, Anderson, Yamasaki, Yim, Kuroda, George, Chong, Hara, Cayetano, Campbell, Ushijima, Kawasaki, Toyofuku, Mizuguchi, Carpenter and O'Connor.

Senator Saiki moved that S.R. No. 293 be adopted, seconded by Senator Ajifu.

Senator Saiki spoke for the resolution as follows:

"Mr. President, we have all been touched in some way, at some time, by Dr. Katsumi Kometani. The endless list of his community service activities are sketched here in the resolution; but the loss of Dr. Katsumi Kometani, who died on March 16th, will be deeply felt by his family, his friends, his professional associates, and the many persons whose lives he shaped through his many civic activities. I would like to request, Mr. President, that we have a rising vote in the memory of Dr. Katsumi Kometani. Thank you."

The motion was put by the Chair and carried, and S.R. No. 293 was adopted by a rising vote.

A resolution (S.R. No. 294), entitled: "SENATE RESOLUTION COMMENDING DR. OTTO DEGENER", was jointly offered by Senators Carroll, Saiki, George, Soares, Yee, Ajifu, Takitani, Yim, Young, Abercrombie, Chong, Kuroda, Ushijima, Cobb, Mizuguchi, Toyofuku, Hara, Carpenter, O'Connor, Yamasaki, Anderson, Cayetano and Campbell.

Senator Carroll moved that S.R. No. 294 be adopted, seconded by Senator Saiki.

Senator Carroll then spoke for the resolution as follows:

"Mr. President, I would just like to note that Dr. Degener, as is stated in the resolution, is a man of some 80 years, and while he sounds very crisp and young as he did back in 1949 when I used to hike with him as his human pack horse carrying

his botanical specimens around, he was unable to come here today to be honored in person; but I think that it is very fitting that this gentleman, who has so long contributed to the conservation of our state and who has been an outspoken conservationist since the twenties, be honored in this way and I would like the Journal to so reflect these remarks. Thank you."

The motion was put by the Chair and carried, and S.R. No. 294 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 670), informing the Senate that Senate Concurrent Resolution Nos. 55 to 60, Senate Resolution Nos. 275 to 288 and Standing Committee Report Nos. 654 to 669 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senators Hara and Mizuguchi, for the Committee on Ecology, Environment and Recreation and the Committee on Transportation, presented a joint report (Stand. Com. Rep. No. 671), recommending that Senate Resolution No. 168 be adopted.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 168, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT REGULATIONS ENABLING IT TO REGULATE BOATING ACTIVITIES IN MARINE LIFE CONSERVATION DISTRICTS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 672), recommending that House Bill No. 45, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 45, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPS OF CIVILIAN WORKERS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 673), recommending that House Bill No. 286, H.D. 1, pass Second Reading and be referred to the Committee on Ways

and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 674), recommending that House Bill No. 349, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 349, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 675), recommending that House Bill No. 515, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 515, H.D. 1, 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 Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 676), recommending that House Bill No. 606, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 606, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented

a report (Stand. Com. Rep. No. 677), recommending that House Bill No. 608, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 678), recommending that House Bill No. 610, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 610, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS RIGHTS AND BENEFITS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 679), recommending that House Bill No. 1494, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1494, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", passed Second Reading and was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 680), recommending that House Bill No. 1627 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1627, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 681), recommending that House Bill No. 14, H.D. 1, pass Second Reading and be referred to

the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 14, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 682), recommending that House Bill No. 18, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 18, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A COUNCIL ON REVENUES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 683), recommending that House Bill No. 22, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 22, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 684), 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 O'Connor, seconded by Senator Cobb 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 RELATING TO THE GRAND JURY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 685), recommending that House Bill No. 282, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 282, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 686), recommending that House Bill No. 1394, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1394, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENT", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1394, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 687), recommending that House Bill No. 3, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 688), recommending that House Bill No. 20, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 20, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 689), recommending that House Bill No. 23, H.D. 1, pass

Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 23, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 690), recommending that House Bill No. 98, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 98, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", 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. 691), recommending that House Bill No. 171, 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 Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 171, 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 Tuesday, March 27, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 171, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 692), recommending that House Bill No. 600, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES", 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. 693), recommending that House Bill No. 602, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", 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. 694), recommending that House Bill No. 603, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 695), recommending that House Bill No. 643, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 643, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", 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. 696), recommending that House Bill No. 988 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 697), recommending that House Bill No. 1671, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1671, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 698), recommending that House Bill No. 2, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", passed Second Reading and was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 699), recommending that House Bill No. 92, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 92, 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 O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 700), 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 O'Connor, seconded by Senator Cobb 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 Carpenter, for the Committee on Health, presented a report (Stand.

Com. Rep. No. 701), recommending that House Bill No. 160, H.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 702), recommending that House Bill No. 287, 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 Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 287, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 703), recommending that House Bill No. 288 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 704), recommending that House Bill No. 1127, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 1127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF CREDIT CARDS FOR HOSPITAL CHARGES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 705), recommending that House Bill No. 1658, H.D. 1, pass

Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 706), recommending that House Bill No. 1674 pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

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

The Senate reconvened at 11:24 o'clock a.m.

ORDER OF THE DAY

THIRD READING

House Bill No. 93, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 93, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", was recommitted to the Committee on Judiciary.

House Bill No. 451, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 451, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

At 11:27 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 4:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 4:22 o'clock

p.m., with all Senators present with the exception of Senators Abercrombie, O'Connor, Ushijima and Young, who were excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 313 to 317) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 313), transmitting House Concurrent Resolution No. 8, which was adopted by the House of Representatives on March 22, 1979, was placed on file.

By unanimous consent, H.C.R. No. 8, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE LAWS RELATING TO THE FUNCTIONS AND DUTIES OF THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 314), transmitting House Concurrent Resolution No. 25, which was adopted by the House of Representatives on March 22, 1979, was placed on file.

By unanimous consent, H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was referred to the Committee on Agriculture.

A communication from the House (Hse. Com. No. 315), transmitting House Concurrent Resolution No. 41, which was adopted by the House of Representatives on March 22, 1979, was placed on file.

By unanimous consent, H.C.R. No. 41, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO DISPOSE OF PUBLIC LANDS FOR AGRICULTURAL PURPOSES BY MEANS OTHER THAN PUBLIC AUCTION", was referred to the Committee on Agriculture, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 316), transmitting House Concurrent Resolution No. 42, which was adopted by the House of Representatives on March 22, 1979, was placed on file.

By unanimous consent, H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE STATE BOARD OF LAND AND NATURAL RESOURCES FOR THEIR EFFORTS TO STRENGTHEN AGRICULTURAL WATER RESOURCE PROGRAMS IN WAIMANALO, OAHU,

AND URGING THE BOARD TO INTENSIFY ACTIVITIES TO UPGRADE THE AGRICULTURAL WATER SYSTEMS IN WAIMANALO", was referred to the Committee on Agriculture, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 317), transmitting House Concurrent Resolution No. 143, which was adopted by the House of Representatives on March 22, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING MARY G.F. BITTERMAN UPON HER NOMINATION TO THE DILLINGHAM CORP. BOARD OF DIRECTORS", was adopted.

STANDING COMMITTEE REPORTS

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 707), recommending that House Bill No. 1496, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTION FOR DAMAGES BASED ON CONSTRUCTION TO IMPROVE REAL PROPERTY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1496, H.D. 1, S.D. 1.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 708), recommending that House Bill No. 866 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Kuroda, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 866, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the Committee on Intergovernmental Relations,

presented a report (Stand. Com. Rep. No. 709), recommending that House Bill No. 867 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 710), recommending that House Bill No. 1104, H.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Kuroda, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1104, H.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 Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 711), recommending that House Bill No. 1557, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Kuroda, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1557, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", passed Second Reading and be referred to the Committee on Judiciary.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 712), recommending that House Bill No. 1401, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 1401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETENTION OF MEDICAL RECORDS", passed Second Reading and was referred to the Committee on Judiciary, on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Chong). Excused,

4 (Abercrombie, O'Connor, Ushijima and Young).

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 713), recommending that House Bill No. 93, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 93, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 714), recommending that House Bill No. 130, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 130, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A VEHICLE EMISSIONS INSPECTION PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 715), recommending that House 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 616, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 716), recommending that House Bill No. 739, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS", passed Second Reading and was referred to the Committee on Ways

and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 717), recommending that House Bill No. 740, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 718), recommending that House Bill No. 742, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 742, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", passed Second Reading and was referred to the Committee on Judiciary.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 719), recommending that House Bill No. 1200, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1200, 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 Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 720), recommending that House Bill No. 1473, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report

(Stand. Com. Rep. No. 721), recommending that House Bill No. 1645, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1645, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 722), recommending that House Bill No. 1646, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", passed Second Reading and was referred to the Committee on Judiciary.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 723), recommending that House Bill No. 137, 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 137, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MARINE RESOURCES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 724), recommending that House Bill No. 370, 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 370, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOSSIL FUEL ENERGY CONSERVATION", passed Second Reading and be referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No.

725), recommending that House Bill No. 1652 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1652, entitled: "A BILL FOR AN ACT RELATING TO AN APPROPRIATION FOR THE AQUACULTURE LOAN PROGRAM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 726), recommending that House Bill No. 1654, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 727), recommending that House Bill No. 1680, 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1680, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Kawasaki, for the Committee on Government Operations and Efficiency, presented a report (Stand. Com. Rep. No. 728), 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 Kawasaki, seconded by Senator Toyofuku 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 EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented

a report (Stand. Com. Rep. No. 729), recommending that House Bill No. 455, 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 Carpenter and carried, the report of the Committee was adopted and H.B. No. 455, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 730), recommending that House Bill No. 1531, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Cayetano, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ALU LIKE INC. FOR THE NATIVE HAWAIIAN PROGRAM UNDER THE NATIVE AMERICANS ACT OF 1978", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 731), recommending that House Bill No. 1686, H.D. 2, 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 Carpenter and carried, the report of the Committee was adopted and H.B. No. 1686, H.D. 2, 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 Judiciary.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 732), recommending that House Bill No. 159, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 159, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

DENTISTRY", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 733), recommending that House Bill No. 520, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 520, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 734), recommending that House Bill No. 696, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 696, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY", passed Second Reading and was referred to the Committee on Judiciary.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 735), recommending that House Bill No. 1406, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 1406, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT-IN-AID FOR THE HAWAII MEDICAL ASSOCIATION-EMERGENCY MEDICAL SERVICES PROGRAM FOR THE PERIOD JULY 1, 1979 - JUNE 30, 1980", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 736), recommending that House Bill No. 1657, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Carpenter, seconded by Senator Campbell and

carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", passed Second Reading and was referred to the Committee on Judiciary, on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Chong).
Excused, 4 (Abercrombie, O'Connor, Ushijima and Young).

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 737), recommending that House Bill No. 583, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 583, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", passed Second Reading and was referred to the Committee on Judiciary.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 738), recommending that House Bill No. 617, H.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 617, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND", passed Second Reading and was referred to the Committee on Economic Development.

Senator Hara, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 739), recommending that House Bill No. 1215, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Economic Development.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the majority of the Committee was adopted and H.B. No. 1215, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS", passed Second Reading and was referred to the Committee on Economic Development.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 740), recommending that House Bill No. 1338, 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 Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1338, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 741), recommending that House Bill No. 1526, H.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER REQUIREMENTS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 742), recommending that House Bill No. 1659 pass Second Reading and be referred to the Committee on Health.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT PERSONNEL", passed Second Reading and was referred to the Committee on Health.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 743), recommending that House Bill No. 1668 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1668, entitled: "A BILL FOR AN ACT RELATING TO THE SALE AND USE OF PESTICIDES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 744), recommending that House Bill No. 166, H.D. 1, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Hara, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 166, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 745), recommending that House Bill No. 48, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 48, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 746), recommending that House Bill No. 80, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES", passed Second Reading and was referred to the Committee on Ways and Means.

Senators Toyofuku and Ushijima, for the Committee on Human Resources and the Committee on Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 747), recommending that House Bill No. 356, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Kuroda and carried, the joint report of the Committees was adopted and H.B. No. 356, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONFORFEITURE OF

EMPLOYMENT RIGHTS FOR ABSENCE REQUIRED BY NATIONAL GUARD DUTY", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 356, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 748), recommending that House Bill No. 605, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 605, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 749), recommending that House Bill No. 1099, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1099, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 750), recommending that House Bill No. 1183, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1183, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN INCOME TAX CREDIT FOR EMPLOYMENT SERVICE FEES", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 751), recommending that House Bill No. 1663, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1663, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", 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. 752), recommending that House Bill No. 165 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE", passed Second Reading and was placed on the calendar for Third Reading on Tuesday, March 27, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 165.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 753), recommending that House Bill No. 188, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 188, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", 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. 754), recommending that House Bill No. 556, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE", 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. 755), recommending that House Bill No. 1449, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 1449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 756), recommending that House Bill No. 1577, as amended in S.D. 1, pass Second Reading and be recommitted to the Committee on Consumer Protection and Commerce.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 1577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", passed Second Reading and was recommitted to the Committee on Consumer Protection and Commerce.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 757), recommending that House Bill No. 38, H.D. 2, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and H.B. No. 38, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 758), recommending that House Bill No. 638, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 759), recommending that House Bill No. 923, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 923, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 760), recommending that House Bill No. 1656, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS", passed Second Reading and was referred to the Committee on Judiciary.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 761), recommending that House Bill No. 1695, H.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 762), recommending that House Bill No. 1684, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1684, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 763), recommending that House Bill No. 722 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 722, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 764), recommending that House Bill No. 1252, H.D. 2, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 1252, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 765), recommending that House Bill No. 1633, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 1633, entitled: "A BILL FOR AN ACT RELATING TO THE MANUFACTURING AND DISTRIBUTION OF COMMERCIAL FEEDS IN THE STATE OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 766), recommending that House Bill No. 1653 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 1653, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF AGRICULTURAL AND VEGETABLE SEEDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Ushijima, for the majority of the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 767), recommending that House Bill No. 1060, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the majority of

the Committee was adopted and H.B. No. 1060, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION WAIVERS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 768), recommending that House Bill No. 1211, H.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Judiciary.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 769), recommending that House Bill No. 1588, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Consumer Protection and Commerce.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", passed Second Reading and was referred to the Committee on Consumer Protection and Commerce.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 770), recommending that House Bill No. 1624, 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 Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1624, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTAIN POSITIONS IN THE UNIVERSITY OF HAWAII", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 771), recommending that House Bill No. 1647, 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 Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1647, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 772), recommending that House Bill No. 1648 pass Second Reading and be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 1648, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF NUTRITION PROGRAM ASSISTANTS", passed Second Reading and was referred to the Committee on Ways and Means.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 773), recommending that House Bill No. 890, 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 Carpenter and carried, the report of the Committee was adopted and H.B. No. 890, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", passed Second Reading and was referred to the Committee on Judiciary.

At this time, Senator Kuroda introduced to the members of the Senate, Mr. Jack Hronek, a second year student at the Leeward Community College; Mr. Ernest Pai, a Senior at Pearl City High School; and his son, Mr. Keith Kuroda, a Junior at Mid-Pacific Institute, who is celebrating his 17th birthday today.

At 4:26 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:27 o'clock p.m.

RE-REFERRAL OF A HOUSE BILL

At this time, the President made the following re-referral of a House Bill which had been received on Friday, March 16, 1979:

House Bill Referred to:

ADJOURNMENT

No. 417,
H.D. 2 Committee on Ecology,
 Environment and Recreation

At 4:28 o'clock p.m., on motion by
Senator Mizuguchi, seconded by Senator
Anderson and carried, the Senate adjourned
until 11:30 o'clock a.m., on Friday,
March 23, 1979.

FORTY-SECOND DAY

Friday, March 23, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend James Habenicht, M.M., Associate Pastor, Sacred Heart Church, after which the Roll was called showing all Senators present.

The President 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 Saiki, on behalf of the Senators from the Seventh Senatorial District, introduced 74 fifth grade students from Kahala Elementary School, accompanied by their teachers Mrs. Sharon Inamine, Mrs. Carol Maehara, Mrs. Tsulan Young and Mrs. Janet Shitabata.

Senator Yamasaki, on behalf of the Senators from the Second Senatorial District, introduced 21 eighth grade students from Saint Joseph's School in Makawao, Maui, accompanied by Sister Aurelia, Sister Raymond, Mr. Tony Silva, Mrs. Helen Silva, Mr. Clement Bak, Mrs. Elizabeth Rago, Mrs. Paulette Ramon, Ms. Merlyn Canha and Ms. Carolyn Freitas.

At 11:45 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.

Senator Kuroda, on behalf of the Senators from the Fourth Senatorial District, then introduced 52 students from the fifth and eighth grades of Our Savior Lutheran School in Aiea, accompanied by their teachers Miss Wegener and Mr. Jessen and parents Mrs. Tabor and Mrs. Tamura.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 62 and 63) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 62), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC EMPLOYMENT RELATIONS BOARD TO ESTABLISH GENERAL STANDARDS OR CRITERIA FOR EMPLOYEES NOT COVERED UNDER THE PROVISIONS OF CHAPTER 89, HAWAII REVISED STATUTES", was jointly offered by Senators Toyofuku, Abercrombie, Hara, Takitani, Saiki, Soares, Mizuguchi, Cobb, Carpenter, O'Connor, Young, Campbell, Carroll, Ushijima,

George, Cayetano, Chong, Yamasaki, Kuroda and Yee.

By unanimous consent, S.C.R. No. 62 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 63), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DISAPPROVAL OF THE LEGISLATIVE SALARY PLAN SUBMITTED BY THE 1978 COMMISSION ON LEGISLATIVE SALARY", was jointly offered by Senators O'Connor, Cayetano, Kawasaki, Abercrombie, Cobb, Ushijima, Mizuguchi, Chong, Toyofuku, Takitani, Hara, Yamasaki, Carpenter, Young, Yim, Saiki, Anderson, Yee, George and Carroll.

By unanimous consent, action on S.C.R. No. 63 was deferred until Tuesday, March 27, 1979.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 295 and 296) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 295), entitled: "SENATE RESOLUTION CONGRATULATING THE WINNER AND RUNNERS-UP OF THE 1979 DAUGHTERS OF THE AMERICAN REVOLUTION HAWAII STATE GOOD CITIZEN AWARD", was jointly offered by Senators Wong, Yim, Kawasaki, Campbell, Toyofuku, Mizuguchi, Kuroda, Takitani, O'Connor, Young, Yamasaki, Ushijima, Anderson, Cayetano, Chong, George, Carroll, Hara, Saiki, Ajifu, Carpenter, Abercrombie, Cobb, Yee and Soares.

On motion by Senator Kawasaki, seconded by Senator Yim and carried, S.R. No. 295 was adopted.

At this time, Senator Kawasaki introduced to the members of the Senate the honorees of S.R. No. 295: Judy Wai Ming Hui, the winner; and runners-up, Susan Hayashi of Moanalua High School; Jane Padwick of Kohala High School, who could not be present; and Russell N. Harada of Roosevelt High School. Senators Campbell and Cayetano presented certified copies of the resolution to the honorees. Senator Kawasaki also introduced a group of principals and teachers from the respective schools.

At 11:54 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.

A resolution (S.R. No. 296), entitled:

"SENATE RESOLUTION EXPRESSING PRIDE IN AND SUPPORT FOR THE SIGNING HANDS OF ALOHA OF THE HAWAII SCHOOL FOR THE DEAF AND BLIND", was jointly offered by Senators O'Connor, Takitani, Campbell, Kuroda, Saiki, George, Mizuguchi, Ushijima, Young, Soares, Yamasaki, Ajifu, Yim, Anderson, Hara, Chong, Cobb, Carroll, Yee, Abercrombie, Kawasaki, Carpenter, Cayetano, Toyofuku and Wong.

By unanimous consent, action on S.R. No. 296 was deferred to the end of the calendar.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 774) informing the Senate that Senate Concurrent Resolution No. 61, Senate Resolution Nos. 289 to 294 and Standing Committee Report Nos. 671 to 773 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 775) recommending that Senate Resolution No. 74, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON PAYMENT FOR ACUPUNCTURE SERVICES", was adopted.

ORDER OF THE DAY

THIRD READING

House Bill No. 340, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 340, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FACILITIES FOR THE ELDERLY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 544, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 402:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 402, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 404:

By unanimous consent, action on H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", was deferred until Tuesday, March 27, 1979.

House Bill No. 585, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 585, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:01 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.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Senate Resolution No. 296:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.R. No. 296 was adopted.

At this time, Senator O'Connor introduced to the members of the Senate the musical group of the Hawaii School for the Deaf and Blind, Signing Hands of Aloha, who will be participating in the National Very Special Arts Festival in Washington, D.C. on April 5 through 8, 1979. The group then gave a very beautiful and touching performance of the song "We're All Alone."

At 12:17 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.

Senator O'Connor then introduced Mr. Santiago Agcaoili, principal of the Hawaii School for the Deaf and Blind; Ms. Dianne Girard, State Coordinator for the Very Special Arts Festival; Ms.

Diane Ichimasa, Ms. Joan Kurashige and Ms. Judy Higa, teachers and assistants. Senator O'Connor presented certified copies of the resolution to them and Senators Saiki, Cobb and Soares presented the leis.

Senator Kuroda then rose to state as follows:

"Mr. President, having the blind and deaf people here today, I think, is very appropriate to the resolution that Senator Carpenter has prepared and circulated. It is a resolution proclaiming Wellness Week and I think it's a wonderful thing that we are able to have a resolution proclaiming wellness. Thank you."

Senator Carpenter then added as follows:

"Mr. President, the resolution speaks to wellness and honoring a number of people who have dedicated themselves to making people well. Perhaps we can contribute in some small way as Senators of this Body by adding our own thoughts, in that, perhaps in the future, it's no longer going to be fashionable to be ill, no longer going to be fashionable to think ill, and it's no longer going to be fashionable to do ill. So, with our own contributions as members of the law-making body in the State of Hawaii, hopefully, we can make a contribution to this total effort."

Senator Abercrombie then rose on a point of personal privilege and stated as follows:

"Mr. President, within the past two days, members of this Body have by implication been accused of blackmail in respect of the appointments generated by the Governor, in terms of his cabinet, and by further implication by those appointments having to do with boards and commissions.

"In particular, Mr. President, the Honolulu Advertiser lead editorial of Thursday, March 22, 1979, has stated, 'Certainly such cabinet appointments should not be held hostage by legislators who differ with a governor or mayor over programs or priorities.' Further, it goes on to say, 'It does not mean the Legislature should not have priorities or express them via legislation that is respected by the administration as much as possible within the limits of money and other priority programs.' And concludes, 'But there is also a line between honest bargaining and blackmail and it should be clear to the Capitol at this time.'

"Mr. President, I rise on a point of personal privilege because I do not think it should be allowed to pass, that the Honolulu Advertiser has misinformed the citizenry in terms of historical sequence of events

surrounding the phrase 'advise and consent'.

"There are two branches of government involved here, co-equal branches of government, and the founding fathers of this nation indicated very clearly as to why advise and consent was necessary when a nomination of a public official was concerned, and as to what the process should be and what the rationale for it was.

"It seems to me that this editorial opinion, to the extent that is reflected in news columns and to the extent it becomes reflected in the thinking of our citizenry, does damage to the historical press and for advice and consent in the Senate and the reasoning behind it.

"I wish very momentarily, Mr. President, to bring to your attention and to the public's attention exactly what advise and consent means, and, in particular, I wish to refer to Nos. 76 and 77 of 'The Federalist Papers' as written by Alexander Hamilton.

"I think, historically, it would be aggrieved, Mr. President, that Mr. Hamilton was the antithesis of the so-called democratic faction of the two major factions of our governmental philosophers at the time of the drafting of the Constitution--one being Alexander Hamilton, one represented by Thomas Jefferson.

"The Federalist Papers' debates, if you will, were as a result of that differentiation, Hamilton considered by all in 'The Federalist Papers', to be the conservative position. Therefore, Mr. President, I quote from Hamilton and 'The Federalist Papers' because I think that no one can deny, on a historical basis, it represents the most conservative position.

"In No. 76 he indicated, '...It is not easy to conceive a plan better calculated than this (that is to say advise and consent by the Senate with the nomination of the president or any other subsequent government officials in descending order) ...to promote a judicious choice of men for filling the offices of the Union; and it will not need proof that on this point must essentially depend (upon) the character of its administration. ...It ought either to be vested in a single man, or in a select assembly of a moderate number, or in a single man with the concurrence of such an assembly.'

"After examining the three propositions and moving to the third proposition, which is the Senate, he indicates, '...To what purpose then require the co-operation

of the Senate? I answer that the necessity of their concurrence would have a powerful, though, in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attachment, or from a view to popularity. And, in addition to this, it would be an efficacious source of stability in the administration.

"It will readily be comprehended that a man who had himself the sole disposition of offices would be governed much more by his private inclinations and interests than when he was bound to submit the propriety of his choice to the discussion and determination of a different and independent body, and that body an entire branch of the legislature. . . . The institution of delegated power implies that there is a portion of virtue and honor among mankind. . . .' And I think this is particularly pertinent to the accusation of blackmail and hostage holding; I think it's an insult to the Governor; I think it's an insult to the members of the Senate who are called upon to exercise their constitutional obligations and duties. I repeat, '...The institution of delegated power implies that there is a portion of virtue and honor among mankind, which may be a reasonable foundation of confidence. And experience justifies the theory. It has been found to exist in the most corrupt periods of the most corrupt governments. . . . it is as little to be doubted that there is always a large proportion of the body which consists of independent and public-spirited men who have an influential weight in the councils of the nation. . . . Though it might therefore be allowable to suppose that the executive might occasionally influence some individuals in the Senate, yet the supposition that he could in general purchase the integrity of the whole body would be forced and improbable. A man disposed to view human nature as it is, without either flattering its virtues or exaggerating its vices, will see sufficient ground of confidence in the probity of the Senate to rest satisfied, not only that it will be impracticable to the executive to corrupt or seduce a majority of its members, but that the necessity of its co-operation in the business of appointments will be a considerable and salutary restraint upon the conduct of that magistrate.'

"In other words, Mr. President, the founding fathers of this nation were more concerned that the Senate act as a restraint than that the Senate act as if it was holding anything hostage. It was more concerned with executive authority being exercised arbitrarily

and calling upon the Senate to exercise such attention as was necessary to see that executive authority was not abused. It is the exact opposite of the arguments that have been brought forward in the editorial opinion.

"I want to conclude with these remarks, 'Let us take a view of the converse of the proposition: "the Senate would influence the executive." As I have had occasion to remark in several other instances, the indistinctness of the objection forbids a precise answer. In what manner is this influence to be exerted? In relation to what objects? The power of influencing a person, in the sense in which it is here used, must imply a power of conferring a benefit upon him. How could the Senate confer a benefit upon the President by the manner of employing their right of negative upon his nominations? If it be said they might sometimes gratify him by an acquiescence in a favorite choice, when public motives might dictate a different conduct, I answer that the instances in which the President could be personally interested in the result would be too few to admit of his being materially affected by the compliances of the Senate. Beside this, it is evident that the POWER which can originate the disposition of honors and emoluments is more likely to attract than to be attracted by the POWER which can merely obstruct their course. If by influencing the President be meant restraining him, this is precisely what must have been intended.'

"I think that it behooves people who wish to discuss publicly the nominations of the Governor or the inclinations of any senator in respect of those nominations, that they keep well in mind that the nomination and confirming process in any appointment of any kind, whether a cabinet official or a board or commission, is a joint process by the executive and by the Senate of this state.

"And its historical precedence are such that time has well-served this notion that has been put into words in the Constitution with great deliberation, so as to prevent abuse by either Body. The utilization of the word 'hostage', the utilization of the word 'blackmail' is a disservice to the Constitution of the United States and the Constitution of the State of Hawaii. It is a disservice to the deliberate of nature and the cooperative nature of the consult of nature between the executive and the legislature in respect of the appointment of public officials."

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, March 27, 1979.

FORTY-THIRD DAY

Tuesday, March 27, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Sidney Hormell of the Waikeola Congregational Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Second Day.

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

Senator Chong introduced Ms. Piliuloha Lee Loy, a member of the Commission of the Status of Women, and her friend from Lewiston, Idaho, Mrs. Janie Jones.

Senator Anderson introduced thirty-two members of the Waikiki Community Senior Citizens Club.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 110 and 111) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 110), transmitting a report, entitled, "Hawaii's Water Resources: Directions for the Future", which was prepared by the State Water Commission, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 111), transmitting the 1977-1978 Annual Report prepared by the School Health Branch, Family Health Services Division, Department of Health, was referred to the Committee on Health.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 318 and 319) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 318), transmitting House Concurrent Resolution No. 74 which was adopted by the House of Representatives on March 23, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING A STATE-WIDE OBSERVATION OF EARTH DAY ON FRIDAY, APRIL 27, 1979", was adopted.

A communication from the House (Hse. Com. No. 319), transmitting House Concurrent Resolution No. 128 which was adopted by the House of Representatives on March 23, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING MARCH 23 - APRIL 4, 1979 AS A TIME FOR THE CELEBRATION OF WELLNESS", was adopted.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 64 to 67) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 64), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE FRIENDS OF IOLANI PALACE FOR THE OUTSTANDING AND DISTINGUISHED PUBLIC SERVICES RENDERED WITH REGARD TO THE RESTORATION AND OPERATION OF IOLANI PALACE", was jointly offered by Senators Anderson, Yee, Saiki, Toyofuku, George, Carpenter, Carroll, Mizuguchi, Yamasaki, Campbell, Kuroda, Ajifu, Hara, Abercrombie, Takitani, Chong, Soares, Young, O'Connor, Cayetano, Kawasaki and Cobb.

On motion by Senator Anderson, seconded by Senator Yee and carried, S.C.R. No. 64 was adopted.

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.

A concurrent resolution (S.C.R. No. 65), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON DRUNK DRIVING LAWS AND MANDATORY DRIVER'S EDUCATION TO CURB ACCIDENTS", was jointly offered by Senators Carpenter, Takitani, Saiki, Chong, Campbell, Abercrombie, Yee, Yim, Mizuguchi and Kawasaki.

By unanimous consent, S.C.R. No. 65 was referred jointly to the Committee on Health and the Committee on Transportation.

A concurrent resolution (S.C.R. No. 66), entitled: "SENATE CONCURRENT

RESOLUTION RELATING TO A FUNCTIONAL PLAN FOR HOUSING", was offered by Senator Wong, by request.

By unanimous consent, S.C.R. No. 66 was referred to the Committee on Housing and Hawaiian Homes.

A concurrent resolution (S.C.R. No. 67), entitled: "SENATE CONCURRENT RESOLUTION PROCLAIMING MARCH 23 - APRIL 4, 1979 AS A TIME FOR THE CELEBRATION OF WELLNESS", was jointly offered by Senators Carpenter, Chong, Takitani, Ajifu, Saiki, Yim, Carroll, Young, Hara, Yamasaki, Campbell, Ushijima, Cobb, Wong, Mizuguchi, Cayetano, Kawasaki, Toyofuku, Abercrombie, Kuroda, Anderson, Soares, O'Connor and George.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.C.R. No. 67 was recommitted to the Committee on Health.

At 11:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 297 to 301) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 297), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON DRUNK DRIVING LAWS AND MANDATORY DRIVER'S EDUCATION TO CURB ACCIDENTS", was jointly offered by Senators Carpenter, Takitani, Saiki, Campbell, Abercrombie, Yee, Yim, Mizuguchi and Kawasaki.

By unanimous consent, S.R. No. 297 was referred jointly to the Committee on Health and the Committee on Transportation.

A resolution (S.R. No. 298), entitled: "SENATE RESOLUTION REQUESTING THE CONGRESSIONAL DELEGATION TO REQUEST THE FEDERAL GOVERNMENT TO PROVIDE AN EXCEPTION FOR THE RURAL ISOLATED AREAS IN HAWAII FROM THE DISPENSING REQUIREMENT OF CONTROLLED SUBSTANCES IN SCHEDULE II", was jointly offered by Senators Carpenter, Takitani, Chong, Saiki, Mizuguchi, Kawasaki, Campbell, Abercrombie, Yee and Yim.

By unanimous consent, S.R. No. 298 was referred to the Committee on Health.

A resolution (S.R. No. 299), entitled: "SENATE RESOLUTION CONGRATULATING QUEEN PATRICIA ANN KAHELE AND HER COURT IN THE 1979 MISS LEEWARD SCHOLARSHIP PAGEANT", was jointly offered by Senators Kuroda, Mizuguchi, Cayetano, Young, Campbell, Cobb, Yim, Wong, Toyofuku, Takitani, Yamasaki, Ushijima, Abercrombie, Hara, Chong, Carpenter, Carroll, Soares, Saiki, Anderson, George, Yee, Ajifu, Kawasaki and O'Connor.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, S.R. No. 299 was adopted.

Senator Kuroda then introduced to the members of the Senate the following: Queen Patricia Ann Kahele; First Runner-up, Miss Beth Ann Rose; Second Runner-up, Miss Kim Thomas; Miss Popularity, Miss Suzette Parraga; Mr. Gary M. Fujii, President of the Leeward Oahu Jaycees, who sponsored the event and Mr. Dave Arakawa, Chairman of the Pageant.

Senators Campbell, Cayetano, Mizuguchi and Kawasaki then presented leis to Queen Patricia Ann Kahele, Miss Rose, Miss Thomas and Miss Parraga, respectively. Senator Kuroda presented each of them and Mr. Fujii and Mr. Arakawa, with a certified copy of the resolution.

At 11:52 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.

At this time, Senator Chong introduced to the members of the Senate Ms. Margaret Young, who is a member of a respected kamaaina family, and a leader in the Makiki-Tantalus State Park Planning Committee.

A resolution (S.R. No. 300), entitled: "SENATE RESOLUTION PROCLAIMING MARCH 23 - APRIL 4, 1979 AS A TIME FOR THE CELEBRATION OF WELLNESS", was jointly offered by Senators Carpenter, Chong, Takitani, Ajifu, Saiki, Yim, Carroll, Young, Hara, Yamasaki, Campbell, Ushijima, Cobb, Wong, Mizuguchi, Cayetano, Kawasaki, Toyofuku, Abercrombie, Kuroda, Anderson, Soares, O'Connor and George.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.R. No. 300 was adopted.

A resolution (S.R. No. 301), entitled: "SENATE RESOLUTION EXPRESSING CONGRATULATIONS TO MR. NELSON TATTERSALL TUITTELE ON RECEIVING

THE 1979 HAWAIIAN LODGE NUMBER 21, FREE AND ACCEPTED MASONS, HIRAM AWARD", was jointly offered by Senators Yee, Young, Saiki, Carroll, George, Yamasaki, Chong, Kuroda and Takitani.

On motion by Senator Yee, seconded by Senator Young and carried, S.R. No. 301 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 776), informing the Senate that Senate Concurrent Resolution Nos. 62 and 63, Senate Resolution Nos. 295 and 296 and Standing Committee Report No. 775 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 777), recommending that House Concurrent Resolution No. 9, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.C.R. No. 9, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TEN MILLION BARREL CAPACITY STRATEGIC PETROLEUM RESERVE FOR HAWAII", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 778), recommending that House Bill No. 147, 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 29, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 147, H.D. 1, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No.

a report (Stand. Com. Rep. No. 779), recommending that House Bill No. 187, 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 Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and H.B. No. 187, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Thursday, March 29, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 187, H.D. 1, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 780), recommending that Senate Concurrent Resolution No. 27 be adopted.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.C.R. No. 27, 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.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 781), recommending that Senate Resolution No. 133 be adopted.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and S.R. No. 133, 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.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 782), recommending that House Bill No. 660, 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 Chong and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 660, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX ON GAINS

FROM THE SALE OR EXCHANGE OF REAL PROPERTY", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor);

and was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTERS DEFERRED FROM FRIDAY, MARCH 23, 1979

Senate Concurrent Resolution No. 63:

Senator O'Connor moved that S.C.R. No. 63 be adopted, seconded by Senator Anderson.

Senator O'Connor then spoke in favor of the resolution as follows:

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

"We have been given a report by the Commission on Legislative Salary which suggests certain amendments to the salary of all legislators. Included in that salary plan is a plan of optional incentives which would, in the future, allow a legislature to reduce the amount of monies which were appropriated and expended for the operation of the legislature and its ancillary bodies and pick the balance that's left home as pay.

"I find that this optional incentive program, Mr. President, is an anathema to the running an operation of the legislature and really an insult to this legislature and future legislatures which would be asked to cut back on the services rendered to the taxpayer at the taxpayer's expense in an effort to obtain more salary.

"For these and many other reasons, we have offered Senate Concurrent Resolution No. 63 which in essence disapproves of the plan submitted by the 1978 Commission on Legislative Salary and seeks to have that plan retired to that disapproval.

"Thank you, Mr. President."

Senator Campbell then spoke for the resolution as follows:

"Mr. President and members of the Senate, I rise to speak in favor of the resolution.

"As the previous speaker indicated, the intent of the resolution is to put this legislature on record as

opposed to the Salary Commission's salary recommendations for this legislature.

"The events surrounding this whole matter--the lackluster public hearings of the Salary Commission, the salary recommendations which seemed to be based on limited information from the public; and, of course as Senator O'Connor pointed out, the recommendations of that incentive plan--all of that, in my judgment, bring to dramatic focus the need to address the problem of providing this legislature the tools and the conditions to more effectively do the job assigned to it.

"The resolution may have alluded to this question when it stated that, 'The legislature finds that this salary plan does not address the problem.'

"Some of the primary responsibilities of the legislature are: to make the laws, fund programs and projects, and to provide salaries to the other branches of government--the executive and the judiciary.

"In order to carry out this monumental task, it goes without saying that it takes adequate staff and adequate time. In my judgment, the legislature has neither. Our staff is part-time with very limited benefits which makes recruiting of experienced staff a critical problem. We try to crowd a full-time legislative session into a 60-day period.

"This means that at the closing days of the legislature, we're working around the clock in attempts to scrutinize and examine proposed legislation before defeating it or making it law. Many times we're too tired and weary to think straight, let alone vote straight.

"It should be of some concern that of the three branches of government, the legislative branch is the only one which is part-time and operates with a part-time staff. The other governmental branches, executive and judiciary, have full-time managerial, research, legal, clerical and miscellaneous staff. The legislature, with its limited resources, is finding itself less capable to cope with the other governmental branches.

"So, Mr. President and members of the Senate, I hope the recommendations of the Salary Commission serve as a blessing in disguise. I hope it is much clearer now than before that the job the citizens of Hawaii sent us here to do is a full-time job which cannot be accomplished with a part-time staff and a 60-day session.

"I introduced a bill to make this legislature full-time. This is my third

try. I intend to introduce that bill again at the next legislative session.

"It is my hope that more serious consideration will not only be given to the problems which this bill addresses, but to the companion problems brought to sharp focus by the recommendations of the Salary Commission.

"Thank you very much."

Senator Abercrombie then spoke for the resolution as follows:

"Mr. President, I am speaking for the resolution and the only reason I do is that I've been asked several times about several of the points I raised the other day and I think I can clear them up very briefly.

"I would like to have more money. I have no personal aversion to having more money in my pocket, especially because I deserve it. But, inasmuch as I don't deserve it under these circumstances, I can't take it. It's as simple as that.

"I feel much as Senator Campbell has indicated, that with the situation as it exists, we need more staffing here on a full-time basis in the legislature, even if the legislature itself is not full time, in the sense that the only income or the only work that legislators do or would do would be full time.

"I haven't the slightest objection to a legislative system in which people are not full-time legislators. I merely seek to say that those who find themselves either fortunate enough by virtue of financial circumstance or desirous by virtue of inclination to work on a majority or full or more than sixty-day basis per se, other than interim work, ought to be able to do so without becoming rich, without becoming lax, in the sense of having to feel that they need take any responsibility. That's all that is involved in this.

"The proposals of the Salary Commission do not address this question in the least. On the contrary, they have come up with a formula, which I don't have the slightest understanding yet, having re-read the whole presentation, other than this.

"I did not mention this the other day, and I'll conclude with this-- that it became apparent to me principally as a result of the question by a friend in the media, that the proposal for the salary is to take care of people who take leave from their jobs.

"You may recall, Senators, that the proposal indicates that people will be paid, I believe, \$3,500 for the three months and then a much smaller amount afterwards. I couldn't figure out why make the change from the regular every two weeks and just prorate it out for the year.

"Well, the answer is obvious to me, now that the question was put to me. It's to encourage companies or organizations to give their employees leave during that time and pay them the high salary to make up for that time; that is to say, those organizations that do not want to pay them for that time in any event.

"It becomes more obvious to me then that this is indeed a scheme to try and get people into this legislature, only people into this legislature who have either the organizational backing or the individual financial means or both, to be able to accomplish that task. And that means that it probably is going to cut off about 75% of the population from being in the legislature and I think that's extremely unfortunate."

Senator Mizuguchi then spoke for the adoption of the resolution as follows:

"Mr. President, I'd just like to rise to speak for the resolution to reject the salary plan submitted by the 1978 Commission on Legislative Salary and I believe these remarks sort of are the feelings of the majority of the Senators in this Body.

"I believe that the salary plan is ill-conceived, although made by honorable people with probably the best of intentions and motives.

"The most troublesome aspect of the plan is that it really lacks a philosophy; it is not nurtured in political values; it does not reflect the kind of legislators the public should want or expect; it doesn't build on the concept embodied in the 1968 Constitution which established the present salary plan.

"In 1968, the Constitution at least had some notion as to the kind of legislature they wanted, and they reflected their ideas in establishing salaries for legislators. They felt that a legislator should be a 'year-round legislator,' and that 'the qualified legislator' which the Constitution said 'the public deserves, must be attracted to serve as a legislator.' They wanted a legislator who is 'available for service whenever required throughout the year.' They hoped that the increased salary 'would attract and produce the kind of legislator who would spend more time in educating and informing the

community and his constituents...'¹ Thus, the salary they set was to be sufficient in 1968 to enable a legislator, with some sacrifice, to devote full time to legislative duties.

"One finds nothing in the new salary plan which extends the 1968 Convention's view of legislators. Perhaps, the fault rests with the 1968 Convention for failing to deal with the issue.

"But there is little to be gained from fault-finding. We should merely file this plan away and wait for some more enlightened time.

"I urge the members of the Senate to vote for the resolution and to reject the salary plan.

"Thank you, Mr. President."

Senator Cobb then remarked as follows:

"Mr. President, just two rather brief observations in favor of this resolution.

"One, based on the past salary plan that I have seen presented to the legislature which we have never acted upon in my brief seven years in this Body and in the House, the plan submitted didn't even keep up with the cost of living.

"But secondly, and more importantly, is the fact that the incentive that was proposed was in effect, a way for us as legislators to feather our own nest on an optional basis. And that is to cut down the expenses of those who are at or below the minimum wage in many of the service and support agencies of this legislature during our part-time existence.

"In effect, we would be asked to feather our own nest to the tune of \$4,000 a year by cutting back on those salaries or wages or even going below the minimum wage.

"I find that in itself to be unconscionable as well as the fact that it's our job as a matter of course to cut expenditures where possible, to save money rather than to improvise for that kind of savings on an incentive basis at the expense of those at or below the minimum wage."

Senator Yee then stated as follows:

"Mr. President, I rise to speak in favor of the resolution, but I'd like to address my comments to the two previous speakers who referred to part-time and full-time legislators.

"I speak in support of the committee's finding that Hawaii would be best served by having part-time legislators representing the different groups in our community. If we raise the salaries high enough so that we would have only full-time legislators, then we would have what you call, a so-called professional politician.

"All he would be worried about is to attend every community meeting and be a popular person and promise them everything and come to the legislature without regard to some fiscal responsibilities and say, 'look, this is what I've done for the community, so re-elect me back into office.'

"I think there's a danger in that kind of a politician. I think we need independence in the legislature. We need people who have outside employment, who can take off and serve the community.

"Now, we talk about sixty working days, but many of us work throughout the year to attend various committee meetings. We come in to answer our mail and our telephone calls. Our constituents write to us throughout the year and we spend time in answering them.

"Furthermore, we talk about lack of compensation. We have one of the most generous retirement plans throughout the whole United States. Nobody brings this up. We get 3½% for our pension after ten years service. If you're out of political office, you can start collecting retirement. This is extremely generous. This is all part of the compensation that the legislature in Hawaii goes through.

"I feel that to take it to go one way, it would be bad, but for those of us who can and are willing to serve full time, I appreciate their concern; I appreciate their dedication. But, by the same token, we should not eliminate others from serving.

"Maybe I'm old fashioned, but I still feel that when you run for political office, there is a deep desire within you to want to help the public. You want to service the public. And when you do this, there are certain sacrifices that go along with it--sacrifices in finances, there are some of you concerned about finances; sacrifices in families; sacrifices in being able to take off whenever you'd like to take off.

"But I feel, Mr. President, that when we run for office, there is an amount of giving on our side, and I think that we should not judge our performance by compensation and ask for a full-time position. Thank you."

Senator Abercrombie then remarked:

"Mr. President, just so that there's no possible misunderstanding of any implications of some of the remarks on the floor today, I think whether one is full time or part-time as a legislator, one is full time as a politician.

"Promising everything is not the sole province of the full-time legislator. It is generally the sole province of the full-time politician. I think we ought to have that quite clear.

"Everybody on this floor is a full-time politician. Anybody who isn't, isn't going to be here very long--is probably here only for a lark or in here by a mistake of some kind.

"The second point is that I think that some of the people on this floor who follow other professions are some of the finest legislators in here. It's a question of energy. It's a question of the use of discretionary time. It's a question of desire to utilize talent acquired or perfected and I have, as I said, no argument whatsoever with a person who has both the desire and the inclination and the opportunity to follow and endeavor other than legislation per se.

"The point is, in terms of public service, that if it is possible and one desires to serve the public in a full or majority or more than part-time basis as such and is willing to and happy to accept the compensation that goes with that, that allows one to at least keep one's family together under those circumstances, that one shouldn't be penalized for having that attitude; anymore than one should be penalized, it seems to me, for following a profession other than legislating per se, that may be remunerative or not, depending on the background and the inclination and the talents of the person involved."

The motion was put by the Chair and carried, and S.C.R. No. 63, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DISAPPROVAL OF THE LEGISLATIVE SALARY PLAN SUBMITTED BY THE 1978 COMMISSION ON LEGISLATIVE SALARY", was adopted.

At this time, Senator Yamasaki introduced to the members of the Senate, Mr. Eric Soto, Director of Economic Development, County of Maui and Myles Inokuma, also of that office, and five farmers who accompanied them, Mr. Chester Koga, Mr. Mitsugi Yamamura, Mr. Henry Nihei, Mr. Yoshiharu Nakamura

and Mr. Mataka Yamamoto.

House Bill No. 404:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 404, entitled: "A BILL FOR AN ACT RELATING TO PROMPT COMPLAINT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

THIRD READING

House Bill No. 1394, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1394, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST ON JUDGMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 171, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 171, 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, 25. Noes, none.

House Bill No. 1496, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1496, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF ACTION FOR DAMAGES BASED ON CONSTRUCTION TO IMPROVE REAL PROPERTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 713 (H.B. No. 93, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 713 be adopted and H.B. No. 93, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carroll spoke in favor of the motion as follows:

"Mr. President, there have been amendments made to this bill which have taken care of the problems which I expressed earlier, and I would urge that all vote 'aye' on this measure."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 713 was adopted and H.B. No. 93, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL CLAIMS COURT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ushijima).

House Bill No. 356, H.D. 1:

Senator Toyofuku moved that H.B. No. 356, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator Carroll then inquired of the Chair if he could be excused from voting on the measure as he is a member of the Hawaii National Guard, although he does not do any flying as he did before.

The President then ruled that Senator Carroll was not in conflict and was permitted to vote on this measure.

The motion was put by the Chair and carried and H.B. No. 356, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NONFORFEITURE OF EMPLOYMENT RIGHTS FOR ABSENCE REQUIRED BY NATIONAL GUARD DUTY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 12:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:32 o'clock p.m.

House Bill No. 165:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 165, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MISCELLANEOUS COMMUNICATION

A communication from Mr. R. W.

Fleming, President, Corporation for Public Broadcasting, Washington, D.C., (Misc. Com. No. 19), acknowledging receipt of Senate Resolution No. 214 (1979), was read by the Clerk and was placed on file.

At 12:35 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 5:00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 5:10 o'clock p.m., with all Senators present, with the exception of Senators Abercrombie, Hara, Saiki, Toyofuku, Yim and Young, who were excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 320 to 333) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 320), returning Senate Bill No. 1096, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1096, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 1097, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1097, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 1098, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1098, S.D. 2, H.D. 1, entitled: "A BILL FOR AN

ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 1099, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1099, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 324), returning Senate Bill No. 1100, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1100, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 1101, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1101, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 1102, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1102, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday,

April 4, 1979.

A communication from the House (Hse. Com. No. 327), returning Senate Bill No. 1103, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1103, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 328), returning Senate Bill No. 1104, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1104, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 329), returning Senate Bill No. 1105, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1105, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 330), returning Senate Bill No. 1106, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1106, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 331), returning Senate Bill No. 1108, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1108, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 332), returning Senate Bill No. 1742, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1979, in an amended form, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Yee and carried, consideration of S.B. No. 1742, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 333), transmitting House Concurrent Resolution No. 153, which was adopted by the House of Representatives on March 27, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION EULOGIZING THE LATE JEAN CHARLOT, GREAT ARTIST OF INTERNATIONAL FAME", was adopted.

At 5:12 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 RESOLUTION

A resolution (S.R. No. 302), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST SYMPATHY AND SINCERE CONDOLENCES TO THE FAMILY OF VIOLET KAWABATA", was jointly offered by Senators Chong, Mizuguchi, Yim, Campbell, Soares, Toyofuku, Yamasaki, Takitani, Ajifu, Cobb, Hara, Kawasaki, Young, Abercrombie, Kuroda, Saiki, Carroll, Yee, Cayetano, O'Connor, Carpenter, Ushijima and George and was read by the Clerk.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, S.R. No. 302 was adopted.

STANDING COMMITTEE REPORTS

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 783), recommending that House Bill No. 38, H.D. 2, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator Campbell, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 38, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", was referred to the Committee on Ways and Means.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 784), recommending that House Bill No. 890, H.D. 1, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 890, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", was referred to the Committee on Ways and Means on the following showing of Ayes and Noes:

Ayes, 18. Noes, 1 (Kawasaki).
Excused, 6 (Abercrombie, Hara, Saiki, Toyofuku, Yim and Young).

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 785), recommending that House Bill No. 1686, H.D. 2, S.D. 1, as amended in S.D. 2, be referred to the Committee on Ways and Means.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1686, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was referred to the Committee on Ways and Means.

At 5:16 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:19 o'clock p.m.

ADJOURNMENT

At 5:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, March 28, 1979.

FORTY-FOURTH DAY

Wednesday, March 28, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Tetsuun Ama, Honpa Hongwanji Mission, Hawaii Betsuin, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Third Day.

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

Senator Campbell introduced two civic and business leaders of Chicago who are also his personal friends, Mr. James C. Taylor, long-time member of the Illinois Legislature, and Mrs. Taylor.

Senator Anderson introduced a group of 26 seniors from the Laimi Senior Citizens Club of Nuuanu who are spending the morning to visit the Legislature.

At this time, Senator O'Connor, Chairman of the Committee on Judiciary, requested permission of the Chair to be excused from this morning's session to enable him to continue the hearing of the Committee and the President excused Senator O'Connor from the session.

DEPARTMENTAL COMMUNICATION

A communication from Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa, (Dept. Com. No. 11) acknowledging receipt of the certificate and copy of Senate Resolution No. 203 (1979), Extending Congratulations to the University of Hawaii's Department of Drama and Theatre, was read by the Clerk and was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 68 to 72) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 68), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SEPARATE PAY PLAN FOR EXCLUDED PUBLIC EMPLOYEES", was jointly offered by Senators Toyofuku, Takitani, Ushijima, Chong, Hara, Yamasaki, Saiki, Kuroda, Carpenter, Cayetano, Young, Carroll, George, Yee, Soares, O'Connor, Abercrombie and Campbell.

By unanimous consent, S.C.R. No. 68 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 69), entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE PASSAGE OF CONGRESSIONAL BILL S. 413", was jointly offered by Senators Mizuguchi, Hara, Young, Chong, George, Cobb, Ajifu, Campbell, Takitani, Toyofuku, Ushijima, Yamasaki, Carroll and Cayetano.

By unanimous consent, S.C.R. No. 69 was referred to the Committee on Transportation.

A concurrent resolution (S.C.R. No. 70), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXEMPTION FROM THE AVERAGE WAGE PROVISIONS FOR CERTAIN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PARTICIPANTS", was jointly offered by Senators Toyofuku, Hara, Kuroda, Campbell, Takitani, Young, Yamasaki, Soares, Saiki, Chong, Abercrombie and O'Connor.

By unanimous consent, S.C.R. No. 70 was referred to the Committee on Human Resources.

A concurrent resolution (S.C.R. No. 71), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF LEGISLATIVE REFERENCE BUREAU STUDY REPORTS PERTAINING TO HUMAN SERVICES INTEGRATION AND ECONOMIC ASSISTANCE PROGRAMS FOR NEEDY OLDER PERSONS", was jointly offered by Senators Toyofuku, Hara, Kuroda, Campbell, Takitani, Young, Soares, Saiki, Yamasaki, Cobb, George, Chong, O'Connor and Abercrombie.

By unanimous consent, S.C.R. No. 71 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 72), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PROBLEMS OF VOCATIONAL REHABILITATION WORKSHOPS WITH THEIR WORKER'S COMPENSATION INSURANCE POLICIES", was jointly offered by Senators Toyofuku, Hara, Kuroda, Chong, Campbell, Takitani, Young, Soares, Saiki, Yamasaki, O'Connor and Abercrombie.

By unanimous consent, S.C.R. No. 72 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 303 to 314) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 303), entitled: "SENATE RESOLUTION REQUESTING

ESTABLISHMENT OF A SEPARATE PAY PLAN FOR EXCLUDED PUBLIC EMPLOYEES", was jointly offered by Senators Toyofuku, Takitani, Ushijima, Chong, Hara, Yamasaki, Saiki, Kuroda, Carpenter, Cayetano, Young, Carroll, George, Yee, Soares, Abercrombie and Campbell.

By unanimous consent, S.R. No. 303 was referred to the Committee on Human Resources.

A resolution (S.R. No. 304), entitled: "SENATE RESOLUTION CONGRATULATING AARON LEVINE ON HIS ELECTION AS AN HONORARY MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS", was jointly offered by Senators George, Ajifu, Kuroda, Takitani, Young, Yamasaki, Yee, Anderson, Yim, Carroll, Soares, Saiki, Toyofuku, Hara, Ushijima, Chong, Carpenter, O'Connor, Campbell, Cayetano, Kawasaki, Mizuguchi and Abercrombie.

On motion by Senator George, seconded by Senator Ajifu and carried, S.R. No. 304 was adopted.

At this time, Senator George introduced Mr. Aaron Levine and his wife, Bea, and stated as follows:

"Mr. President, I think all of us know that Mr. Levine is the notable and extremely valuable spark plug of the Oahu Development Conference--that's the role in which most of us know him.

"However, we borrowed him from Philadelphia; he came here after a whole distinguished career there, and has put together a second distinguished career here.

"Among some of the things that we might notice about him is the fact that he served as the national president of the American Society of Planning Officials which is a prestigious national organization.

"Mr. Levine has just been named an honorary member of the American Institute of Architects and he is the first AIA honorary member from Hawaii, which is indeed notable."

Senator George then presented Mr. Levine with a certified copy of the resolution.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:45 o'clock a.m.

A resolution (S.R. No. 305), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING HAROLD 'ODDJOB' SAKATA FOR HIS ACHIEVEMENTS IN ATHLETICS, MOTION PICTURES, AND COMMUNITY SERVICE", was jointly offered by Senators

Kawasaki, Young, Chong, Takitani, Carpenter, Mizuguchi, Yim, Cobb, Kuroda, Carroll, Soares, George, Ushijima, Yamasaki, Anderson, Hara, Abercrombie, Ajifu, Yee, Cayetano, Campbell, Saiki, Toyofuku, O'Connor and Wong.

On motion by Senator Kawasaki, seconded by Senator Young and carried, S.R. No. 305 was adopted.

At this time, Senator Kawasaki, rose to state as follows:

"Mr. President, I had hopes of having Harold 'Oddjob' Sakata present in the Senate when we adopted this resolution; however, his commitment in Hollywood, making another one of the pictures, prevented him from coming.

"I just want to point out that, notwithstanding his sort of 'a bull in a chinaware shop' image, he is a very sentimental, very soft-hearted person. I have reason to know--he lived with me during our army years together. As a matter of fact, in 1946 when we were discharged from the army, he suggested to me that we both enter professional wrestling. I wish I had listened to him. If I had then I wouldn't be working for the past 13 years at \$12,000 a year, in a position that costs me \$40,000 to get elected every four years.

"For one who has achieved so much with so little background, Harold Sakata has brought a lot of recognition to Hawaii and I can assure you that he is not a villain by any stretch of the imagination. Thank you."

A resolution (S.R. No. 306), entitled: "SENATE RESOLUTION ENCOURAGING SCHOOLS TO UTILIZE SHORELINES FOR INSTRUCTION IN OCEAN STUDIES", was offered by Senator Ajifu.

By unanimous consent, S.R. No. 306 was referred to the Committee on Education.

A resolution (S.R. No. 307), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF INDUSTRIAL CARCINOGENS FOR POSSIBLE EXEMPTION FROM THE TIME LIMITATION ON CLAIMS FOR WORKERS' COMPENSATION", was jointly offered by Senators Toyofuku and Abercrombie.

By unanimous consent, S.R. No. 307 was referred to the Committee on Human Resources.

A resolution (S.R. No. 308), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE UNIVERSITY OF HAWAII CHAMBER SINGERS", was offered by Senator Abercrombie.

On motion by Senator Ushijima, seconded by Senator Mizuguchi and carried, S.R. No. 308 was adopted.

At this time, the University of Hawaii Chamber Singers with their conductor, Professor Robert S. Hines, entertained the members of the Senate and those in the gallery by their singing of three numbers.

Senator Abercrombie then presented a certified copy of the resolution to the group and the President thanked them for their performance.

At 11:48 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.

A resolution (S.R. No. 309), entitled: "SENATE RESOLUTION EXPRESSING CONGRATULATIONS TO MR. MELVILLE L. LEMON, SR. ON RECEIVING THE 1979 HAWAIIAN LODGE NUMBER 21, FREE AND ACCEPTED MASONS, HIRAM AWARD", was jointly offered by Senators Young, Mizuguchi, Kuroda, Ushijima, Cobb, Carpenter, Chong, Anderson, Hara, Takitani, Cayetano, Campbell, Carroll and Saiki.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 309 was adopted.

A resolution (S.R. No. 310), entitled: "SENATE RESOLUTION SUPPORTING THE PASSAGE OF CONGRESSIONAL BILL S. 413", was jointly offered by Senators Mizuguchi, Chong, Young, George, Ajifu, Cobb, Campbell, Takitani, Hara, Toyofuku, Ushijima, Yamasaki, Cayetano, Saiki and Carroll.

By unanimous consent, S.R. No. 310 was referred to the Committee on Transportation.

A resolution (S.R. No. 311), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE PROBLEMS OF VOCATIONAL REHABILITATION WORKSHOPS WITH THEIR WORKER'S COMPENSATION INSURANCE POLICIES", was jointly offered by Senators Toyofuku, Hara, Campbell, Takitani, Chong, Young, Soares, Yamasaki, Abercrombie and O'Connor.

By unanimous consent, S.R. No. 311 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 312), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE QUEEN'S MEDICAL CENTER ON ITS 120TH ANNIVERSARY", was jointly offered by Senators Wong, Hara, Takitani, Toyofuku, Ushijima, Ajifu, Young, O'Connor, Cobb, Cayetano, Yamasaki,

Carpenter, Campbell, Chong, Kuroda, Kawasaki, Mizuguchi, George, Soares, Carroll, Yee and Anderson.

On motion by Senator Carpenter, seconded by Senator Young and carried, S.R. No. 312 was adopted.

At this time, Senator Carpenter introduced to the members of the Senate Mr. Will J. Henderson and Ms. Ruth Ono of Queen's Medical Center who were presented certified copies of the resolution and leis by Senators Young and Carpenter.

At 12:13 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.

A resolution (S.R. No. 313), entitled: "SENATE RESOLUTION EXPRESSING OUR GREETINGS TO AN EXCEPTIONAL GROUP OF EAST ASIAN AND PACIFIC STUDENT LEADERS PARTICIPATING IN THE UNITED STATES INTERNATIONAL COMMUNICATION AGENCY TRAVEL PROGRAM", was jointly offered by Senators Chong, Carpenter, Saiki, Cobb, Toyofuku, Abercrombie, Kuroda, Ushijima, Yamasaki, Young, Yee, Takitani, Hara, George, O'Connor, Campbell, Mizuguchi, Cayetano and Yim.

On motion by Senator Chong, seconded by Senator Carpenter and carried, S.R. No. 313 was adopted.

At this time, Senator Chong introduced to the members of the Senate the students participating in the United States International Communication Agency Travel Program, as follows: Michael Danby, Isake Komailevuka, Man-Sum Wong, Hendro Sangkoyo, Chikako Iwaki, Sang-Tae Lee, Frederick Chong Chen Fan, Lorraine Elliott, Nao Badu, Magwai J. Gomez, Wai Cheong Yeong, Apichai Mongkol and Mafa Vaitapu Ione, accompanied by Mr. Edward A. Karnacki, Deputy Director; Kenneth Adams and Harold Senter, U.S. Department of State Escort Officers; and James Hancock, Program Officer, Visitor Program Service, Washington, D.C. A certified copy of the resolution was presented to the group by Senator Chong.

At 12:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:21 o'clock p.m.

A resolution (S.R. No. 314), entitled: "SENATE RESOLUTION REQUESTING THE SUBMITTAL OF THE STATE'S GASOLINE SHORTAGE CONTINGENCY PLAN AND ITS REVIEW BY THE SENATE COMMITTEE

ON TRANSPORTATION", was jointly offered by Senators Mizuguchi, Cayetano, Soares, Saiki, Young, Ajifu, Carroll, George, Kawasaki, Yee, Yamasaki, Campbell and Chong.

By unanimous consent, S.R. No. 314 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 786), informing the Senate that Senate Concurrent Resolution Nos. 64 to 67, Senate Resolution Nos. 297 to 302 and Standing Committee Report Nos. 777 to 785 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. 787) recommending that House Bill No. 612, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 612, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 612, H.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 788) recommending that House Bill No. 614, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 614, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 614, H.D. 1.

Senator Toyofuku, for the Committee

on Human Resources, presented a report (Stand. Com. Rep. No. 789) recommending that House Bill No. 1631, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1631, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1631, H.D. 2.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 790) recommending that House Bill No. 1664, 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 Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 1664, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND AND VISUALLY HANDICAPPED PERSONS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1664, H.D. 2, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 791) recommending that House Bill No. 1355, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1355, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1355, H.D. 1.

Senator Hara, for the Chairman on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 792) recommending that House Bill

No. 1677, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", passed Second Reading and was placed on the calendar for Third Reading on Friday, March 30, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.^{R.} No. 1677, S.D. 1.

At this time, Senator Kuroda introduced to the members of the Senate Mr. Gil Cox of Alexander and Baldwin, Inc., Mr. Henry Walker of American Factors, Inc., Doc Buyers of C. Brewer and Co., Ltd., Mr. Bob Sutton of Theo H. Davies and Co., Ltd., and Mr. George Miyasaka of Castle and Cooke, Inc., who were in the gallery.

Senator Cayetano, Chairman of the Ways and Means Committee, then requested a waiver of the 48-hour notice of Decision-Making Hearing on the following measures:

H.B. No. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET";

H.B. No. 38, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION";

H.B. No. 600, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES"; and

H.B. No. 890, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE OF HAWAIIAN AFFAIRS",

and the President granted the waiver.

Senator Kuroda, for the Chairman of the Committee on Judiciary, requested a waiver of the 48-hour notice of Decision-Making Hearing on the following measures:

S.R. No. 169, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF ALTERNATIVES TO JAIL INCARCERATION";

S.R. No. 181, entitled: "SENATE RESOLUTION REQUESTING REVIEW OF FEMALE STATUS OFFENDERS IN THE JUSTICE SYSTEM";

Gov. Msg. No. 96, A Report Prepared by the State Law Enforcement Planning Agency;

S.R. No. 184, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON REHABI-

LITATIVE THERAPY PROGRAMS FOR SEX OFFENDERS";

S.R. No. 246, entitled: "SENATE RESOLUTION REQUESTING THE ESTABLISHMENT OF QUANTITATIVE GOALS TO MEASURE PERFORMANCE IN THE PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS";

S.R. No. 212, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF UTILIZATION AND STATUS OF CLIENT INFORMATION AND COMMUNICATION";

S.R. No. 279, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATION OF SECTION 480, HAWAII REVISED STATUTES, AND TO OBTAIN FROM THE FEDERAL JUSTICE DEPARTMENT A DETERMINATION OF THE EXTENT OF FEDERAL PREEMPTION IN THE AREA OF ANTITRUST EXEMPTIONS FOR JOINT NEWSPAPER OPERATIONS";

H.B. No. 349, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES";

H.B. No. 1341, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD";

H.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING";

H.B. No. 1494, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT";

H.B. No. 988, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION";

H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS";

H.B. No. 1658, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES";

H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION";

H.B. No. 1557, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN";

H.B. No. 1401, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RETENTION OF MEDICAL RECORDS";

H.B. No. 742, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING";

H.B. No. 1646, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY";

H.B. No. 696, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY";

H.B. No. 1657, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH";

H.B. No. 583, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL";

H.B. No. 188, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS";

H.B. No. 556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE";

H.B. No. 1449, S.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO UNION LABELS";

H.B. No. 923, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS";

H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS"; and

H.B. No. 1211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII",

and the President granted the waiver.

ADJOURNMENT

At 12:25 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator George and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 29, 1979.

FORTY-FIFTH DAY

Thursday, March 29, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend William Kaina of the Hawaii Conference United Church of Christ - Hawaiian Ministries, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Fourth Day.

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

Senator Young introduced a group of Girl Scouts and Brownies from Troops 164 and 166, with their troop leaders, Mrs. Durden and Mrs. Springer.

Senator Kawasaki then introduced two graduate students who are now at the University of Hawaii, Mr. Cornelius Olende from Kenya and Mr. Michael Achyeampong from Ghana, together with Mr. Ludwig Armerding of the Independent Businessmen's organization.

Senator Carroll introduced Mrs. Shizuyo Imahiro, together with her daughter, Katharine Nagasawa and her husband, Dr. Herbert Nagasawa from Minneapolis, Minnesota, and Mrs. Imahiro's granddaughter, Ms. Marsha Nagatori.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 112), transmitting the annual report for the calendar years 1977 and 1978, prepared by the Commission on the Year 2000, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 334 and 335) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 334), returning Senate Concurrent Resolution No. 64, which was adopted by the House of Representatives on March 28, 1979, was placed on file.

A communication from the House (Hse. Com. No. 335), transmitting House Concurrent Resolution No. 158, which was adopted by the House of Representatives on March 28, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS TO THE QUEEN'S MEDICAL CENTER ON ITS 120TH ANNIVERSARY", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 315 to 322) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 315), entitled: "SENATE RESOLUTION COMMENDING JOHN W. SHUPE ON HIS SELECTION AS HAWAII'S ENGINEER OF THE YEAR", was jointly offered by Senators George, Yim, Ajifu, Cayetano, Cobb, Hara, Chong, Kuroda, Saiki, Mizuguchi, Soares, Ushijima, Carroll, Carpenter, Yee, Takitani, Yamasaki, Kawasaki, Campbell, Young and Anderson.

On motion by Senator George, seconded by Senator Yim and carried, S.R. No. 315 was adopted.

Senator George then remarked as follows:

"Mr. President, I feel particularly privileged this morning to be able to introduce our visitor, Dean John W. Shupe.

"I think increasingly, we are equating engineering with energy. Energy of course is of increasing concern and important to us and therefore it's particularly good to be able to recognize someone who is an outstanding engineer, indeed an outstanding engineer.

"As I think most of you know, Dean Shupe was very much involved in the preparation that lead to our successful geothermal well in Puna. He has been Dean of the University of Hawaii College of Engineering since 1965 and when we had a depleted energy resource during 1978, he was on loan to the United State Department of Energy as a consultant in energy technology.

"Now, he has been recognized by his peers--the Hawaii Society of Professional Engineering--as Hawaii's Engineer of the Year. May I present, Dean John W. Shupe."

Senator George presented a certified copy of the resolution to Dean Shupe.

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.

A resolution (S.R. No. 316), entitled: "SENATE RESOLUTION CONGRATULATING THE HAWAII SYMPOSIUM ON HUMANITY FOR ITS MANY ACTIVITIES TOWARD IMPROVING OUR QUALITY OF LIFE", was jointly offered by Senators Chong, Kuroda, Yamasaki, Ajifu, Carpenter, Soares, Cayetano, Yee, Ushijima, Takitani, Cobb, Toyofuku, Young, Mizuguchi, Hara, Abercrombie, Kawasaki, Campbell, O'Connor, Saiki and George.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 316 was adopted.

Senator Chong then introduced to the members of the Senate three members of the Board of Directors of the Hawaii Symposium on Humanity, as follows: Mr. David Sukowske, Ms. Stephanie Godbold and Ms. Jocelynn Fujii.

Senator Chong then presented a certified copy of the resolution to each of them.

A resolution (S.R. No. 317), entitled: "SENATE RESOLUTION COMMENDING PI SIGMA EPSILON, UPSILON CHAPTER, INC., ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAII, AND DR. H. ROY McARDLE FOR THEIR LENGTHY SPONSORSHIP OF CAREER DAY", was jointly offered by Senators Chong, Kuroda, Carpenter, Hara, Mizuguchi, Abercrombie, Ajifu, Young, Toyofuku, Saiki, Takitani, Carroll, Yamasaki, Campbell, Ushijima, Yee, Cobb, Cayetano, George, Kawasaki and O'Connor.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 317 was adopted.

Senator Chong then introduced to the members of the Senate the following: Dr. H. Roy McArdle, Director, University Placement and Career Planning; Dr. David Heenan, Dean, College of Business Administration, University of Hawaii; and Kent Ochiai, an officer of Pi Sigma Epsilon. Seated in the balcony were the following from Pi Sigma Epsilon: Juliet Ching, Ralph Nakamoto, Tucker Watanabe, Wendall Ho, Ken Kawano, Monica Yoshino, Edy Kim and Floyd Otani.

Senator Chong then presented certified copies of the resolution to the above named.

At 11:55 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.

A resolution (S.R. No. 318), entitled: "SENATE RESOLUTION EXTENDING DEEPEST SYMPATHY AND CONDOLENCES TO THE FAMILY OF DR. JEAN CHARLOT", was jointly offered by Senators Abercrombie, Takitani, Hara, Toyofuku, Yamasaki, Ushijima, George, Cobb, Anderson, Chong, Kawasaki, Carroll, Ajifu, Campbell, Young, Yim, Yee and Carpenter.

Senator Abercrombie moved that S.R. No. 318 be adopted, seconded by Senator Takitani.

Senator Abercrombie then spoke as follows:

"Mr. President, it is my sad task to urge the passing of this resolution and I would like to do so by merely observing the final 'WHEREAS' clause as follows: 'WHEREAS, the following were his words recorded when working on his final work of art: "Whoever drinks this water will get thirsty again; but anyone who drinks the water that I shall give, shall never get thirsty again. The water that I shall give shall turn into a spring inside him; welling up to eternal life." (John, Chapter 4, Verses 7 through 10).'

"Mr. President, may I request that we adjourn today in memory of Dr. Jean Charlot. Thank you."

The motion was put by the Chair and carried, and S.R. No. 318 was carried by a rising vote.

A resolution (S.R. No. 319), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING NATHAN GLOVER II FOR ACHIEVING THE EAGLE SCOUT AWARD", was jointly offered by Senators Young, Cayetano, Toyofuku, Yamasaki, Carpenter, Ajifu, Cobb, Kuroda, Hara, Takitani, Chong, Mizuguchi, Kawasaki, Yee, Carroll, Soares, Ushijima, Abercrombie, Saiki and Anderson.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 319 was adopted.

A resolution (S.R. No. 320), entitled: "SENATE RESOLUTION CONGRATULATING JOSEPH G. KEALOHA, JR., FOR BEING AWARDED THE HAWAIIAN BUSINESSMEN'S ASSOCIATION'S 'O'O AWARD' AS OUTSTANDING

HAWAIIAN BUSINESSMAN FOR 1978", was jointly offered by Senators Takitani, Yamasaki, Toyofuku, Cayetano, Kawasaki, Cobb, Ushijima, Mizuguchi, Carpenter, Hara, Chong, Young, Ajifu, Yee, Wong, Carroll, Saiki, Kuroda, Campbell and O'Connor.

On motion by Senator Takitani, seconded by Senator Yamasaki and carried, S.R. No. 320 was adopted.

A resolution (S.R. No. 321), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS TO STUDY THE PROBLEMS CREATED BY HAVING LOCAL LAWS IN THE STATUTES", was offered by Senator Ushijima.

By unanimous consent, S.R. No. 321 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 322), entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERGOVERNMENTAL RELATIONS COMMITTEE TO STUDY THE ISSUES RELATIVE TO RETAINING THE REAL PROPERTY TAX MAP FUNCTION AS A RESPONSIBILITY OF THE STATE GOVERNMENT", was offered by Senator Ushijima.

By unanimous consent, S.R. No. 322 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 793), informing the Senate that Senate Concurrent Resolution Nos. 68 to 72, Senate Resolution Nos. 303 to 314 and Standing Committee Report Nos. 787 to 792 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 794), recommending that House Bill No. 1322, 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 Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 1322, H.D.

1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1322, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 795), recommending that House Bill No. 598 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 598, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 598.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 796), recommending that House Bill No. 1640 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1640.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 797), recommending that House Bill No. 4 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 4, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS

THEREFOR".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 798), recommending that House Bill No. 286, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 799), recommending that House Bill No. 455, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 455, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 800), recommending that House Bill No. 577, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 801), recommending that House Bill No. 588, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 802), recommending that House Bill No. 600, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice

was given on H.B. No. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 803), recommending that House Bill No. 602, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 804), recommending that House Bill No. 603, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 805), recommending that House Bill No. 616, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 616, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 806), recommending that House Bill No. 732, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 732, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 807), recommending that House Bill No. 737, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 737, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 737, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 808), recommending that House Bill No. 738, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 738, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 809), recommending that House Bill No. 739, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 810), recommending that House Bill No. 1200, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1200, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 811), recommending that House Bill No. 1338, H.D. 2, S.D. 1, as amended

in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1338, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 812), recommending that House Bill No. 1473, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 813), recommending that House Bill No. 1645, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 814), recommending that House Bill No. 1649, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1649, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 815), recommending that House Bill No. 1647, H.D. 2, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1647, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL

FUNDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 816), recommending that House Bill No. 1673, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1673, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1673, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 817), recommending that House Bill No. 1687, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX".

At 11:58 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.

ORDER OF THE DAY

THIRD READING

House Bill No. 147, H.D. 1, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, H.B. No. 147, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

Senator Yim moved that H.B. No. 187, H.D. 1, S.D. 1, having

been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Carroll then spoke for the measure with certain reservations, as follows:

"Mr. President, I rise to speak in favor of this measure but to express one reservation.

"With respect to the purpose for which this measure is created, I think that it is proper; but with respect to the fact that this particular bill as law, may be interpreted to give a mandate to the Department of Planning and Economic Development to collect information in interstate commerce, potentially in violation of the provision of the Constitution, which prohibits that sort of information-taking.

"I would like to express the reservation that in the exercise of the powers given under this particular measure that the head of the Department and everyone acting there ought to be extremely cautious when they venture into the information-data-gathering, and particularly as that applies to incoming and outgoing aircraft and ship passengers."

The motion was put by the Chair and carried, and H.B. No. 187, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 20 and 21) were read by the Clerk and were disposed of as follows:

A communication from the Honorable T. Lauti, Prime Minister of the Tuvalu Government, (Misc. Com. No. 20), acknowledging receipt and expressing appreciation for the adoption of Senate Resolution No. 69 (1979), which commended the Pacific Islands Development Commission and its efforts and progress in the cooperative development of the resources in the Pacific areas, was placed on file.

A communication from Mr. Benjamin B. Domingo, Consul of the Philippines, Honolulu, (Misc. Com. No. 21), acknowledging receipt of and expressing appreciation for the adoption of Senate Resolution No. 213 (1979), which congratulated Mr. Domingo on his appointment as Consul, was placed on file.

Senator Abercrombie then rose on a point of personal privilege and stated as follows:

"Mr. President, as you know, resolutions and bills have been put forward to this Body by Senator Kawasaki and myself concerning the Hawaii Newspaper Agency. In their never-ending effort to get back at us for this, they have now resorted to an old technique, an old political technique of damning by faint praise, and I want the Body to be informed of this in case they missed it.

"Senator Kawasaki was there the other night and observed the raucous, roaring approval with which my efforts were met. Some of you are familiar with them from my meager efforts prior to his being asked to dance when the staff of the Senate gave a party for us.

"I merely wish to show up this technique of damning by faint praise by quoting the Star-Bulletin at an event given the other evening by and for the Mayor of the City and County of Honolulu, of which I was a guest because of my talents...recognized talents...the almost universally recognized talent in the area of singing.

"I think everyone by this time realizes that Senator O'Connor and Senator Kuroda no longer have a monopoly on this market. I was asked to step forward and Gabe Baltazar and the members of the Royal Hawaiian Band, who were there voluntarily, I'm sure, to play at this event and sing a number.

"The Star-Bulletin recorded the reaction to this event as follows: 'Even Abercrombie's adversaries grudgingly recognized a degree of talent.' "

Senator O'Connor then responded as follows:

"Mr. President, I rise on a point of personal privilege. Since my name was taken in vain by the previous speaker, the Senator from Manoa, I can only repeat the learned statement that applies to all of us from the late President Harry Truman. Something about heat and the kitchen and not staying there in case you can't take it; and if I were he, I would stay off the stage henceforth, because forever he's going to be damned

if his talents were such as we witnessed at the staff party--it was God-awful! "

Senator Kuroda then added,

"Mr. President, the real test of whether one can really successfully sing, is to be invited to sing at the Senator's party tonight."

Senator Kawasaki then rose on a point of personal privilege and remarked as follows:

"Mr. President, I rise on a point of personal privilege, primarily to notify the members of the Senate that I have requested of the Chairman of the Senate Committee on Judiciary that we be given an opportunity to respond to a testimony provided by the Star-Bulletin relative to our resolution which was signed by sixteen Senators here, requesting the Attorney General's office to examine the operations of two newspapers for possible predatory practices and also requesting the Justice Department to clearly delineate areas of anti-trust exemptions that the newspapers may enjoy under the language of both the Federal Newspaper Preservation Act and our state statute comparable to it.

"The Chairman has very kindly consented to holding one of these meetings and thus enable us to respond to some varied speeches, arguments put forth in the newspapers by Mr. Philip T. Gialanella of the Star-Bulletin.

"I just want to let you know that that issue hasn't been closed. We were, as you recall yesterday, down in this session here when Senator O'Connor conducted his hearing, the continuation of the morning hearing. Consequently, we were not able to respond at that time but we will have this opportunity.

"Thank you."

At 12:10 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.

ADJOURNMENT

At 12:13 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Abercrombie and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 30, 1979, in memory of the late Dr. Jean Charlot.

FORTY-SIXTH DAY

Friday, March 30, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Patrick Freitas, Pastor, St. John Vianney Church, after which the Roll was called showing all Senators present.

The President 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 Ajifu introduced a group of students from Castle High School and King Intermediate School of Kaneohe.

Senator Carroll introduced Admiral (Ret.) E. Alvey Wright, former director of the Department of Transportation, and one who is a leader in the community.

Senator Kawasaki introduced Mr. and Mrs. Richard Ikeda from Kennett Square, Pennsylvania, accompanied by Miss Pauline Lo and Miss Stacey Mukai of Honolulu.

Senator Anderson then introduced a group from the Ewa Hui Aloha Senior Citizens Club.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 336 and 337) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 336), transmitting House Concurrent Resolution No. 79, H.D. 1, which was adopted by the House of Representatives on March 29, 1979, was placed on file.

By unanimous consent, H.C.R. No. 79, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE VARIOUS MEANS BY WHICH RENTAL DEPOSITS COULD BE DEPOSITED IN INTEREST BEARING INSURED ACCOUNTS WITH THE EARNINGS TO ACCRUE TO THE DEPOSITOR WITHOUT NECESSITATING ADDITIONAL BOOKKEEPING REQUIREMENTS FOR LAND - LORDS", was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 337), transmitting House Concurrent Resolution No. 89, H.D. 1, which was adopted by the House of Representatives on March 29, 1979, was placed on file.

By unanimous consent, H.C.R. No. 89, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was referred to the Committee on Education.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 73 to 75) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 73), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE TRANSFER OF CERTAIN STATE PROGRAMS AND ORGANIZATIONAL SEGMENTS TO IMPROVE ACCOUNTABILITY, EFFICIENCY, AND DELIVERY OF SERVICES", was jointly offered by Senators Kawasaki, Kuroda, Cayetano, Campbell, Chong, Toyofuku, Takitani, Soares, Ajifu, Carpenter, Mizuguchi, Ushijima, George, Young, Carroll, Saiki, Cobb, Abercrombie, Yee, Yim and Anderson.

By unanimous consent, S.C.R. No. 73 was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 74), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE USE OF DRUGS IN OPTOMETRIC PRACTICE", was jointly offered by Senators Carpenter, Chong, Takitani, Kawasaki, Yee, Abercrombie, Cobb, Campbell, George, Toyofuku, Yamasaki, Saiki and Ushijima.

By unanimous consent, S.C.R. No. 74 was referred to the Committee on Health, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 75), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF MINIMUM EDUCATIONAL REQUIREMENTS FOR ENTRY INTO THE PRACTICE OF NURSING", was jointly offered by Senators Carpenter, Chong, Mizuguchi, Takitani, Kawasaki, Yee, Campbell, George, Saiki, Abercrombie, Cobb, Toyofuku, Carroll, Yamasaki and Ajifu.

By unanimous consent, S.C.R. No. 75 was referred to the Committee on Health.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos.

323 to 326) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 323), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING CHARLES HICKS FOR ACHIEVING THE EAGLE SCOUT AWARD", was jointly offered by Senators Young, Kuroda, Cayetano, Toyofuku, Yamasaki, Carpenter, Ajifu, Cobb, Chong, Hara, Takitani, Mizuguchi, Carroll, Campbell, Soares, Yee, Ushijima, Abercrombie, Saiki and Anderson.

On motion by Senator Young, seconded by Senator Kuroda and carried, S.R. No. 323 was adopted.

A resolution (S.R. No. 324), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE TRANSFER OF CERTAIN STATE PROGRAMS AND ORGANIZATIONAL SEGMENTS TO IMPROVE ACCOUNTABILITY, EFFICIENCY, AND DELIVERY OF SERVICES", was jointly offered by Senators Kawasaki, Kuroda, Cayetano, Campbell, Toyofuku, Takitani, Soares, Ajifu, Carpenter, Mizuguchi, Ushijima, George, Young, Carroll, Saiki, Cobb, Abercrombie, Yee, Yim and Anderson.

By unanimous consent, S.R. No. 324 was referred jointly to the Committee on Government Operations and Efficiency and the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 325), entitled: "SENATE RESOLUTION ENCOURAGING THE RENOVATION OF THE OLD KONA HOSPITAL FOR USE BY STATE, COUNTY AND PRIVATE AGENCIES SERVING THE COMMUNITY OF KONA", was jointly offered by Senators Carpenter, Campbell, Saiki, Yee, Takitani, Toyofuku, Kuroda, Chong, Yim, Soares, Hara, Carroll, Ushijima, Yamasaki, Ajifu and Young.

By unanimous consent, S.R. No. 325 was referred to the Committee on Health.

A resolution (S.R. No. 326), entitled: "SENATE RESOLUTION REQUESTING A STUDY AND REVIEW OF THE EFFECTIVE IMPLEMENTATION OF THE TRANSFER TO THE COUNTIES OF THE FUNCTIONS, POWERS, AND DUTIES RELATING TO THE TAXATION OF REAL PROPERTY", was offered by Senator Ushijima.

By unanimous consent, S.R. No. 326 was referred to the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 818) informing

the Senate that Senate Resolution Nos. 315 to 322 and Standing Committee Report Nos. 794 to 817 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 819) recommending that Senate Concurrent Resolution No. 48, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 48, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF THE STATUTES, PROGRAMS, AND RESOURCE REQUIREMENTS OF THE OFFICE OF CHILDREN AND YOUTH", was referred to the Committee on Legislative Management.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 820) recommending that House Bill No. 3, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 821) recommending that House Bill No. 638, H.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 822) recommending that House Bill No. 740, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND".

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 823) recommending that House Bill No. 866, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 824) recommending that House Bill No. 1127, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF CREDIT CARDS FOR HOSPITAL CHARGES".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 825) recommending that House Bill No. 1654, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 826) recommending that House Bill No. 1695, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 827) recommending that House Bill No. 158, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 158, H.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 828) recommending that House Bill No. 160, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 829) recommending that House Bill No. 511, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 511, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 511, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 830) recommending that House Bill No. 531, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 531, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 831) recommending that House Bill No. 595, 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 Chong and carried, the report

of the Committee was adopted and H.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 595, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 832) recommending that House Bill No. 596, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 596, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 833) recommending that House Bill No. 599 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 599, 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, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 599.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 834) recommending that House Bill No. 601, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", passed Second Reading and was placed

on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 601, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 835) recommending that House Bill No. 604, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 604, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 836) recommending that House Bill No. 734 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 734.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 837) recommending that House Bill No. 931 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

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

Hawaii, the 48-hour notice was given on H.B. No. 931.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 838) recommending that House Bill No. 936 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 936, 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, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 936.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 839) recommending that House Bill No. 961, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 961, H.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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 961, H.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 840) recommending that House Bill No. 986, 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 Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 986, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented

a report (Stand. Com. Rep. No. 841) recommending that House Bill No. 1039, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 1039, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1039, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 842) recommending that House Bill No. 1186 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1186.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 843) recommending that House Bill No. 1206, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 1206, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1206, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 844) recommending that House Bill No. 1576 pass Second Reading and be

placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1576.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 845) recommending that House Bill No. 1589, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 1589, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROOFING CONTRACTOR GUARANTEE BONDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1589, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 846) recommending that House Bill No. 1661, 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 Chong and carried, the report of the Committee was adopted and H.B. No. 1661, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1661, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 847) recommending that House Bill No. 580 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report

of the Committee was adopted and H.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 580.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 848) recommending that House Bill No. 581, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 581, S.D. 1.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 849) recommending that Senate Resolution No. 28 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted, and Roll Call vote having been requested, S.R. No. 28, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A REPORT ON THE REASONS FOR INCREASING THE HIGH SCHOOL GRADUATION REQUIREMENTS", was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kuroda).

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 850) recommending that Senate Resolution No. 31 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 31, entitled: "SENATE RESOLUTION REQUESTING REPORTS ON VIOLENCE, VANDALISM, AND FIRES", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 851) recommending that Senate Resolution No. 32 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 32, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE ASBESTOS SITUATION IN PUBLIC SCHOOLS", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 852) recommending that Senate Resolution No. 33 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 33, entitled: "SENATE RESOLUTION REQUESTING AN EDUCATIONAL PROGRAM TO REDUCE TEENAGE SHOPLIFTING", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 853) recommending that House Bill No. 21, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 21, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 21, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 854) recommending that House Bill No. 100, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MOTTO", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 100, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 855) recommending that House Bill No. 421, 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 O'Connor, seconded

by Senator Cobb and carried, the report of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 421, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 421, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 856) recommending that House Bill No. 435, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 435, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 857) recommending that House Bill No. 438, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 438, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 858) recommending that House Bill No. 925, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 925, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN PRIMARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 925, H.D. 2, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 859) recommending that House Bill No. 1140, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1140, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING 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 Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1140, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 860) recommending that House Bill No. 1386, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1386, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1386, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861) recommending that House Bill No. 1634, 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 O'Connor, seconded

by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1634, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 862) recommending that House Bill No. 1716, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1716, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 863) recommending that House Bill No. 14, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 14, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864) recommending that House Bill No. 22, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 22, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865) recommending that House Bill No. 38, H.D. 2, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 38, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866) recommending that House Bill No. 287, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 287, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS REGISTRATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867) recommending that House Bill No. 606, H.D. 1, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 606, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868) recommending that House Bill No. 643, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 643, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869) recommending that House Bill No. 982 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 982.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870) recommending that House Bill No. 1531, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1531, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ALU LIKE INC. FOR THE NATIVE HAWAIIAN PROGRAM UNDER THE NATIVE AMERICANS ACT OF 1978".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871) recommending that House Bill No. 1633, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1633, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MANUFACTURING AND DISTRIBUTION OF COMMERCIAL FEEDS IN THE STATE OF HAWAII".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872) recommending that House Bill No. 1648, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1648, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF NUTRITION PROGRAM ASSISTANTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873) recommending that House Bill No. 1653, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1653, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE OF AGRICULTURAL AND VEGETABLE SEEDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874) recommending that House Bill No. 1663, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1663, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875) recommending

that House Bill No. 1666, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1666, 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 Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1666, H.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876) recommending that House Bill No. 1680, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1680, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 877) recommending that House Bill No. 79, 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 O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 79, H.D. 1, 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, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 79, H.D. 1, S.D. 1.

ORDER OF THE DAY

THIRD READING

House Bill No. 612, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 612, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", 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 11:52 o'clock a.m.

House Bill No. 614, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 614, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INFORMATION AGENCY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1631, H.D. 2:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1631, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1664, H.D. 2, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 1664, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BLIND AND VISUALLY HANDICAPPED PERSONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1355, H.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.B. No. 1355, H.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, 25. Noes, none.

House Bill No. 1677, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.B. No. 1677, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUARIUM FISH PERMITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MISCELLANEOUS COMMUNICATION

A communication from Mr. Lawrence K. Grossman of the Public Broadcasting Service, Washington, D.C., (Misc.

Com. No. 22) acknowledging receipt of a letter from the Senate for recognizing Nino Martin for his production of Damien, was read by the Clerk and was placed on file.

At 11:56 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 7:15 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 7:15 o'clock p.m., with all Senators present, with the exception of Senators Chong, O'Connor, Toyofuku and Ushijima, who were excused.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 338) informing the Senate that the amendments proposed by the Senate to House Concurrent Resolution No. 9 were agreed to by the House; and H.C.R. No. 9, S.D. 1, was finally adopted in the House of Representatives on March 30, 1979, was read by the Clerk and was placed on file.

STANDING COMMITTEE REPORTS

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 878) recommending that House Bill No. 398, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHOICE OF EVILS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Abercrombie and Cobb). Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 398, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 879) recommending that House Bill No. 405, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report

of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 405, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Abercrombie and Cobb). Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 405, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 880) recommending that House Bill No. 520, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 520, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 881) recommending that House Bill No. 608, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 882) recommending that House Bill No. 696, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 696, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY".

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 883) recommending that House Bill No. 1004, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Kuroda and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DURESS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Abercrombie and Cobb). Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1004, S.D. 1.

Senator Cobb, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 884) recommending that House Bill No. 1341, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASE - HOLD".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 885) recommending that House Bill No. 1449, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 886) recommending that House Bill No. 1499, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1499, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1499, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand.

Com. Rep. No. 887) recommending that House Bill No. 1658, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1658, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 888) recommending that House Bill No. 189, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 189, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 189, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 889) recommending that House Bill No. 1143, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 1143, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1143, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 890) recommending that House Bill No. 1432, 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 Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 1432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

MOPEDS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1432, H.D. 1, S.D. 1.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 891) recommending that House Bill No. 181, 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 Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 181, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 181, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 892) recommending that House Bill No. 428, 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 Campbell and carried, the report of the Committee was adopted and, Roll Call having been requested, H.B. No. 428, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie).
Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 428, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 893) recommending that House Bill No. 102, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 102, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 102, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 894) recommending that House Bill No. 424, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 424, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 424, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 895) recommending that House Bill No. 556, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 556, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 896) recommending that House Bill No. 583, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 583, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 897) recommending that House Bill No. 723, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 723, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 723, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 898) 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 Cobb, seconded by Senator Campbell 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 ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 921, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 899) recommending that House Bill No. 923, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 923, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 900) recommending that House Bill No. 988, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 988, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 901) recommending that House Bill No. 1216, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1216, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 902) recommending that House Bill No. 1382, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1382, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1382, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 903) recommending that House Bill No. 1494, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1494, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT".

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 904) recommending that House Bill No. 1528, 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 Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1528, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSAL OF SOLID WASTES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1528, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 905) recommending that House Bill No. 1557, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 906) recommending that House Bill No. 1646, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1646, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 907) recommending that House Bill No. 1657, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1657, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 908) recommending that House Bill No. 82, 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 Campbell 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 THE HAWAII REGULATORY LICENSING REFORM ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 82, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 909) recommending that House Bill No. 166, H.D.

1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 910) recommending that House Bill No. 173, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 173, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 173, H.D. 1, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 911) recommending that House 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 Campbell and carried, the report of the majority of the Committee was adopted and H.B. No. 177, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 177, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 912) 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 Cobb, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 479, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", passed Second Reading and was placed

on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 479, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 913) recommending that House Bill No. 1459, 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 Campbell and carried, the report of the Committee was adopted and H.B. No. 1459, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1459, H.D. 1, S.D. 1.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 914) recommending that House Bill No. 1581, 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 Carpenter and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, H.B. No. 1581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Campbell). Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima);

and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1581, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 915) recommending that House Bill No. 1588, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1588, S.D. 2, entitled: "A BILL FOR

AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916) recommending that House Bill No. 1674 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS".

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 917) recommending that House Bill No. 57, 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 Cayetano and carried, the report of the Committee was adopted and H.B. No. 57, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 57, H.D. 1, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 918) recommending that Senate Resolution No. 39, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.R. No. 39, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO ENCOURAGING THE DIRECTOR OF HEALTH TO HELPING PERSONS INTO THE MAINSTREAM OF SOCIETY", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 919) recommending that Senate Resolution No. 128, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.R. No. 128, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE DEVELOPMENTALLY DISABLED IN HAWAII", was adopted.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 920) recommending that House Bill No. 417, 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 Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 417, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC BOTTLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 417, H.D. 2, S.D. 1.

Senator Carpenter for the Committee on Health, presented a report (Stand. Com. Rep. No. 921) recommending that Senate Resolution No. 100, as amended in S.D. 1, be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 100, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK FUNDS FOR THE DEVELOPMENT OF A SEWAGE TREATMENT FACILITY IN THE HONOKAA AREA", was referred to the Committee on Ways and Means.

Senator Yim, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 922) recommending that House Bill No. 1215, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 922 and H.B. No. 1215, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 923) recommending that House Bill No. 748, 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 Cayetano and carried, the report of the Committee was adopted and H.B. No. 748, 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 748, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 924)

recommending that House Bill No. 1665 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 1665, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1665.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 925) recommending that House Bill No. 2, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 926) recommending that House Bill No. 48, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 48, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 927) recommending that House Bill No. 98, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 98, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 928) recommending that House Bill No. 99, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 99, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 929) recommending that House Bill No. 281, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 281, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXPENDITURE OF PUBLIC MONEY AND PUBLIC CONTRACTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 930) recommending that House Bill No. 282, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 282, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 931) recommending that House Bill No. 722, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 932) recommending that House Bill No. 1627, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 933) recommending that House Bill No. 1668, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE AND USE OF PESTICIDES".

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented

a report (Stand. Com. Rep. No. 934) recommending that House Bill No. 1526, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER REQUIREMENTS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 935) 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 Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 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 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1, H.D. 1, S.D. 1.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 936) recommending that House Bill No. 1642, 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 Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 1642, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1642, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 937) recommending that House Bill No. 188, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 188, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS".

Senator Cayetano, for the Committee

on Ways and Means, presented a report (Stand. Com. Rep. No. 938) recommending that House Bill No. 20, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 20, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 939) recommending that House Bill No. 23, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 23, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 940) recommending that House Bill No. 80, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 941) recommending that House Bill No. 92, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 92, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 942) recommending that House Bill No. 95, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 95, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 943) recommending that House Bill No. 605, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 605, H.D. 1, S.D. 2, entitled: "A

BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE".

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944) recommending that House Bill No. 890, H.D. 1, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 890, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS".

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 945) recommending that House Bill No. 1252, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1252, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS".

Senator Cayetano, for the Committee on Ways and Means, presented a report, (Stand. Com. Rep. No. 946) recommending that House Bill No. 1639, 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 Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1639, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1639, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 947) recommending that House Bill No. 1671, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1671, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING".

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 948) recommending

that House Bill No. 1667, as amended in S.D. 1, pass Second Reading and be referred to the Committee on Judiciary.

By unanimous consent, action on Stand. Com. Rep. No. 948 and H.B. No. 1667, as amended in S.D. 1, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 949) recommending that House Bill No. 1686, H.D. 2, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1686, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY".

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 922 (H.B. No. 1215, H.D. 1, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 922 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Cayetano then offered the following amendment to H.B. No. 1215, H.D. 1, S.D. 2:

"1. Amend Section 1, page 1, line 4 of H.B. 1215, H.D. 1, S.D. 2, to read:

'Except as hereinafter provided, each county with a population over 200,000 shall adopt and each county with a population under 200,000 may adopt'

On motion by Senator Cayetano, seconded by Senator Mizuguchi and carried, and Roll Call vote having been requested, the amendment was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Kawasaki). Excused, 4 (Chong, O'Connor, Toyofuku and Ushijima).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1215, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS".

Standing Committee Report No. 948 (H.B. No. 1667, S.D. 1):

Senator Mizuguchi moved that Stand. Com. Rep. No. 948 be received and placed on file, seconded by Senator Yim and carried.

By unanimous consent, the referral of H.B. No. 1667, S.D. 1, to the Committee on Judiciary was waived.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 1667, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1667, S.D. 1.

At this time, Senator Abercrombie rose to state as follows:

"In relation to the bill relating to nuisance abatement, Standing Committee Report 892, which I voted 'no' on, I want to announce that when it comes up for third reading, I shall be fully armed with copies of The Honolulu Star-Bulletin and The Honolulu Advertiser to make my arguments against the bill."

The President then stated as follows:

"The Chair would like to apologize to the Senators for the lateness of the hour. We will try and attempt, the next time, to set specific guidelines and time constraints for all our committee chairmen so that Senators are not subjected to waiting around the building for two hours."

At 7:29 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.

ADJOURNMENT

At 7:31 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 2, 1979.

FORTY-SEVENTH DAY

Monday, April 2, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Robert Shuler, III, of the Aiea United Methodist Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Sixth Day.

Senator Anderson introduced to the members of the Senate 52 members of the McCully Senior Citizens Club.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 113), transmitting the technical background report on the Aloha Tower Plaza and the Hawaii World Trade Center, noting that this volume supplements the September 1978 summary report which was sent earlier and outlines the studies leading to the recommendations contained in the summary; commending this background technical report to the Legislature for consideration and adding that the report was prepared by the State Department of Planning and Economic Development's consultants, Charles R. Sutton and Associates, Inc., and Hastings, Martin, Hallstrom & Chew, Ltd., 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. 339 to 342) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 339), returning Senate Bill No. 621, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1979, was placed on file.

A communication from the House (Hse. Com. No. 340), returning Senate Bill No. 625, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1979, was placed on file.

A communication from the House (Hse. Com. No. 341), returning Senate Bill No. 626, S.D. 1, which

passed Third Reading in the House of Representatives on March 30, 1979, was placed on file.

A communication from the House (Hse. Com. No. 342), returning Senate Bill No. 627, S.D. 1, which passed Third Reading in the House of Representatives on March 30, 1979, was placed on file.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 76 and 77) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 76), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO PROMOTE THE EFFICIENCY OF AND PROVIDE ADEQUATE REIMBURSEMENT TO HAWAII'S MULTI-LEVEL HEALTH CARE FACILITIES", was jointly offered by Senators Toyofuku, Abercrombie, Anderson, Yamasaki, O'Connor, Soares, Campbell, Hara, Yee, Kawasaki, Carroll, Carpenter and Cobb.

By unanimous consent, S.C.R. No. 76 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 77), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT, CONGRESS, MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION, AND APPROPRIATE FEDERAL AGENCIES TO PROVIDE ALL NECESSARY SUPPORT TO GENERAL LYMAN FIELD OF HILO, HAWAII", was jointly offered by Senators Hara, Carpenter, Ushijima, Young, Kuroda, Campbell, Cayetano, George, Toyofuku, Cobb, Takitani, Saiki, Yee, Mizuguchi, Chong, Yamasaki, O'Connor, Soares and Yim.

By unanimous consent, S.C.R. No. 77 was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 327 to 332) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 327), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO PROMOTE THE EFFICIENCY OF AND PROVIDE ADEQUATE REIMBURSEMENT TO HAWAII'S MULTI-LEVEL HEALTH CARE FACILITIES", was jointly offered by Senators Toyofuku, Abercrombie, Anderson, Yamasaki, O'Connor, Soares, Hara, Yee, Kawasaki, Carroll, Carpenter, Cobb and Campbell.

By unanimous consent, S.R. No. 327 was referred to the Committee on Health.

A resolution (S.R. No. 328), entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT, CONGRESS, MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION, AND APPROPRIATE FEDERAL AGENCIES TO PROVIDE ALL NECESSARY SUPPORT TO GENERAL LYMAN FIELD OF HILO, HAWAII", was jointly offered by Senators Hara, Carpenter, Ushijima, Young, Kuroda, Campbell, Cayetano, George, Toyofuku, Cobb, Takitani, Saiki, Yee, Mizuguchi, Chong, Yamasaki, Soares, O'Connor and Yim.

By unanimous consent, S.R. No. 328 was referred to the Committee on Transportation.

A resolution (S.R. No. 329), entitled: "SENATE RESOLUTION COMMENDING BRUCE CARTER FOR HIS EFFORTS TO MAKE HAWAII THE SPORT FISHING CAPITOL OF THE WORLD", was jointly offered by Senators Kuroda, Yee, Carroll, Mizuguchi, Young, Cayetano, Kawasaki, Yamasaki, Campbell, Carpenter, Cobb, Ajifu, Takitani, Hara, Abercrombie, Yim, George, Soares, Saiki, Anderson, Wong, Toyofuku and Chong.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 329 was adopted.

Senator Kuroda then introduced to the members of the Senate Mr. Bruce Carter and his wife, Mrs. Carter. Senator Young presented a certified copy of the resolution and a lei to Mr. Carter, while Senator Yee presented a certified copy of the resolution and a lei to Mrs. Carter.

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

The Senate reconvened at 11:20 o'clock a.m.

A resolution (S.R. No. 330), entitled: "SENATE RESOLUTION REQUESTING THE SUPERINTENDENT OF EDUCATION TO CONTINUE THE 3-ON-2 PROGRAM AT THE CURRENT LEVEL OF IMPLEMENTATION", was offered by Senator Campbell.

By unanimous consent, S.R. No. 330 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 331), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON WAYS AND MEANS TO CONDUCT EVENING PUBLIC HEARINGS ON THE STATUS OF HAWAII BIOGENICS", was jointly

offered by Senators Anderson and Soares.

By unanimous consent, S.R. No. 331 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 332), entitled: "SENATE RESOLUTION RELATING TO THE IMPLICIT DANGERS OF STORED NUCLEAR MATERIALS RECOMMENDING THE DEVELOPMENT OF AN ADEQUATE RADIOLOGICAL MONITORING PROGRAM AND EMERGENCY RESPONSE SYSTEM FOR NUCLEAR INCIDENTS", was offered by Senator Chong.

By unanimous consent, S.R. No. 332 was referred to the Committee on Health, then to the Committee on Intergovernmental Relations.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 950), informing the Senate that Senate Concurrent Resolution Nos. 73 to 75, Senate Resolution Nos. 323 to 326 and Standing Committee Report Nos. 819 to 949 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 951), recommending that Senate Concurrent Resolution No. 52 be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW BY THE STATE AND COUNTY GOVERNMENTS OF CERTAIN EMPLOYMENT PRACTICES AND PROCEDURES", was adopted.

At 11:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

ORDER OF THE DAY

THIRD READING

House Bill No. 1322, H.D. 1, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.B. No. 1322, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT

RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 598:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 598, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1640:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1640, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 797 (H.B. No. 4):

By unanimous consent, consideration of Stand. Com. Rep. No. 797 and H.B. No. 4 was deferred to the end of the calendar.

Standing Committee Report No. 798 (H.B. No. 286, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 798 was adopted and H.B. No. 286, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 799 (H.B. No. 455, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 799 was adopted and H.B. No. 455, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 800 (H.B. No. 577, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 800 was adopted and H.B. No. 577, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES FOR INDIGENT CRIMINAL DEFENDANTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 801 (H.B. No. 588, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 801 was adopted and H.B. No. 588, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 802 (H.B. No. 600, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 802 was adopted and H.B. No. 600, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIP FEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 803 (H.B. No. 602, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 803 be adopted and H.B. No. 602, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Yee then asked for a ruling of the Chair regarding a conflict of interest as follows:

"Mr. President, I would ask to be excused from voting on this bill and some others because of my position as an executive officer of some of these institutions. If I were just a mere employee, I would not be so concerned, but I serve as director and as a member of the executive committee for some of these institutions, and I feel that a conflict of interest does exist and would

ask that I be excused from voting."

The President ruled that Senator Yee is in conflict and would be excused from voting on this measure.

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 803 was adopted and H.B. No. 602, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (Yee).

Standing Committee Report No. 804 (H.B. No. 603, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 804 was adopted and H.B. No. 603, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PHARMACY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 805 (H.B. No. 616, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 805 was adopted and H.B. No. 616, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 806 (H.B. No. 732, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 806 and H.B. No. 732, S.D. 2, was deferred to the end of the calendar.

House Bill No. 737, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 737, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 738, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 738, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INHERITANCE AND ESTATE TAXES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 809 (H.B. No. 739, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 809 was adopted and H.B. No. 739, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY CLEARING ACCOUNTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 810 (H.B. No. 1200, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 810 was adopted and H.B. No. 1200, 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, 25. Noes, none.

Standing Committee Report No. 811 (H.B. No. 1338, H.D. 2, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 811 and H.B. No. 1338, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 812 (H.B. No. 1473, H.D. 1, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 812 and H.B. No. 1473, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 813 (H.B. No. 1645, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 813 was adopted and H.B. No. 1645, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VESSELS", having been

read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1649, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1649, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 815 (H.B. No. 1647, H.D. 2, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 815 was adopted and H.B. No. 1647, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1673, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1673, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSTITUTE FOR MANAGEMENT AND ANALYSIS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 817 (H.B. No. 1687, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1687, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONVEYANCE TAX", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 820 (H.B. No. 3, H.D. 1, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 820 be adopted

and H.B. No. 3, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then asked to be excused from voting on the measure as his law firm represents one of the claimants in the measure.

The President announced that Senator Carroll would be excused from voting.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 820 was adopted and H.B. No. 3, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 821 (H.B. No. 638, H.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 821 was adopted and H.B. No. 638, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN OKINAWAN CELEBRATION COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 822 (H.B. No. 740, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 822 was adopted and H.B. No. 740, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE HIGHWAY FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 823 (H.B. No. 866, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 823 was adopted and H.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REVENUE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 824
(H.B. No. 1127, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 824 was adopted and H.B. No. 1127, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF CREDIT CARDS FOR HOSPITAL CHARGES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Standing Committee Report No. 825
(H.B. No. 1654, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 825 was adopted and H.B. No. 1654, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 826
(H.B. No. 1695, H.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 826 was adopted and H.B. No. 1695, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 158, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 158, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF BARBERING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 828
(H.B. No. 160, H.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 828 and H.B. No. 160, H.D. 1, was deferred to the end of the calendar.

House Bill No. 511, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B.

No. 511, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INDUSTRY LICENSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 531, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 531, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 595, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 595, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPAIRATIONS ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 596, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 596, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR BIKES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 599:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 599, 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, 25. Noes, none.

House Bill No. 601, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 601, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 604, S.D. 1:

By unanimous consent, consideration of H.B. No. 604, S.D. 1, was deferred to the end of the calendar.

House Bill No. 734:

By unanimous consent, consideration of H.B. No. 734 was deferred to the end of the calendar.

House Bill No. 931:

By unanimous consent, consideration of H.B. No. 931 was deferred to the end of the calendar.

House Bill No. 936:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 936, 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.

House Bill No. 961, H.D. 1:

By unanimous consent, consideration of H.B. No. 961, H.D. 1, was deferred to the end of the calendar.

House Bill No. 986, S.D. 1:

By unanimous consent, consideration of H.B. No. 986, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1039, S.D. 1:

By unanimous consent, consideration of H.B. No. 1039, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1186:

By unanimous consent, consideration of H.B. No. 1186 was deferred to the end of the calendar.

House Bill No. 1206, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1206, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1576:

By unanimous consent, consideration of H.B. No. 1576 was deferred to the end of the calendar.

At 11:50 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.

House Bill No. 1589, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1589, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ROOFING CONTRACTOR GUARANTEE BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (O'Connor).

House Bill No. 1661, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1661, 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 (O'Connor).

House Bill No. 580:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B. No. 580, entitled: "A BILL FOR AN ACT RELATING TO ADULT EDUCATION PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 581, S.D. 1:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B. No. 581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE LIBRARIAN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11:53 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.

House Bill No. 21, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 21, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 100, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 100, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MOTTO", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 421, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 421, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 435, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 435, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AFFECTING OCCUPATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 438, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 438, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 925, H.D. 2, S.D. 1:

By unanimous consent, consideration of H.B. No. 925, H.D. 2, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1140, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 1140, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1386, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 1386, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1634, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 1634, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 1716, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 863 (H.B. No. 14, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 863 was adopted and H.B. No. 14, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 864 (H.B. No. 22, H.D. 1, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 864 and H.B. No. 22, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 865 (H.B. No. 38, H.D. 2, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 865 was adopted and H.B. No. 38, H.D. 2, S.D. 3, 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, 25. Noes, none.

Standing Committee Report No.
866 (H.B. No. 287, H.D. 1, S.D.
2):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 866
was adopted and H.B. No. 287, H.D.
1, S.D. 2, entitled: "A BILL FOR
AN ACT RELATING TO VITAL STATISTICS
REGISTRATION", having been read
throughout, passed Third Reading
on the following showing of Ayes
and Noes:

Ayes, 23. Noes, 2 (Anderson
and Saiki).

Standing Committee Report No.
867 (H.B. No. 606, H.D. 1, S.D.
1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 867
was adopted and H.B. No. 606, H.D.
1, S.D. 1, entitled: "A BILL FOR
AN ACT RELATING TO PUBLIC ASSISTANCE",
having been read throughout, passed
Third Reading on the following showing
of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.
868 (H.B. No. 643, H.D. 1, S.D.
2):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 868
was adopted and H.B. No. 643, H.D.
1, S.D. 2, 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, 25. Noes, none.

House Bill No. 982:

By unanimous consent, consideration
of H.B. No. 982 was deferred to
the end of the calendar.

Standing Committee Report No.
870 (H.B. No. 1531, H.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and
carried, Stand. Com. Rep. No. 870
and H.B. No. 1531, H.D. 1, entitled:
"A BILL FOR AN ACT MAKING AN
APPROPRIATION TO ALU LIKE INC.
FOR THE NATIVE HAWAIIAN PROGRAM
UNDER THE NATIVE AMERICANS
ACT OF 1978", were recommitted
to the Committee on Ways and
Means.

Standing Committee Report No. 871
(H.B. No. 1633, S.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and carried,
Stand. Com. Rep. No. 871 was adopted
an H.B. No. 1633, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE MANUFACTURING AND DISTRIBUTION
OF COMMERCIAL FEEDS IN THE STATE
OF HAWAII", having been read throughout,
passed Third Reading on the following
showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 872
(H.B. No. 1648, S.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and carried,
Stand. Com. Rep. No. 872 was adopted
and H.B. No. 1648, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE EXEMPTION OF NUTRITION PROGRAM
ASSISTANTS", having been read throughout,
passed Third Reading on the following
showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 873
(H.B. No. 1653, S.D. 1):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and carried,
Stand. Com. Rep. No. 873 was adopted
and H.B. No. 1653, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE SALE OF AGRICULTURAL AND
VEGETABLE SEEDS", having been
read throughout, passed Third Reading
on the following showing of Ayes and
Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 874
(H.B. No. 1663, H.D. 1, S.D. 2):

On motion by Senator Cayetano,
seconded by Senator Kawasaki and carried,
Stand. Com. Rep. No. 874 was adopted
and H.B. No. 1663, H.D. 1, S.D. 2,
entitled: "A BILL FOR AN ACT RELATING
TO VOCATIONAL REHABILITATION",
having been read throughout, passed
Third Reading on the following showing
of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1666, H.D. 1:

By unanimous consent, consideration
of H.B. No. 1666, H.D. 1, was deferred
to the end of the calendar.

Standing Committee Report No. 876
(H.B. No. 1680, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 876 was adopted and H.B. No. 1680, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 11: 59 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.

House Bill No. 79, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 79, H.D. 1, 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.

House Bill No. 398, S.D. 1:

By unanimous consent, consideration of H.B. No. 398, S.D. 1, was deferred to the end of the calendar.

House Bill No. 405, S.D. 1:

By unanimous consent, consideration of H.B. No. 405, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 880 (H.B. No. 520, H.D. 1, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 880 and H.B. No. 520, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 881 (H.B. No. 608, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 881 was adopted and H.B. No. 608, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF 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.

Standing Committee Report No. 882 (H.B. No. 696, H.D. 1, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 882 was adopted and H.B. No. 696, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1004, S.D. 1:

By unanimous consent, consideration of H.B. No. 1004, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 884 (H.B. No. 1341, S.D. 1):

Senator O'Connor moved that Stand. Com. Rep. No. 884 be adopted and H.B. No. 1341, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator O'Connor then asked to be excused from voting on this measure, even though the bill was processed through his committee, he noted that he represents several people who might be affected by this bill.

The President announced that Senator O'Connor would be excused from voting on this measure.

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 884 was adopted and H.B. No. 1341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (O'Connor).

At 12: 04 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.

At 12: 09 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 3: 00 o'clock p.m., this afternoon.

AFTERNOON SESSION

The Senate reconvened at 3: 14 o'clock

p.m., with all Senators present with the exception of Senators Carroll and Hara, who were excused.

Standing Committee Report No. 885 (H.B. No. 1449, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 885 was adopted and H.B. No. 1449, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNION LABELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Carroll and Hara).

House Bill No. 1499, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1499, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Carroll and Hara).

The Chair then directed the Clerk to note the presence of Senators Carroll and Hara.

Standing Committee Report No. 887 (H.B. No. 1658, H.D. 1, S.D. 1):

By unanimous consent, consideration of Stand. Com. Rep. No. 887 and H.B. No. 1658, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 189, H.D. 1, S.D. 1:

Senator Mizuguchi moved that H.B. No. 189, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, this bill allows the Department of Transportation to appoint volunteer boating enforcement officers to enforce the state boating law including the power to stop, board, investigate and inspect vessels.

"I have no quarrel with the bill as such, but I'm puzzled by the statement in the committee report, and perhaps my demur can be relieved if I can have an answer on this. The report

states, 'Your Committee believes that the enforcement officers should not be considered state employees and that the state should not be held liable for their actions.'

"I think that state appointed officers boarding and inspecting vessels will certainly be regarded as agents of the state by the courts; and so I guess I really have a question, as opposed to my saying that I am against it as such.

"If the Chairman of the Judiciary Committee might be able to give me an answer about the state's liability as a result of this bill should it pass. Maybe that's what I should do rather than say, 'I'm against the bill.' "

At 3:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:20 o'clock p.m.

Senator Abercrombie continued,

"Mr. President, despite the efforts of Senator Carroll to get me to continue to vote 'no', I withdraw my objection. It has been explained to me."

Senator Carroll then stated as follows:

"Mr. President, I am intending to vote 'aye' on this measure, but there is one portion of an explanation that was given to my learned colleague from Manoa, with respect to the state's liability, and that is that the state, by exempting itself from liability, will never be liable.

"There is a body of constitutional law in which there is a creature which is described as a constitutional tort in which even though we have so-called 'state immunity', we still may be liable and the state still may be sued. Now I think in the matter before this Body that that is a risk that is well worth taking.

"I would urge that we vote 'aye'."

The motion was put by the Chair and carried, and H.B. No. 189, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BOATING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1143, H.D. 1, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried,

H.B. No. 1143, 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, 23. Noes, 2 (Abercrombie and Cobb).

House Bill No. 1432, H.D. 1, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 1432, H.D. 1, 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, 24. Noes, 1 (Abercrombie).

House Bill No. 181, H.D. 1, S.D. 1:

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, H.B. No. 181, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Soares).

House Bill No. 428, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 428, H.D. 1, S.D. 1, was deferred to the end of the calendar.

House Bill No. 102, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 102, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I wish to speak against this bill. I came across a rather interesting observation which I have experienced in this particular session. There are three bills that I will be voting against and I deem it necessary to speak out against them because I feel that perhaps many of the members here will be voting 'aye' not realizing the impact of this vote and the final enactment into law.

"This is one of those bills where we don't quite respect the requirement of the Fourteenth Amendment of our federal constitution--the equal rights,

equal protection clause. I don't know why we're allowing landowners of less than five acres, that said land can be possessed by what is known as adverse possession; while those owners of lands in excess of five acres will be exempted from their lands being taken over by a person who has possession of that land for a prescribed number of years.

"This is to me clearly a violation of the equal treatment clause and I think some good lawyer taking this up before a higher court--Supreme Court of the United States possibly--is going to find that the court is going to invalidate this provision that we hope to enact into statute.

"I have a concern about this as this is not treating every category of landowners fairly or equally. I believe this is patently a violation of the equal protection clause of the federal constitution and for that reason, I urge a 'no' vote on this."

Senator O'Connor then spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of the bill, with my tongue in cheek. Unfortunately, I find myself making this same argument again and again as this session goes forward, and I respect the comments made by the Senator earlier.

"However, we again are faced with a situation where the voters of this state have voted an amendment to the constitution which precisely says that in an adverse possession situation, it shall only apply to properties which are five acres or less and shall not be applicable to properties which are greater than five acres; which means that a person from now on or from last November 7th on in this state, cannot utilize the claim of adverse possession for property which is greater than five acres in size because it is in our constitution.

"Until such time that someone strikes down that constitutional amendment, if it is ever struck down, then it is necessary for us to have an enabling statute which explains what that means. And that's precisely what House Bill No. 102, H.D. 1, S.D. 1, does.

"It lays out essentially on the face of what the law of adverse possession as it has existed in Hawaii outlining what periods of time were necessary for adverse possession during certain parts of our history, and indicating that after November 7, 1978, adverse possession for parcels which are greater

than five acres cannot be used because that was the day that the voters of this state passed into enactment the amendment to our constitution.

"Therefore, I would urge that all vote in favor of this bill to clarify the constitutional amendment and, of course, if some learned attorney, as the good Senator indicates, someday strikes down the constitutional amendment, this bill will go with it. Thank you."

Senator Anderson then spoke in opposition to the measure as follows:

"Mr. President, I didn't plan to get involved in this, but I'd like to request a 'no' vote on this bill.

"I have sat here now for some forty some-odd days and listened to arguments that we have to pass legislation because the Con-Con so specified. Maybe a couple of these bills should not be passed and let the court step in.

"It would have scared me to have seen the Con-Con pass a mandate that chickens will lay square eggs after 1980 and then have one of you pass a bill out to conform to that.

"Those people across the street weren't the wisest things in the world. They're apt to make mistakes like we do, and we seem to... I guess to conform. If we don't pass some of these, it would be equally as responsible than just trying to pass one and then put the burden on some legislator or some politician some day in the future to challenge this."

The motion was put by the Chair and carried, and H.B. No. 102, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Anderson, Carpenter, Carroll, Chong, Kawasaki and Yee).

House Bill No. 424, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 424, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 895 (H.B. No. 556, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 895 was adopted and H.B. No. 556, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MONOPOLIES; RESTRAINT OF TRADE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 896 (H.B. No. 583, H.D. 2, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 896 was adopted and H.B. No. 583, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 723, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 723, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 921, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 921, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 899 (H.B. No. 923, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 899 was adopted and H.B. No. 923, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS",

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

Ayes, 25. Noes, none.

Standing Committee Report No. 900
(H.B. No. 988, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 900 was adopted and H.B. No. 988, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON INVESTIGATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1216, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1382, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 1382, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 903
(H.B. No. 1494, H.D. 1, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 903 was adopted and H.B. No. 1494, H.D. 1, 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.

House Bill No. 1528, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.B. No. 1528, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DISPOSAL OF SOLID WASTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 905
(H.B. No. 1557, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 905 was adopted and H.B. No. 1557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 906
(H.B. No. 1646, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 906 was adopted and H.B. No. 1646, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 907
(H.B. No. 1657, H.D. 1, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 907 be adopted and H.B. No. 1657, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Chong then spoke against the measure as follows:

"Mr. President, the purpose of this bill is to water down existing legislation we passed a few years ago which, in my opinion, was very good. It was very protective of the issue of when and under what circumstances a health facility can unplug a person whose vital signs are still going; namely, breathing and heart.

"We followed the recommendations of a one-year study conducted by the Legislative Reference Bureau, which was very conservative in its approach. To protect the public, we made it mandatory for a practicing neurosurgeon, a specialist in the art of interpreting brain waves to be present to interpret whether or not those brain waves that were going across the scanner were in fact registering a dead brain. That neurosurgeon, specialist, would be responsible for signing off the person as being 'dead' and therefore this action would allow the health facility to unplug the heart machine or the breathing machine.

"I would like to cite a case which happened on the island of Kauai, I believe, where there was a serious accident and where a person's brains had been left at the scene of the accident. That person was brought to the hospital in Kauai as he was still breathing and his heart was functioning. At the same time, another auto accident took place and they rushed that man over to the hospital, and he needed use of the machine.

"Of course, under those circumstances, the doctors on Kauai, because there were no neurosurgeons there, had to make a decision on the spot. They decided to disconnect the first patient and the put the latest one on the machine.

"The doctors were not sued and I think that any court of law would have protected the attending physicians at that point.

"Now what this bill does is, because of that one incident, make it possible for the attending physicians under the circumstances to determine whether the person is dead. In hearings we held on this issue, it was pointed out that statistically, under very rare, rare circumstances, would that decision be needed--maybe one or two every three or four years. For that reason, I am adamantly against this bill and I urge my colleagues to vote against it because I don't think that the statistical situations would warrant watering down something which deals with such an important matter. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 907 was adopted and H.B. No. 1657, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF DEATH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Campbell, Cayetano and Chong).

House Bill No. 82, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 909 (H.B. No. 166, H.D. 1, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 909 and H.B. No. 166, H.D. 1, S.D. 2, was deferred to the end of the calendar.

House Bill No. 173, H.D. 1, S.D. 1:

Senator Cobb moved that H.B. No. 173, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, I just want to comment briefly. I am voting for this bill, but this is a case of a statute we've had on the books for years.

"We all knew that it was sort of a price fixing arrangement that was not quite beneficial to the consuming public in this state, but because of lobbies that used to frequent these halls in past sessions, it only took a court ruling invalid such price fixing legislation that gave the legislature the courage to repeal this law. This is perhaps a glaring example of some of the statutes that we have jaundiced views about for years.

"We didn't have the 'guts' to vote it down and since the court decision, we are now pretty brave and are repealing this law--but this is the kind of situation we would like to avoid if we can at all possible do. Thank you."

Senator Anderson then spoke in opposition to the measure as follows:

"Mr. President, I rise to speak against this measure. This bill goes beyond what the prior speaker has spoken about. While I have been opposed to retail price fixing for many years, I talked to the Chairman before the meeting this afternoon and I am satisfied that what he's trying to do is somewhat legitimate, but it still continues or allows the wholesalers to continue price fixing.

"If we're going to allow the free market to take care of competition--and I don't believe the wholesalers of this town should be allowed to fix prices...and what this does, the section where it still allows posting among wholesalers, it disallows the wholesaler, once his price is posted from further discounting if competition gets keen.

"In other words, if I were to post my wholesale prices, once those prices are posted, they are locked in and once you post yours, you're locked in; and it disallows free competition among wholesalers.

"If you disallow competition among wholesalers to pass it on to retailers to pass it on to consumers, you are in fact still allowing some kind of price fixing.

"While I would hope that free competition would reign from the manufacturer right on up to the retailer, because that's really what it is going to dictate prices to the market; and, while this is for one year, and I understand the effort here, I really believe that the whole thing should be repealed and not just portions of it. Thank you."

Senator Cobb then spoke in rebuttal for the measure as follows:

"Mr. President, the original court decision attached itself to retail price posting only; and inadvertently, the wholesale was also included.

"We had communication from the Antitrust Division of the Attorney General's office, that if the present practice of wholesale price posting and switching before the posting period continued to occur, there would be further litigation on that.

"This allows the parties involved with the concurrence of the Antitrust Division of the Attorney General's office a one-year period only in which to correct this situation which apparently has already been done to the satisfaction of the Liquor Commission.

"I would further point out that the restriction on the changing of prices applies only for the posting period and, at any time there is a new posting period or new prices, then competition may reign in the next posting period.

"Up to now, the problem has been a collusion or price fixing even among wholesale levels, when the prices are available before the posting period goes into effect. By making the wholesale appeal effective July 1, 1980, it gives all parties involved one year only in which to prove their case, and to come before this legislature in 1980 with a separate measure which we must pass affirmatively. If we do nothing, the repeal takes effect automatically on July 1, 1980."

The motion was put by the Chair and carried, and House Bill No. 173, H.D. 1, S.D. 1, 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, 24. Noes, 1 (Anderson).

House Bill No. 177, S.D. 1:

By unanimous consent, consideration of H.B. No. 177, S.D. 1, was deferred to the end of the calendar.

House Bill No. 479, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 479, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1459, H.D. 1, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1459, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1581, S.D. 1:

By unanimous consent, consideration of H.B. No. 1581, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 915 (H.B. No. 1588, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 915 was adopted and H.B. No. 1588, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 916 (H.B. No. 1674):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 916 was adopted and H.B. No. 1674, entitled: "A BILL FOR AN ACT RELATING TO DRUGS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 57, H.D. 1, S.D. 1:

By unanimous consent, consideration of H.B. No. 57, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 3:40 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 3:45 o'clock p.m.

House Bill No. 417, H.D. 2, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.B. No. 417, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLASTIC BOTTLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 748, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, H.B. No. 748, 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.

House Bill No. 1665:

On motion by Senator Young, seconded by Senator Cayetano and carried, H.B. No. 1665, 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.

Standing Committee Report No. 925 (H.B. No. 2, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 925 was adopted and H.B. No. 2, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Ajifu, Cobb, Hara and Yee).

Standing Committee Report No. 926 (H.B. No. 48, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried,

Stand. Com. Rep. No. 926 was adopted and H.B. No. 48, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 927 (H.B. No. 98, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 927 was adopted and H.B. No. 98, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carpenter, Cobb and Yim).

Standing Committee Report No. 928 (H.B. No. 99, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 928 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, 25. Noes, none.

Standing Committee Report No. 929 (H.B. No. 281, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 929 was adopted and H.B. No. 281, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE 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.

Standing Committee Report No. 930 (H.B. No. 282, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 930 was adopted and H.B. No. 282, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.
931 (H.B. No. 722, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 931 was adopted and H.B. No. 722, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.
932 (H.B. No. 1627, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 932 was adopted and H.B. No. 1627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.
933 (H.B. No. 1668, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 933 was adopted and H.B. No. 1668, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SALE AND USE OF PESTICIDES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No.
934 (H.B. No. 1526, H.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 934 was adopted and H.B. No. 1526, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BEVERAGE CONTAINER REQUIREMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

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

House Bill No. 1642, H.D. 1, S.D. 1:

On motion by Senator Hara, seconded

by Senator Abercrombie and carried, H.B. No. 1642, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Carpenter, Carroll, Cayetano, Kuroda and Soares).

Standing Committee Report No. 937
(H.B. No. 188, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 937 was adopted and H.B. No. 188, 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, 25. Noes, none.

Standing Committee Report No. 938
(H.B. No. 20, H.D. 1, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 938 and H.B. No. 20, H.D. 1, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 939
(H.B. No. 23, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 939 was adopted and H.B. No. 23, H.D. 1, S.D. 1, 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.

Standing Committee Report No. 940
(H.B. No. 80, H.D. 2, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 940 was adopted and H.B. No. 80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 941
(H.B. No. 92, H.D. 2, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 941 be adopted and H.B. No. 92, H.D. 2, S.D. 2, having been read throughout, pass Third Reading,

seconded by Senator Carpenter.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I'm voting 'no' on this particular bill. I fully realize that it's a mandate by the Constitutional Convention which I claim had no particular cartel on wisdom, but I think there is no compelling need right now for us to create these positions. I think it could wait a year or two and I had wished that we would. I just wanted to comment on that."

Senator Abercrombie then spoke in opposition of the measure as follows:

"Mr. President, I don't think there is any need to put this to the end of the calendar. I think we can vote up or down. I think that, for the life of me, and I have read through this very carefully, I cannot understand why there's a necessity, any compelling interest at all in establishing this intermediate appellate court unless a lot of people want to retire from here a bit earlier than they either had anticipated, or perhaps they are not enjoying things here as much as they used to.

"I expect that whoever the people are who will be doing the appointing or making the recommendations and so on, will have a fine time with it, but the cost to the state is going to be enormous, and I hope everyone realizes that.

"It's one of the reasons I'm voting 'no' on this. The costs are going to be stupendous because it's going to prolong court proceedings.

"I think this is a selfish measure; I think it's a cynical measure; I think that the people in the courts who desire to have this, have done damage to public judgment... judgment by the public, in terms of what would be accomplished and what is expected of our court system with this intermediate appellate court.

"The very phrase itself indicates to anybody who can read English, that it is an in-between step, that means, there are steps to come further. And if that is in fact the case, that simply means that it's going to be dragged out further. It's going to cost us a great deal of money, a great deal of time and provide the citizenry with a great deal more cynicism than they already have in respect of the court system, if that's possible.

"I think that, well under no circumstances then could I... and I would really be delighted to hear a solid argument in favor of this court, before we blindly vote 'yes'."

Senator Cobb spoke against the measure as follows:

"Mr. President, one observation against the bill, which I will be voting 'no' on, is the fact that rather recent historical irony took place.

"We note that the Rules of the House of Representatives have the strictest provisions that exist there against 'piggybacking' measures.

"I note that this appellate court, when it was passed by the Constitutional Convention, was piggybacked with a provision calling for the merit selection of judges. Unless the voters of this state in deciding on this question had absolutely no opportunity to decide on the merits alone of an intermediate appellate court of appeals, but instead were asked to buy a 'pig in a poke'.

"This measure piggybacked on top of something that almost everyone favored; namely, merit selection of judges.

"The irony I'd like to note is that subsequent to that fact, thirty members of the Con-Con ran for the House of Representatives, to a Body whose strictest Rule is an absolute prohibition on piggybacking-- the Rule to date violated in varied process on over two-thirds of the amendments they passed and submitted to the voters of this state.

"Accordingly, Mr. President, I don't consider this bill to have been passed upon by the voters of this state on its merits, but instead it is nothing less than a dubious sneak attack by which the Judiciary was able to piggyback this measure with something that was far more meritorious; namely, the merit selection of judges.

"The fact that this legislature had twice in both houses said 'no' to this proposal, I believe lends credence to that idea, and that's one of the reasons why I cannot accept this, now being given an individual opportunity to vote on it. Thank you."

Senator Cayetano then spoke for the bill as follows:

"Mr. President, I have heard throughout the course of the floor discussion here on all of the bills relating to the Constitutional Convention and the amendments which were ratified by the voters on November

7, 1978, much criticism, much talk about their lack of wisdom, etc. However, I think it's a little late for us to speak in these tones because certainly the Constitutional Convention could have used some of the wisdom in these halls. I doubt if anyone here who was very critical or who has been critical of the Convention, went there to testify and to give those delegates the benefit of the wisdom of the years that they spent here.

"So, I think it's a little bit late to complain about the cynicism of the Judiciary, etc., and all of that. If the Senators here have any 'hang-ups' on these bills, then I suggest that perhaps the proper way would be to address the matter in court, hire your lawyer and challenge them."

Senator O'Connor rose to speak in favor of the bill as follows:

"Mr. President, the voters of this state made for us an intermediate appellate court by amending the Constitution. What this bill does is simply flesh out the jurisdiction of that court and answers a criticism raised by the learned Senator from Manoa, which I think is a very valid criticism; and that is to ensure that this court does not become an added piece of bureaucratic red tape between the trial court and the Supreme Court through which years of appellate procedures can be used as delaying tactics by people utilizing that trade.

"To wit, it is in the intent of both your Judiciary Committee and your Ways and Means Committee in handling this particular measure, to insure that appeals will be taken to one court or the other and that the appellant will only get one bite of the apple. It will be only under the framework of this bill and other bills which have been considered on this matter, the extremely unusual case would ever be heard in total by both courts.

"It has been our intent throughout to insure that, and that is one of the reasons why we did not simply say at the beginning when handling this measure that we would turn the entire thing over to the Supreme Court to be handled by rules of court, because we strongly believe and felt and still do that this is a measure which should be handled by the legislature in order to insure that it does not turn into a bureaucratic situation which the Senator from Manoa earlier indicated.

"I will go along with many of the comments made by my learned colleague from the Seventh District. However,

the time is not now to argue over whether or not we're going to have this court; the time is now to attempt to flesh out the matter so the court can operate to the benefit of this state and not to its detriment.

"That, I believe, is what I've done with this bill which is before us and I urge all members to vote 'aye' on this matter. Thank you."

Senator Abercrombie then remarked as follows:

"Mr. President, when I first rose, I neglected to explain why I had signed this bill. I did so because I thought it deserved to have the floor debate and should come out. I have always regarded, when I was in the House and I regard here, that Third Reading is the time for debate in the Halls and not a checkout counter, and I'm pleased to see that other people have the same attitude in the Senate. That was not always the case in my experience in the past. I do appreciate as well the comments delivered by the previous two speakers.

"I, myself, did happen to go and testify at the Constitutional Convention, but that doesn't give me any special privilege to speak about it or its results now.

"The last thing is that I also appreciate the intentions of the Chairman of the Judiciary Committee in this. I think that Committee has labored long and hard not only on this bill but on other bills to try to accomplish what was set.

"But when I consider this before I rose to speak against it, I do not believe that we can keep these cases from going on to another court.

"Now I'm not sufficiently learned in the law. Maybe this bill does in fact, prevent the kind of thing that Senator O'Connor indicates some people feel is going to occur. But my reading of it is, I do not believe by a state's constitution that you can violate what I would consider an overriding constitutional privilege that exists in the federal constitution which is that one is allowed to exhaust all resources that are available in the Judiciary and that despite what the writing in this bill states, that would still be available to anybody who is in court. Therefore, I can't vote 'yes'."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 941 was adopted and H.B. No. 92, 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, 19. Noes, 6 (Abercrombie, Anderson, Cobb, Kawasaki, Soares and Yim).

Standing Committee Report No. 942
(H.B. No. 95, H.D. 2, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 942 was adopted and H.B. No. 95, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 943
(H.B. No. 605, H.D. 1, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 943 was adopted and H.B. No. 605, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 944
(H.B. No. 890, H.D. 1, S.D. 3):

Senator Cayetano moved that Stand. Com. Rep. No. 944 be adopted and H.B. No. 890, H.D. 1, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I've signed the committee report emanating from the Committee on Ways and Means 'no' on this particular measure. I am voting 'no' on this measure because this is another one of those bills that I mentioned as being in violation of the Fourteenth Amendment of our federal constitution.

"That document, notwithstanding the onslaughts made upon it in the past decades, have still withstood the test of time. I think it's the basic tenet in the federal constitution and the Fourteenth Amendment clause that no particular group would be treated differently--favored treatment, different treatment in the way of protection or favors.

"I think this is one of those patently bad bills that will someday be taken to the United States Supreme Court

and then judged unconstitutional at that level.

"I think it's wrong for us in the state constitution, notwithstanding a judgment made by the Constitutional Convention, that one ethnic group will be treated differently from any other ethnic group in this society like ours.

"As I said, I think this is a patently bad violation of a provision wisely put by our forefathers in the federal constitution. I cannot support this bill and will vote 'no' on it."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 944 was adopted and H.B. No. 890, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 945 (H.B. No. 1252, H.D. 2, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 945 was adopted and H.B. No. 1252, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1639, H.D. 1, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1639, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 947
(H.B. No. 1671, H.D. 1, S.D. 2):

By unanimous consent, consideration of Stand. Com. Rep. No. 947 and H.B. No. 1671, H.D. 1, S.D. 2, was deferred to the end of the calendar.

At 4:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:12 o'clock p.m.

Standing Committee Report No. 949
(H.B. No. 1686, H.D. 2, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 949 was adopted and H.B. No. 1686, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", 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, 25. Noes, none.

House Bill No. 1215, H.D. 1, S.D. 3:

Senator Yim moved that H.B. No. 1215, H.D. 1, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, this is another one of those bills that provides special treatment for a special category...in this case, counties.

"This is a bill that requires the County of Oahu through its county government to mandate the dedication of a certain amount of land in a new subdivision to be set aside for parks--that in a county where suitable land is quite limited. The bill with its amendment provides that neighbor island counties where land is plentiful are not mandated. They have the choice of whether they want to mandate their county governments to require the subdividers to set aside a certain amount of land for parks or put up money if they're not going to put up land. This kind of treatment I think, again smacks of special legislation favoring a segment of our population again, very unpalatable I think to fair-minded people.

"If there's any place, there's any county that should have the right to have its county government decide at its best judgment with all information available to it, whether they should require of subdividers that land be set aside, depending on the type of subdivision and where it's located...

"I could cite a number of subdivisions where a bill like this would have worked a hardship. Dowsett Highlands is a case. Most of those lands there are on sloping lands. It's a beautiful subdivision--no particular park there, because it is not land conducive to a flat area that could be made into a park.

"Waialae-Iki, the Bishop Estate's subdivision--there is another case where most of the land is a gentle slope. There's no flat land conducive to being set aside for a good sized park for the enjoyment of its residents in that area. So these are the kinds of considerations that we have to leave before the County of Oahu to decide whether they're going to mandate the setting aside of land for a park or whether they're going to require the subdivider to put up a certain amount of money in lieu thereof.

"We don't give this choice to the County of Oahu with its limited land availability, but we do give this choice to each of the neighbor island counties where land is plentiful. I feel that the neighbor island counties should be mandated to set aside certain amount of land for park purposes.

"So, Mr. President, I am at a loss to understand the logic back of this particular bill with its new amendment, and I think that if we do this, this also may be subject to a court adjudication someday.

"I feel this is a bad precedent we're setting. If we're going to treat one county one way (Oahu County), then let's treat all counties the same.

"I understand this is called a compromise measure...and that's the trouble with this Body--we compromise too much. I am voting 'no'."

The motion was put by the Chair and carried, and H.B. No. 1215, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Ajifu and Kawasaki).

House Bill No. 1667, S.D. 1:

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, H.B. No. 1667, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 4:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:18 o'clock p.m.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 797
(H.B. No. 4):

By unanimous consent, consideration of Stand. Com. Rep. No. 797 and H.B. No. 4, 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 Tuesday, April 17, 1979.

Standing Committee Report No. 806
(H.B. No. 732, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 806 be adopted and H.B. No. 732, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Carpenter.

Senator Kawasaki then spoke against the measure as follows:

"Mr. President, I'm voting 'no' on this particular bill because this bill has a line here that raises the ceiling of the amount of loans available to private entrepreneurs from \$50,000 to \$75,000.

"Now this is a category of loans where no requirement is made of the borrower, that he put up a certain amount of his capital--10% or whatever you want to have him put up, as his good faith participation in a loan.

"There is no requirement as such and of course our government agencies, including the Department of Agriculture and the Department of Land and Natural Resources, and I can't say the same of the Department of Planning and Economic Development, fortunately, don't have a brilliant record of administering their loan program with economy and efficiency. As a matter of fact, I think if some of these loan officers on these respective agencies were hired by private banks, they would be fired.

"But lifting our loan ceiling at a time when we've received several critical reports by the Legislative Auditor whom we hire, whom we mandated to go into these studies--and these reports have been critical of the administration of our loan programs in the aforementioned departments--at a time like that for us to be lifting the ceiling on these loans from \$50,000 to \$75,000 requiring no equity contribution on the part of the borrowers, the entrepreneurs, I think is not contributing to promoting more efficiency in the administration and

in the monitoring of these loans. For that reason, I will vote 'no' on this."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 806 was adopted and H.B. No. 732, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Standing Committee Report No. 811
(H.B. No. 1338, H.D. 2, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 811 be adopted and H.B. No. 1338, H.D. 2, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Carroll then spoke in favor of the measure with certain reservations:

"Mr. President, the basic thrust of this bill, or one of the thrusts of this bill is to reduce or in fact eliminate the twenty-five cent charge at the Waikiki Aquarium.

"According to testimony which was given by the University and by a member of the Friends of Waikiki Aquarium, I can understand very much their frustration with the situation at the Aquarium. I blame the University of Hawaii and their administration because of the fact that we have a really second-rate aquarium and the personnel there, the whole gamut of persons working there who are paid, as well as the Friends of the Aquarium, are really doing the best they can.

"I'm sure everyone knows the Waikiki Aquarium has been a stepchild all along the way and nobody ever seems to really want to give it the kind of care and nurture that it needs. Now the Friends of the Aquarium and, I guess in some concert with the University, have proposed this particular measure.

"What they're trying to do essentially is to eliminate the 25¢ charge and allow the people coming in to make a donation of 25¢ which they will then have effectively, without having to pay for the cost of accounting, etc., and it will not go to the general fund of the state.

"It's incredible to me that this state which is a marine state, with the magnificent fish life that we have here, has to do this kind of thing.

"If they took the 25¢ fee that we have now, for instance, and raise that to a dollar, instead of having \$25,000, they'd have approximately \$125,000 which can be generated by fees.

"This Aquarium really suffers a kind of a tragic position. I must confess I haven't done nearly as much as I should have and I'll try to make up for that in the coming year, but I think we have to vote for this measure with an eye to charging a really significant fee for entry into that Aquarium and then giving them the funds to make it what everybody who is involved with it want it to be. They've done a really tremendous job with extremely limited resources. On that basis, I ask that we vote for the measure."

Senator Kawasaki then spoke against the measure:

"Mr. President, I'm at a loss to understand why the elimination of a very nominal fee like 25¢ to see this exhibit is going to contribute to more people contributing privately to this fund to make up the elimination. I think 25¢ is perfectly reasonable--as a matter of fact, I'd prefer 50¢. Have that money available to expand the resources of and expand the collection of the Aquarium and hence you make it more attractive for people to want to take their children to see the exhibit; for tourists to want to spend half an hour there to see the fauna and the fish life of the Pacific Ocean here.

"I think this is the way to have the collection extended and the improvements made over there so that it be a very attractive tourist attraction. God only knows, after the tourist has been here for a week, what else does he want to see. He has seen Sea Life Park, etc., but I think the Aquarium, like the Shed Aquarium and the Steinhart Aquarium on the mainland could be a major attraction bringing about good income. This can only be done by expanding its services. And how do you expand services? By having more monies available not by eliminating a very reasonable figure like 25¢ admission."

Senator Carroll then responded:

"Mr. President, I agree precisely with what the good Senator is saying. I think the problem that we have before us today is that the approach that's being taken by this measure is a 'band-aid' approach, and I hate to use that trite term, but the aquarium in Copenhagen, for instance, in Paris, in Bergen, Norway, in Washington--they charge significant amounts of money in terms of the going rate. Back in 1966 and

1967, it was 75¢ in Denmark.

"We can also have provisions at the Aquarium where adults accompanied by children are allowed in free, where our students can be allowed in free.

"I really think the people who have proposed this bill are trying to get this little 25¢ fee which amounts to \$35,000 that was collected last year, and get that amount diverted into their non-profit corporations, so that they can use the money without having it come into the state.

"I think a far more practical way to do this, is as the Senator from Kalihi has suggested."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 811 was adopted and H.B. No. 1338, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AQUARIUM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 812 (H.B. No. 1473, H.D. 1, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 812 be adopted and H.B. No. 1473, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kuroda then spoke against the measure as follows:

"Mr. President, I'm voting 'no' on this bill.

"This bill was offered with good intention to provide funding for the Oahu units as can be seen by the deletion of a statement in the first paragraph of the bill. However, the Civil Air Patrol people submitted certain information to both houses of the legislature which have gone without the proper attention. Therefore, I think this bill should go into conference and that the correction be made. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 812 was adopted and H.B. No. 1473, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Chong, Kuroda and Saiki).

Standing Committee Report No. 828
(H.B. No. 160, H.D. 1):

Senator Cobb moved that Stand.
Com. Rep. No. 828 be adopted and
H.B. No. 160, H.D. 1, having been
read throughout, pass Third Reading,
seconded by Senator Chong.

Senator Cayetano then spoke in
favor of the measure as follows:

"Mr. President, I rise to speak in
favor of this bill but with some reservations.

"I favor this bill but I think it's
interesting to note from the committee
report that the doctors cite the differences
in the situation between doctors here
in Hawaii and doctors in California.

"It is my recollection when the medical
society pushed for the medical malpractice
bill into law a few years ago, they
cited California as living proof for
their case. My recollection further
is that no differences were noticeable
then. I ask why cite them now.

"In any event, I think it is a good
bill but I just want some consistency
here from the medical society."

Senator Kawasaki then spoke in
opposition to the measure:

"Mr. President, this sounds like
a litany. I spoke against this bill
when it emerged from the Senate Committee
reducing the amount set aside from
\$5 million to \$3 million, which I think
places this fund in jeopardy. I understand
one of the cases pending right now
on a malpractice litigation involves \$1
million. Theoretically, if we had
three of these cases, then the fund
would be completely depleted.

"It just seems to me having about
1200 physicians duly registered and
practicing here, in a profession that
was cited in Fortune Magazine as being
the highest paid profession in the nation
today, that these doctors could raise
\$5 million as a minimum figure to set
aside for this particular fund. I think
reducing it to \$3 million might place
this fund in a jeopardy situation."

Senator Abercrombie then spoke
against the measure as follows:

"Mr. President, I wish to speak against
the bill on the grounds that I once
watched a TV show called 'Maude'
and on that show, one of the characters
was a doctor.

"The doctor had very stringent standards
concerning free enterprise and ethics
and the capacity of the government

to interfere with his life and business,
and I recall very clearly during that program
that a discussion was had on malpractice.

"The doctor said to the lady who was
playing Maude, 'Do you realize, do
you really realize what the rise in malpractice
insurance rate means?' and she said
'No'. He then said, 'It means I have
to be more careful.'"

"Mr. President, I think everyone
should vote 'no'."

Senator Cobb spoke in favor of the
measure:

"Mr. President, speaking in favor
of the bill, I'd like to note several things
in passing. One, the requirement of
\$3 million is a continuing requirement
in that if there is a suit for any amount,
even \$1 million as alluded to by a previous
speaker, the amount of the corpus must
be made up in that amount immediately
by an assessment to all the participating
physicians.

"Secondly, out of the 1200 physicians
in Honolulu, only about 240 have elected
to go with this particular option as a form
of malpractice insurance. Others have
elected to 'go bare' meaning no insurance.
Others have elected to continue to pay
insurance rates to various carriers,
among them Argonaut Insurance Co.

"But, Mr. President, the critical
factor here is found in the bill with the
Senate draft at the bottom of page one
where it states, 'The director of regulatory
agencies shall have the power to investigate
and verify the amounts specified by law.'"

"Your Committee, Mr. President, felt
this was an essential safeguard and
requirement to insure that the corpus
would always remain fully funded and
that the amounts on deposit could be
verified at all times upon spot-check
by the Department of Regulatory Agencies.

"I think that with these provisions,
there are more than sufficient safeguards
in the bill and I would ask the members
of the Senate to support it."

Senator O'Connor spoke for the measure
as follows:

"Mr. President, I might just add in support
of the bill that at the same time we passed
this measure two years ago, we also
passed the measure which has to do with
the state-operated malpractice fund to
which all doctors and, of course the doctors
in this particular cooperative may subscribe
and I understand they intend to, which
picks up coverage for them over \$100,000
so that at any time if one of them happens
to get hit with a big judgment in excess

of \$100,000, the portion of that amount which will be covered under this particular cooperative coverage, will only be the first \$100,000. Therefore, it would never be rated at any time for an excessive amount and it would take an awful lot of cases to deplete the \$3 million, if there were only a \$100,000 per case."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 828 was adopted and H.B. No. 160, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIANS COOPERATIVE", 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. 604, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 604, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 734:

Senator Cobb moved that H.B. No. 734, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee asked to be excused from voting on this measure due to his position as an executive officer in various financial and insurance institutions.

The President ruled that Senator Yee is in conflict and would be excused from voting on this measure.

The motion was put by the Chair and carried, and H.B. No. 734, entitled: "A BILL FOR AN ACT RELATING TO LIFE AND DISABILITY INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Anderson, Carroll, Cayetano and Soares). Excused, 1 (Yee).

House Bill No. 931:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 931, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 961, H.D. 1:

Senator Cobb moved that H.B. No. 961, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kuroda.

Senator O'Connor then spoke against the measure as follows:

"Mr. President, this bill increases the amount of percentage on insurance loans in this jurisdiction from 6% to 8%. It seems to me that when you're borrowing your own money, you shouldn't have to pay an excessive percentage on that borrowing.

"Historically in America, borrowing on your own insurance has been at a very low rate and I can remember a day when you could do it for 3% or 4% simply to cover the cost of handling the loan on your own insurance company.

"Now to raise this to 8% to me is tremendously excessive, when you're borrowing your own money which you have to pay back in order to continue with the total utilization of your insurance policy. I'm going to vote 'no' on this bill."

Senator Abercrombie then stated that he would like to have the comments of Senator O'Connor represent his own views as he will be voting 'no'.

Senator Cobb then responded as follows:

"Mr. President, your Committee at first killed the bill under my recommendation until we had a chance to verify the claims made by some of the various carriers relative to what the effect of the increase from 6% to 8% on a permissive basis would be.

"We were able to verify through receipt of records as to what is happening in forty-six of the the states, that it does lower the cost of insurance to the consuming public through the increased dividends. This is caused by the higher rate of return. They were able to verify this by receipt of the premium breakdowns in forty-two of those forty-six states. Therefore we decided to move on the bill.

"In addition, the Department of Regulatory Agencies through its Insurance Commissioner is entitled to verify this, and it's something we're going to be looking at as well.

"I would point out further that the

reduction in rates or the increase in the amount of borrowing power reflects the reality of the increase in interest rates plus the fact that it's permissive, not mandatory; and that in most cases it goes to approximately 7% to 7½%. We find this to be the common practice in about forty of the forty-six jurisdictions mentioned.

"Accordingly, Mr. President, it's a permissive rather than a mandatory measure in this regard."

Senator Yim then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield to several questions, to which Senator Cobb replied in the affirmative.

Senator Yim then asked, "Is it true that the amount of money that we're talking about is coming from the cash value of an insurance policy and therefore that cash value that we're borrowing on is actually the money belonging to the insured?"

Senator Cobb answered, "It's partially correct."

Senator Yim continued, "We're not borrowing a loan as we generally understand a loan. This is an unusual circumstance where the money borrowed is on the cash value."

Senator Cobb replied, "There are...we find a number of cases where loans actually exceed the cash value. The cash value of your own premium can in effect be used as partial collateral on the loan. This is by no means limited to the fact that you are limited to, say if you have \$10,000 cash value, that you are limited to a \$10,000 loan. There are a number of cases where loans are considerably larger than the cash value of an individual's insurance policy."

Senator Cayetano then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield to a question, to which Senator Cobb said that he would.

Senator Cayetano then asked, "If the remarks of the Senator from the Fifth District are true, why is it limited to 8%. Why not take off the ceiling?"

Senator Cobb replied, "8% is a compromise between what is the prevailing prime rate and what is the lowest possible floor and is the common practice in forty-six other jurisdictions of the United States.

"At the present time, I don't believe it exceeds 8% any place. All this measure would do in that respect is conform Hawaii's practice with what is the practice in many other states and would make it easier for both a local as well as a national insurance carrier, instead of having to print separate forms and separate rates, to conform their practice to what is happening nationally."

Senator Yee then asked to be excused from voting on this measure due to his position as an executive officer in various financial and insurance institutions.

The President ruled that Senator Yee is in conflict and would be excused from voting on the measure.

The motion was put by the Chair and H.B. No. 961, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes. 4. Noes, 20 (Abercrombie, Anderson, Campbell, Carpenter, Carroll, Cayetano, Chong, George, Hara, Kawasaki, Mizuguchi, O'Connor, Saiki, Soares, Takitani, Toyofuku, Ushijima, Yamasaki, Yim and Young). Excused, 1 (Yee).

House Bill No. 986, S.D. 1:

Senator Cobb moved that H.B. No. 986, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Carroll then spoke against the measure as follows:

"Mr. President, this appears to be an innocuous measure in the way it is worded. It appears not to have too much impact, but the actual fact of the matter is here--that those injured persons who are probably least able to pay back the money that's being asked for under this particular measure, are going to be taxed by this law to do so.

"It's difficult to explain without a blackboard what's really happening in this case, but in the event that a person who is injured sues or somehow effects settlement with the insurance company or with the defendant for a specific amount, thinking perhaps that he has completely healed or is healed enough to where there will be no significant expenses incurred in connection with the injury, and accepts a certain amount of money.

"Under this particular measure, if,

for some reason and I have seen this in my own personal experience, he should have a turn for the worse subsequent to this settlement, then he is going to have to pay back to his medical carrier for the amount that they extend on his behalf, because of the fact that this treatment can be tied to that original injury.

"The net impact of this could be that a person could take a relatively modest settlement within the purview of the canons of ethics, trying to settle litigation and let the defendant go his way, and then effectively, be denuded of the entire amount of his award, the bulk of which would probably have been based on the pain and suffering or potentially even some permanent injury.

"I think this is really a scurrilous bill to be before this Body and I know there's not too much feeling about it because people have not witnessed individuals who are in this kind of a situation. But I think it's a very, very bad bill and I would ask that those of you who are thinking of people in this condition, vote against it."

Senator Abercrombie then inquired if the Chairman of the Committee on Consumer Protection and Commerce would yield to several questions, to which Senator Cobb replied in the affirmative.

Senator Abercrombie stated, "If I can elucidate a little more as a result, that's the object. Now, is it true that under the present law, the injured person must pay back 50% of all the medical bills that should have been paid by the insurance company prior to the date of judgment or settlement?"

Senator Cobb replied, "It depends on the conditions of the settlement. Conditions are always subject to negotiations in any settlement."

Senator Abercrombie continued, "Well, perhaps we have a different understanding..."

At 4:47 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:50 o'clock p.m.

Senator Abercrombie continued, "Mr. President, I think I've been given a way to deal with this question expeditiously. It has been suggested to me by people who are learned in the profession of insurance that I put it to the Body in the following fashion and we can vote up or down.

"If you are for the insurance companies, against the consumer, vote 'yes'. If you are for the consumer, against the insurance company, vote 'no'.

"Now this was put to me quite seriously and this is where the rest of my questions were directed. Rather than carry it all out, I suggest that the members of the press get your pencils ready... everyone who is in favor of the consumer, against the insurance company will vote 'no'; everyone who is in favor of the insurance company, against the consumer will vote 'yes'. Thank you, Mr. President."

Senators Cayetano and Anderson then stated for the record that they had made their decisions to vote 'no' long before the speech offered by the previous speaker.

At 4:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 4:52 o'clock p.m.

Senator O'Connor then spoke for the measure:

"Mr. President, since I am never one to leave the pot boiling on the stove, I would like to speak briefly on this measure.

"This measure started out as a pure little technical bill which would have included not only those items of hospitalization and medical expenses actually paid to an insured by an insurance company after there had been an accident that was covered by no-fault, but would also include those items of medical expenses, hospital bills, which were incurred by the injured person which the insurance company still had to pay and yet were outstanding at the time of settlement or judgment.

"The little technical issue which was attempted to be resolved by this bill was that anything which had been incurred, which the insurance company was still responsible to pay, either the hospital or the doctor for, would be totaled up with everything else when the settlement was entered into because for sure, the attorney for the injured person would total it up as part of the claim against the insurance company or against the wrongdoer. At the time of settlement, a subrogation right would then vest in the insurance company for not only the amounts that they had actually paid but the other amounts which had been incurred and for which they were legally responsible to pay.

"Now to categorize this bill as being one which is either pro-insurance company or anti-consumer, is dead wrong, because at the time of settlement or judgment, the consumer, namely the injured insured, is certainly going to take advantage of every single item of special damage which he has incurred; namely, all of the hospitalization, all the medical bills, all the psychiatrist bills, everything else he can add up in order to get the best possible settlement or judgment that he can render under the circumstances. Therefore, to say that those items which the insurance company is responsible to pay, should not be included in the subrogation right is just ridiculous.

"Therefore, I would suggest, Mr. President, that this is not a pro-consumer or anti-consumer or a pro-insurance company or anti-insurance company measure. It was simply a housekeeping measure. But I understand that the good Chairman of the Consumer Protection and Commerce Committee, in his wisdom, is going to take other action on the matter."

Senator Cobb then remarked as follows:

"Mr. President, I just want to make one observation in moving for the recommittal of this bill and that's what I think is an erroneous argument, perhaps even political argument, as to whether this thing is pro-consumer or anti-consumer; and that is with an example.

"If a consumer incurs a bill or incurs some rather expensive treatment at a hospital and does not receive that bill or pay for it, then under the provisions of the law that exists now, he cannot make claim for that. Under the provisions of this bill, he would be able to do so. Let's say he receives a \$5,000 psychiatric bill. It's incurred, but he can't make claim for it until it is paid. That's the difference for the consumer.

"But now with an argument of consumerism versus insurance company over what is basically a technical housekeeping amendment, we'll recommit the bill."

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 986, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", was recommitted to the Committee on Consumer Protection and Commerce.

House Bill No. 1039, S.D. 1:

Senator Cobb moved that H.B. No. 1039, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Cobb then stated as follows:

"Mr. President, I would like to call the attention of the members to page 2, lines 1 through 3. We inadvertently did not underscore those three lines. It was clearly the intent of the Committee that lines 1 through 3 on page 2 of the bill be underlined according to the Ramseyer method. We will be communicating this to the Revisor of Statutes and we've also checked with him in person. He has indicated that a floor remark would be adequate. We will follow up with a memo as well as advising the House of Representatives."

The motion was put by the Chair and carried, and H.B. No. 1039, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STANDARD FORM FIRE INSURANCE POLICY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1186:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1186, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 1576:

Senator Cobb moved that H.B. No. 1576, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee then asked to be excused from voting on this measure due to his position as an executive officer in various financial and insurance institutions.

The President ruled that Senator Yee is in conflict and would be excused from voting on this measure.

The motion was put by the Chair and carried, and H.B. No. 1576, entitled: "A BILL FOR AN ACT RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

House Bill No. 421, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B.

No. 421, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie spoke against the measure as follows:

"Mr. President, I'd like to speak against the bill on the following basis. This bill would make a motion for deferred acceptance of the guilty plea allowable only prior to trial. The bill ignores the fact that in some trials, the defendant may be surprised by a witness who lies on the stand thus suddenly reducing the chances of acquittal.

"Many defendants who rely on the services of the public defender do not have the opportunity to discuss their case with counsel until the day of trial. I believe the deadline for availability for the deferred acceptance plea would be more properly set at the termination of testimony of the last prosecution witness.

"The bill also makes it more difficult for a deferred acceptance plea defendant to obtain expungement of his record after the final discharge. This discriminates against those defendants who should have the greatest chance of rehabilitation. For that reason alone, I would feel that one should vote against the bill having had some experience with people for whom expungement was an extremely important step in the rehabilitative process, a kind of cap, if you will, to a successful rehabilitation process.

"The other point in relation to what I have said is that, if one accepts the philosophy of the deferred acceptance, then it seems to me that it should be carried through to the termination of testimony of the last prosecution witness.

"If one is against the idea of the deferred acceptance which I think also has some merit as a defensible argument, then it seems to me that it shouldn't be instituted of course in the first place. But if you're going to have it, if you do accept the philosophy as transposed into law, that there be a deferred acceptance of guilty plea, then it seems to me that you should go all the way with it and give the maximum opportunity for the dynamics of the trial to produce the circumstances in which a judgment will be rendered as to whether it's an appropriate thing to do.

The motion was put by the Chair and carried, and H.B. No. 421, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

House Bill No. 925, H.D. 2, S.D. 1:

Senator O'Connor moved that H.B. No. 925, H.D. 2, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Yee then spoke against the bill as follows:

"Mr. President, I rise to speak against this particular bill. It should not be labeled as the open primary--it still remains a closed primary.

"I think the public has been misled. Whether it's the media's fault or the Con-Con's fault, its reference to open primary indicates that the voter has a wider selection when he goes to the polls, especially for the independent voter and those who wish to cross over.

"All this amendment does is that you don't have to register as a Democrat or selected party preference ticket prior to election. All it does is, when you go to the polls on that day, you may ask for either a Republican ballot or a Democratic ballot. It still is, as far as I am concerned, a closed primary.

"They make a few other changes--we have an earlier primary election, rather than the first Saturday of October, but the other changes are very minor.

"I think the people in this state are due a better explanation and I hope the media picks this up--that we don't have an open primary election. It's still a very closed primary election."

Senator Carroll then stated, "Mr. President, I'd like the remarks of my erudite colleague from the Sixth Senatorial District adopted by reference and made my own for the purpose of the Journal."

The motion was put by the Chair and carried, and H.B. No. 925, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OPEN PRIMARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Abercrombie, Ajifu, Anderson, Carroll, Carpenter, Soares and Yee).

House Bill No. 1140, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded

by Senator Cobb and carried, H.B. No. 1140, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING 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, 25. Noes, none.

House Bill No. 1386, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1386, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 5:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:06 o'clock p.m.

House Bill No. 1634, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 1634, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Cayetano then spoke against the bill as follows:

"Mr. President, this is a, to put it so simply, an amazing bill.

"This bill, as I read it, would allow the state, in a law suit where a citizen sues the state to ask for a jury trial. On the other hand, if the citizen who is suing the state wants a jury trial, he is denied that privilege.

"Now I understand that the state cannot be sued except with its permission. That is what we call the doctrine of sovereign immunity. However, if the difference is sovereign dispensation, why do we let the attorney general decide on a case by case basis whether a jury should be asked for or not. Why not let the attorney general decide on a case by case basis when in fact a person should be allowed to sue the state? That way you can protect the state's interest better, because this is what this bill does.

"As I read the committee report, I really feel that the attorney general, if the attorney general's testimony as summarized in the committee report is correct, has really insulted our Judiciary.

"Now the committee report states 'that the State Tort Liability Act was originally modeled after the Federal Tort Liability Act'. The report then goes on to say that the Federal Tort Liability Act 'disallow(s) jury trials on the theory that a governmental defendant, by virtue of its impersonal posture and seemingly limitless financial resources, may be vulnerable to manipulation of the passions of juries by skillful counsel for claimants'.

"The report then states that 'the testimony of the attorney general indicates that (its) experience suggests that a jury's judgment (here in Hawaii) is preferred over that of our judges'. What they're saying in effect is that the attorney general has had very bad experience before our judges.

"Now I suspect that that may have been the result of not the passion of our judges, but perhaps the skill of the attorney general's office and also the merit of the plaintiff's claim. That could be possible.

"The committee report then goes on to say that, 'it would be a grave error to open the floodgates of jury passion to all cases under the State Tort Liability Act. Recognizing that claims under that act are essentially allowed as sovereign dispensation, we conclude that jury trials should be availed only when the attorney general should conclude that the general resources of Hawaii's taxpayers would be vulnerable to unfairness without a jury trial.

"Now as a general proposition, attorneys who try law suits in our civil courts will ask for a jury trial if they feel that the facts of their case would be deemed more favorable by a jury. Now this bill would allow the attorney general to do the same.

"In effect, this amazing bill would allow the state to shop for a favorable judge. If the state could not get a favorable judge, it would then demand a jury trial.

"I think this kind of logic is...cannot be explained in terms of fairness to all of the parties involved. If the state is going to allow a citizen to sue the state, then we should have all of the privileges which we allow both parties in any law suit to be available. Therefore, I urge all of my colleagues

to vote against this bill."

Senator O'Connor then spoke for the bill as follows:

"Mr. President, I rise to speak in favor of the bill. Historically, the state could be sued in tort and the State Tort Claims Act fills the same function as the Federal Tort Claims Act in allowing a citizen of the state under certain circumstances within certain prescribed rules to sue the state.

"There's not supposed to be anything fair about the State Tort Claims Act because the state is allowing under very specific rules that citizens to sue itself. And there's nothing fair about the Federal Tort Claims Act in the same philosophy.

"The federal government and the Federal Tort Claims Act are allowing the citizens of the United States to sue the government under certain prescribed situations. The jurisdiction is narrowly drawn and the rules are narrowly drawn, because should the state decide in its wisdom not to allow suits of this nature, all it must do, all we must do is repeal that act and then there would be no suits at all.

"Therefore, the Constitutional Fourteenth Amendment rights which have to do with due process do not apply when you talk about the Federal Tort Claims Act or the State Tort Claims Act. This is an act which we should be extremely jealous of, and we should be jealous in the area to allow recovery within a prescribed boundaries of the act but recovery only for the things that are outlined in the jurisdiction within the guidelines and rules laid down.

"Historically, in both the Federal Tort Claims Act and in our and every other State Tort Claims Acts, there has been a mandate that cases shall be tried to a judge without a jury--no jury. The bill before you enlarges the ability of the state to demand a jury in the circumstances where the state should desire to have a jury in these kinds of cases. Jurisdictionally, this is absolutely appropriate within a framework of this act. It may not be appropriate in some other circumstances where you're talking about the due process necessary under the Fourteenth Amendment.

"However, this is one of those circumstances where we are not talking about such due process. In this particular circumstance, we are enlarging the ability of the state to defend and if we say that under the circumstance where the state demands a jury or does not demand a jury, the defendant gets anything

more or less, then we are decrying the entire system. The attorney general in this state feels that in certain circumstances he should have the right to demand a jury.

"I would take issue with the previous speaker indicating that there is any ability to shop judges or juries under those circumstances, because under our rules the demand for jury trial comes immediately after the filing of the complaint, long before you know who the judge might be that would hear the case. And in those circumstances analyzing the type of case, the attorney general would either have to demand a jury or not demand a jury and thereafter be stuck with his decision. There could be no judge-shopping.

"For all of these reasons, I would urge all to vote 'aye' for this particular measure."

Senator Cayetano rose in rebuttal and stated as follows:

"Mr. President, I rise to rebut some of the remarks made by the previous speaker.

"The key to this bill is stated in the fourth paragraph of the committee report on the first page, and I quote, 'The testimony of the attorney general indicates that the experience of its office suggests that a jury's judgment is preferred over that of our judges.' What this statement or what this sentence says is that for a period of time, the attorney general has had a very poor batting average before our judges.

"Now let us suppose the situation changes. Shall we then go back and amend this bill and conform to the Federal Tort Liability Act, where cases will then be tried without jury and only by judge? The logic of this bill escapes me. I think we should vote against it."

At 5:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 5:18 o'clock p.m.

Senator Abercrombie then spoke against the bill:

"Mr. President, the reason I find myself in disagreement with the reasoning of the Chairman of the Judiciary Committee is that it becomes a non sequitur. He says take the act as it is or repeal the act. That is not an argument, in my judgment.

"If you admit that it is sometimes desirable

for a citizen to sue the state, then the mechanisms invoked by Senator Cayetano follow. It's as simple as that. I can imagine circumstances right now in which the federal government might find itself in such a situation having to make certain decisions in this area in respect of the...in Harrisburg, Pennsylvania environs. So I would say that the committee report is in itself testimony in respect of backing up Senator Cayetano's contention."

The motion was put by the Chair and carried, and H.B. No. 1634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Carpenter, Cayetano, Chong and Kawasaki).

Standing Committee Report No. 864 (H.B. No. 22, H.D. 1, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 864 was adopted and H.B. No. 22, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 982:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 982, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Cobb).

House Bill No. 1666, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, H.B. No. 1666, 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, 25. Noes, none.

House Bill No. 398, S.D. 1:

Senator O'Connor moved that H.B. No. 398, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ushijima.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I'd like to speak against this bill and also to make my remarks with relation to House Bill No. 405, S.D. 1, and House Bill No. 1004, S.D. 1, because I think they are all connected.

"I have sent a memo to the members of the Senate here and I'd like to highlight it if I may, as it refers to all three measures I have cited.

"These measures would modify the statutes governing criminal court proceedings by shifting the burden of proof from the prosecution to the defense in cases in which the defense seeks acquittal on the grounds of: (1) 'choice of evils' (conduct which the actor believes necessary to avoid imminent harm or evil to himself or another); (2) self defense; and (3) duress. That refers to those bills in order, Mr. President. This doctrine in which the burden of proof is shifted is known as the 'affirmative defense'.

"The committee reports accompanying these bills are substantially identical, and they fail to make a convincing argument for enactment in my judgment. They ignore the fact that the nature of these defenses already requires the defense to make a convincing case for the existence of duress, self defense or 'choice of evils'. Any defendant who admits to the commission of the act with which he is charged, is by that very fact, faced with the practical and very urgent necessity of justifying that act to the judge or jury.

"I think that is extremely important, Mr. President, in this instance. I am not trying to say that this should enable a person to deny that the activity took place in respect of being charged under these various areas...on the contrary. You admit to the act for which you are charged and as a result, you must justify it.

"The principal argument put forth by the committee reports for requiring the 'affirmative defense' is that the evidence of the mitigating factors is somehow more 'accessible' to the defense than it is to the prosecution. This I really fail to understand at all. If anything, I would judge that unless there's rare circumstances where the defendant is very well fixed financially the power of the prosecutor to discover mitigating factors...excuse me, to discover factors working against that defense are infinitely greater.

"Therefore, the assertion is highly questionable I believe. In a self defense

case, particularly, the principals with the most intimate knowledge of the relevant factors may very well be prosecution witnesses, who are far more 'accessible' to the prosecuting attorney than to the defense counsel. Even in the cases of 'choice of evils' or duress, there is nothing inherent in the nature of the situations which would make the evidence supporting the arguments of the accused more 'accessible' to him than to the prosecution.

"Even if it were conceded that retaining the burden of proof on the prosecution for these types of cases placed an unreasonable strain on the administration of justice, we should still be loathe to shift the burden of proof to the defense on the grounds of more convenient 'access' to evidence. Should our criminal justice system operate on the principle that, in all cases where the evidence is more 'accessible' to the defendant, he should bear the responsibility of proving his innocence? It's questionable.

"Neither the committee reports nor the bills offer any working definition of 'accessibility'. This is not surprising, since it is an extremely subjective concept (inviting endless argument and problems of interpretation), which will no doubt if these bills are debated, come up on the floor. The circumstances of every criminal trial vary so widely from case to case that evidence which is more 'accessible' to one side in one trial might be more 'accessible' to the other side in another trial (or even, at a different stage, the same trial!). One need only think of some of the trials that have taken place in this state within the last two years to find examples of that kind of situation occurring.

"In embracing the principle of 'accessibility' for these particular defenses we are opening a Pandora's box which exposes us to the probability--or I should say, the inevitability--of confusion, wrangling and increasing the chances of success for future attacks on the principle that the prosecution, not the defense, bears the burden of proving its case.

"A secondary argument put forth in the committee reports is that these defenses are 'interpositions' of the accused--i.e., that while the defense concedes some of the facts and arguments stipulated by the prosecution, the accused is bringing up ('interposing') additional facts or arguments, and that because the defense is 'interposing' these facts or arguments, it bears the burden of proving them. The nature of criminal proceedings already make it necessary for the accused to make

a case for the 'interposed' arguments. What competent defense lawyer will offer an alibi without attempting to offer the strongest possible proof of its truthfulness to a judge or jury? Conversely, judges and juries do not generally 'swallow whole' an alibi for which no corroboration is presented.

"The 'interposition' argument is as subversive to established American principles of jurisprudence as is the argument of 'accessibility'. Is every argument and counter-argument submitted by the defense to be subject to a greater burden of credibility than is the prosecution's case? The notion of a fair trial is better served by far if we continue to maintain the burden of proof on the prosecutor, and leave the judge and jury to weigh the comparative believability and doubts generated by each side. Again we have had recent examples in our state, whether people like the results or not.

"The legislation before us was doubtless inspired by growing public concern over rising crime rates and in response to urgent calls for the legislature to 'do something' about it. These concerns are legitimate, and we do have an obligation to address them. The committee reports accompanying these bills, however, give no indication that these bills will, in fact, serve to reduce crime or make it easier to incarcerate criminals whose continued liberty constitutes a danger to society. The reports give no statistics on the numbers of cases in which these defenses are used, much less any quantifiable proof that they constitute legal loopholes through which significant numbers of dangerous criminals are escaping retribution.

"The case made for these bills by the committee reports is weak and highly questionable. The enactment of these measures would seriously undermine the fundamental American principle that it is the duty of the prosecution to establish the defendant's guilt, not the duty of the defendant to prove himself innocent. History and current events overflow with examples--from Caligula to Idi Amin--of the ease to which the latter principle (where the burden of proof is on the defendant) lends itself to abuse, injustice and ultimately to tyranny. The motives of these bills' proponents may be the best, but let us not delude ourselves that we can preserve our personal freedom and security by destroying the legal and constitutional guarantees upon which that freedom and security is founded.

"Mr. President, in conclusion on House Bill No. 398, S.D. 1, and those that follow, I ask that each member put

himself or herself in the shoes of such a defendant and think very, very deeply, very soberly on whether one might, but for the grace of God, find oneself in exactly the position of claiming a choice of evil defense, self defense, or claiming duress, in respect of what is acknowledged in activity which brings someone before a court of law. Thank you."

Senator Carroll then spoke against this measure:

"Mr. President, I'd like to speak against this measure and rather than take up much time, I'd like to ask that the remarks of Senator Abercrombie be adopted as my own by reference.

"I would like to say that it is quite tempting to vote for these three measures because of the fact that they are excellent prosecutorial tools, but I think in terms of the basic, of our constitution and the presumption of the innocence of all defendants, that we're doing an unwise thing here. I ask that we vote 'no'."

Senator Cobb then spoke against the measure as follows:

"Mr. President, I had intended to speak at considerable length on these measures but I'd like to shorten my remarks somewhat, read some excerpts from small amount of research that's been done against the three measures.

"The affirmative defense is not a new concept in the law. It relates to the justification for an action otherwise in conflict with the law. It may run to the mental state of the doer and how we interpret it, the circumstances which preceded his or her doing of the act.

"This kind of defense is to be found in the laws of many states and it is to be balanced against the constitutional cornerstone of American criminal justice, well stated by Mr. Justice Brennan in the case 'In Re Winship,' and I quote, 'Least there remain any doubt, we explicitly hold that the Due Process Clause protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged.'

"The accused does appear to bear the 'burden of persuasion,' when he utilizes a defense of justification. If he were to remain mute, as is his constitutional prerogative in any given case, he would thereby elect not to use that defense by not 'going forward' to present evidence in his own behalf.

By that decision, of course, he risks conviction. But if he chooses to assert that defense, he must persuade the court of the validity of his justification for having so acted.

"To add to his burden the need to present a preponderance of evidence, as these bills would do, would appear to fly in the face of the essential protection of the accused, and would seem to shift the burden to him from the state. This constitutes a move into a questionable area of jurisprudence. Without the opportunity for our extensive consideration, I must oppose it.

"Nothing should be of more concern to us than to prevent the erosion of the rights of the accused, in this case through our own legislative action.

"If I may, I'd like to address briefly the Hawaii Penal Code which provides for two types of defense to a criminal charge: one, the defenses which negate the penal liability and secondly, affirmative defenses.

"In both instances, the Penal Code places the initial burden of presenting some evidence of the particular defense with the defendants. However, where an affirmative defense is raised, the defendant is given an additional burden of persuasion.

"Presently, the defenses of choice of evils, use of force and duress are not affirmative defense and only require the defendant to bring the issues into focus. Majority of states follow this position.

"The underlying reasons for this position are: one, by the constitution, the defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt. Furthermore the burden of proof to determine guilt is always on the state and never on the defendant; and secondly, the state should bear this burden for they have the manpower, evidence and expertise to assist them in the prosecution.

"I would ask in particular, Mr. President, that in relation to House Bill No. 1004, S.D. 1, how a defendant would prove duress by a preponderance of the proof, particularly if that defendant were reacting to a series of threatening phone calls.

"I have to concur sadly with the comments of the previous speaker and ask, put ourselves in the shoes of the defendant when we consider these measures. I don't see the evidence that this would help law and order, if he were to use that as a phraseology. I do see the evidence that this would

be a fundamental change in our constitutional rights of the prosecution and the rights of the defense."

Senator Cayetano then spoke in opposition to the measure as follows:

"Mr. President, I oppose this bill because I consider it still one more example of how government has steadily chipped away at the rights guaranteed to our citizens under the Constitution of the United States.

"It is a basic tenet of our system of government that every person is guaranteed equal protection of the law; that any person who is accused and tried of a crime shall be accorded due process and that each such person shall be deemed innocent until proven by the state to be guilty beyond a reasonable doubt.

"Indeed the Fifth Amendment to the Constitution holds that no person shall be forced to be a witness against himself, that it is the state, not the individual which has the burden of proving guilt. The guarantees of the rights of an individual set forth in the Constitution were wisely placed there to protect the individual from the excesses of government.

"We call these guarantees the Bill of Rights and they have proved to be so profoundly, statement on individual rights that they have been copied in one fashion or another in constitutions and charters throughout the world. This bill, Mr. President, does violence to the principles set forth in the Bill of Rights.

"Mr. President, our nation's history is replete with examples of government oppressing the individual. If we all think back, examples are easy to find. I want to cite a couple of examples which should be close to the members of this Body.

"In labor, Mr. President, we need not go back too many years when we find that men in this state who were struggling to organize themselves and to obtain a better standard of living, were prosecuted by the government for their beliefs. These people were armed only with their lawyers and the rights guaranteed to them in our Constitution.

"Perhaps a better example, an example which certainly is a chapter of shame in our country's history, goes back to the years of World War II, when our government relocated a small but significant part of our citizens to relocation camps. And these citizens

again were armed only with their attorneys and with their rights guaranteed under the Constitution.

"This bill and all the other bills which shift the burden of defense of proof to the defendant is still but one more example, as I said earlier, of how we are stacking the deck in favor of government. The pressures of our society, the increasing population all is beginning to make, create an atmosphere that's conducive to a fascist state. I, for one, will not be a part of this and I don't think that we here in the legislature should contribute to that eventuality happening any sooner than it should."

Senator Abercrombie then stated as follows:

"Mr. President, in my statement, I'm sorry but I neglected to make a final point that I had intended. I believe that if we pass House Bill No. 398, S.D. 1, House Bill No. 405, S.D. 1, and House Bill No. 1004, S.D. 1, it would be an invitation to those who could commit assaults against women to do so with virtual impunity.

"I believe that a vote, a positive vote, on these bills will increase the circumstances under which women will find themselves virtually without a defense, not only in rape cases, but it will also probably apply to muggings, apply to other crimes of violence, but most especially in respect of sexual assault. For some time in the legislature, we moved in the other direction of trying to take the victim into account in such cases and I think we made good progress.

"I think with literally a stroke of the pen, with the approval of these bills, that the women in our state will find themselves in an extremely precarious legally in the area of sexual assault."

Senator O'Connor then spoke in favor of these bills as follows:

"Mr. President, I rise to speak in favor of this bill, House Bill No. 398, S.D. 1, which is before us, but my remarks also go to House Bill No. 405, S.D. 1, and House Bill No. 1004, S.D. 1, which are going to come right behind.

"Mr. President, if these affirmative defenses were something brand new that we were embarking upon today, many of the remarks prior to my speech would be absolutely germane and would be very interesting to take and dissect, both constitutionally and otherwise, in this particular state. However, such is not the case.

"In 1972 when we passed the Penal Code, we passed a provision which allowed for affirmative defenses and simultaneously we passed about fifteen affirmative defenses, some of which I will go into in a minute, which pertained to many different crimes, some of which had been alluded to by the earlier speakers of things which would be reprehensible under these circumstances.

"These three bills which are before us originated with the prosecuting attorneys of the counties of this state. They were drafted originally by the prosecuting attorney for the County of Maui and have been espoused by all of the other prosecuting attorneys. The reason for them is that when we passed the Penal Code in 1972, we divided the defenses up between the defense which was just called a defense, which had certain rules pertaining to it, and an affirmative defense.

"The affirmative defense went to these kinds of crimes and I'll recite some of them, and these are actually defenses to crimes: the defense of attempt, the defense of compounding, conspiracy, entrapment, extortion, military orders, mistake of law, preventing commission and court offenses, unauthorized control of propelled vehicles, renunciation, sexual abuse and solicitation; and then two years later, because of the tremendous attack by the then U.S. attorney on our gambling statute, we enacted in this legislature the defense of social gambling, the entire defense being in fact an affirmative defense by its denomination.

"That defense of social gambling has been used time and time again in our courts and has yet to be struck down as unconstitutional, despite the woe taking of some of the speakers in this Body that spoke earlier than I did.

"I would like to draw the attention of the Body primarily to the affirmative defense of entrapment, because I think entrapment most closely follows choice of evil, self defense and duress.

"Entrapment was enacted in the Penal Code in 1972 as a defense. For those of us who have been involved in the ongoing debate on prostitution in this Body, in the prostitution situation, the defense of entrapment is most ordinarily brought up, because invariably the defense is that the police officer or officers entrapped the individual who is charged with the crime, by standing there and being solicited. And this always happens. Well, that defense is an affirmative defense.

"And in the Penal Code commentary, both in our commentary and in the model code commentary, that commentary states for entrapment. The code makes entrapment an affirmative defense.

"It is not unfair to require a defendant who desires to escape from penal liability not on the basis of his own lack of culpability, but rather on the basis of the additional culpability of law enforcement officials with respect to their official conduct, to bear the burden of proving by preponderance of the evidence, the excusing condition. And that's the key note in the affirmative defense.

"In the affirmative defense, in order to raise it, the defendant must show enough facts to carry it by preponderance of evidence. This doesn't change the burden of proof in the criminal action. The burden of proof is still on the prosecutor, to prove the entire crime as against the defendant beyond a reasonable doubt.

"It is simply a burden placed upon the defendant if he wants to raise that defense, and that same burden goes to every defense in one degree or another because no defense can be raised in a criminal case unless there is sufficient evidence which the judge finds is enough to allow the defense, whether it be affirmative defense or otherwise.

"For a regular defense that is enough evidence to raise a reasonable doubt for an affirmative defense that is enough evidence so that the affirmative defense can be raised by preponderance...there is always a burden on the defendant to show sufficient facts to talk about any defense and to get the judge to instruct the jury concerning that defense.

"But this defense of entrapment and many of the others that I read off, mistake of law, military orders, and all the others that are presently incorporated in the Penal Code are there for a purpose. They're there because the defendant in raising them creates a situation which makes it incumbent upon him to prove some facts, something more than simply talking about this defense; and that's the situation on all of these.

"Now for the three that the prosecuting attorneys want; namely, choice of evils, which is what we are debating, self defense and duress; each of them have exactly the same philosophy. Each of them fall in the same category and the prosecuting attorneys are saying to us, in order to handle your law and order problems in this state, we want these defenses changed from regular defenses to affirmative defenses.

"In order that there is more proof presented by the defendant in each case, the prosecutors acknowledge that they have the overall burden to prove the crime beyond a reasonable doubt. And they will continue to do that. Because of their request and because it is so closely aligned to everything that is presently in the Penal Code, I would urge that all vote 'aye' on House Bill No. 398, S.D. 1, and then later on House Bill No. 405, S.D. 1, and House Bill No. 1004, S.D. 1, which I will not talk about."

Senator Carroll then spoke in rebuttal:

"Mr. President, it's quite clear that the area of law that we're talking about is controversial and there's much written on both sides.

"I think that in the climate of our times when particularly your Senate Republicans have led in the field of fighting crime and putting forth potential legislation to do these kinds of things, we can understand the compulsion on the part of other members of our Senate to put forth this type of legislation which gives a ring of doing something for the prosecutor.

"Mr. President, it's tempting as I said earlier to go ahead and vote for this, but the difference between the affirmative defense and the defense which we have had and which our prosecutors have had available, I mean which have been available under the terms of the Penal Code all this time, is this: in order for the person to assert one of these defenses, he accepts with the privilege of asserting the defense, the full burden of proof as to what he is saying. At the same time, he has to admit in effect to everything that is charged by the prosecutor. So right off the bat, the entire corpus delicti of the crime for which the defendant is charged is admitted.

"Now, I mean a child can understand that the prosecutor's job is greatly lessened by this. But the real issue here is not are we fighting crime; not are we helping the prosecutor; not are we going to get more convictions, but really what are we doing philosophically in this state with this kind of a provision.

"I submit, Mr. President, in spite of the very eloquent defense for these three measures which the Senator from Hawaii Kai has presented that the comments of Senators Abercrombie and Cayetano are more in order and that we should, particularly in this climate of compulsion to do something about crime, accept these types of things.

"It's similar in effect to the FAA after this San Diego crash, running in with all types of regulations so that they appear to be doing something, when in effect they may be exacerbating a problem and, in this case, if we adopt these, I think we are moving, as Senator Cayetano said, towards a, potentially a more fascistic type of approach to law. I think it's one that we should reject."

Senator Chong then stated, "Mr. President, the hour is getting late and I'd just like the record to show that I agree with the people who have spoken against this bill."

Senator Abercrombie then remarked:

"Mr. President, there's one final point that needs to be made. In the committee report, in all three committee reports, the only case law that is cited in respect of trying to convince us to vote for this bill...the paragraph which does that rather cites a case called Mode v. State, (1959). The Arkansas Supreme Court ruled against, I want to emphasize, ruled against--and this is in the committee report, ruled against what is proposed here. What the committee report goes on to say is it prefers an argument made in the Ohio State Law Journal."

At 5:50 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.

Senator O'Connor then stated:

"Mr. President, a brief summation following the tactic of my colleague from Manoa: he who votes in favor of this measure, votes for the prosecution; and he who votes against it, votes for organized crime and the criminal element."

Senator Cobb then rose on a point of personal privilege and stated: "Mr. President, on a point of personal privilege, I'd like to comment that's just about as accurate as the last summation."

The motion was put by the Chair and H.B. No. 398, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHOICE OF EVILS", having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 13 (Abercrombie, Campbell, Carpenter, Carroll, Cayetano, Chong, Cobb, Kawasaki, Kuroda, Mizuguchi, Yamasaki, Young and Wong).

House Bill No. 405, S.D. 1:

Senator O'Connor moved that H.B. No. 405, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ushijima.

The motion was put by the Chair and H.B. No. 405, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO USE OF FORCE", having been read throughout, failed to pass Third Reading on the following showing of Ayes and Noes:

Ayes, 12. Noes, 13 (Abercrombie, Campbell, Carpenter, Carroll, Cayetano, Chong, Cobb, Kawasaki, Kuroda, Mizuguchi, Yamasaki, Young and Wong).

Standing Committee Report No. 880 (H.B. No. 520, H.D. 1, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 880 be adopted and H.B. No. 520, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Campbell then spoke against the bill as follows:

"Mr. President, I intend to vote 'no' on this bill and I would like to state some reasons why I take that position.

"This bill allows a minor to seek medical care and services relating to pregnancy and family planning without the consent of the parents.

"Now, contrary to this position, there is a long list of laws enacted by the legislature which refer to the wrongdoings of minors where the legislature has made the parents responsible or partly responsible for the acts of their minor children.

"The sense of making the parents responsible for the conduct and well-being of their children is based primarily on the principle that minors cannot carry this responsibility themselves. Therefore, the logical place where this responsibility should reside is with the parents and the family unit.

"If this important function of the family is to continue, we, as a law-making body, should do everything in our power to strengthen the family unit. To tell minors that they do not have to share with their parents certain social problems and that there will be provided counseling services outside of the family unit for them and, at the same time, mandating that parents be responsible for their minor children, in my judgment, has the effect of

undermining the family unit as a positive force in dealing with the problems of minors who belong to that family group.

"The Committee attempted to come to grips with this problem when it stated, 'There has been nothing so sacred in the lives of the people of Hawaii than the cherished relationship between children and their parents.'

"The primary objective of this bill is, I somewhat indicated earlier, laudatory, namely, to prevent unwanted pregnancies and provide family counseling.

"Mr. President, I feel very strongly that while the objective of this measure is to be applauded, the damage done to the family will be much greater than the dubious accomplishments which will follow if this bill is enacted into law.

"May I conclude by simply saying this: in the turbulent society in which we live, the family has emerged as the most outstanding single force for stability. Let us not do anything knowingly to weaken the effectiveness of this important segment of our society.

"So, Mr. President, I urge a 'no' vote on this bill. Thank you."

Senator O'Connor then spoke for the measure as follows:

"Mr. President, I rise to speak for the measure and to briefly explain the bill.

"This measure has gone through several amendments. The original bill called for very precise anti-contraceptive devices, mechanical type things and turned it back entirely on counseling as being the keynote for family planning services.

"As indicated in the committee report and as the members of our committee will recall, this brought tremendous controversy in the committee with all sorts of testimony on both sides of the measure. The committee, in looking at this, decided that counseling was in fact a keynote to family planning services as opposed to the mechanical side of things and therefore, amended it to emphasize counseling as the primary function for family planning services, believing that young people, if they're in trouble, if they have difficulties with the problems of modern day society as far as adapting to it from a sexual standpoint, should have adequate counseling and that that counseling might be counseling that they need in some respects outside the scope of the family.

"Therefore, the emphasis is on that. It was an attempt by the committee to drive in at what we felt was a central point in this overall problem and a central lack as opposed to the other. And therefore, there has been that significant amendment and I would urge that all vote for the bill in its amended form."

Senator Kuroda then spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of this bill. It is true that this bill splits the thinking between the parents and the youngsters. However, I think it's important that when we get to talk to the young people, and I've had that opportunity to do so, and I'm talking about the young people who are very responsible and the young people who are 'not in trouble'--these are the people who constantly keep telling us that it's very important that the young people's expressions are considered.

"Before I sit down, Mr. President, it's a little strange in these halls this year that the man who sits on my left side is different because every year when this matter has come up, the former Senator (John) Hulten continuously spoke against the measure. So I just want to say, 'everybody vote for it'."

Senator Cobb then spoke for the measure as follows:

"Mr. President, I rise to speak in favor of this measure, although I had not intended to do so.

"I think the remarks of the Chairman of the Judiciary Committee need to be amplified somewhat, in that this bill has been amended specifically so that it does not include abortion. But more importantly, I want to speak in favor of this measure as a parent.

"It's important to me speaking personally, to have the option of medical care particularly for such a thing as venereal disease, available to my son or to any other child that might have it, for the simple reason that their well-being, their medical care, the health of our children is more important than whether or not I be notified as a parent; and that I should not let my own parental pride interfere with that kind of treatment, that kind of health when its needed.

"Mr. President, I think we have to recognize a cruel reality that exists in our society today, and that is that almost 40% of our homes in the state and in the nation are broken homes, where one or more parents are absent.

Where a link does not exist--the close family tie that has been alluded to between parent and child--and sometimes there's a guardian, sometimes only a counselor or a school or a big brother or a big sister to turn to.

"I think when we consider this bill, Mr. President, we have to bear in mind the legislation applies not only to the families that are secure, but to so many thousands or even millions that are not."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 880 was adopted and H.B. No. 520, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Ajifu, Anderson, Campbell, Hara, Kawasaki, Soares, Takitani and Toyofuku).

House Bill No. 1004, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, H.B. No. 1004, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DURESS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Abercrombie, Campbell, Carpenter, Carroll, Cayetano, Chong, Cobb, Kuroda, Mizuguchi, Yamasaki, Young and Wong).

Senator Kawasaki, on a point of personal privilege, stated as follows:

"Mr. President, I just want to point out to Senator O'Connor that analogous to the saying 'every man has his day in court', 'every Senator has his day in this Body'."

Standing Committee Report No. 887 (H.B. No. 1658, H.D. 1, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 887 was adopted and H.B. No. 1658, H.D. 1, 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, 24. Noes, 1 (Abercrombie).

House Bill No. 428, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 428, H.D. 1, S.D. 1, having been

read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I wish to speak against this--the so-called nuisance abatement, this would make display, so-called indecent matter in pornography subject to a suit for abatement of a public or private nuisance--any citizen may bring such suits. If the suit establishes a nuisance, the clerk may close down the place for up to one year.

"If the owner disobeys the injunction to obey, he will be guilty of criminal contempt and subject to a fine of not less than \$400 nor more than \$5,000 or imprisonment for not less than one month nor more than six months or both. Further, if one has the power to obey the order or injunction and does not do so, he can be held in civil contempt which means he can be imprisoned until he obeys--Hal Hansen notwithstanding.

"The bill is a direct response, I believe to the hysteria surrounding pornography and should be denounced as such. Mr. President, I offer for, as evidence of my claim, selected at random, the Honolulu Star-Bulletin for Friday, March 30, 1979...and I'm quite serious about this. I believe that if this bill passes, we may have the possibility, and I expect Senator Kawasaki to follow close upon me with his remarks, of shutting down the Hawaii Newspaper Agency.

"Unless the contention here is that certain people will be prosecuted, certain people will be found to be a nuisance and thus in requirement of abating and that others who are also making money out of the display of what might be termed as indecent matter but who are making money under some so-called respectable circumstances, will be allowed to go free.

"I refer you to an ad on page B-7 where a woman is in a bed hovering over a man. The indication is that 'The whole country is waiting to see Jacqueline Bisset as you've never seen her before!'. Not knowing the lady personally, I'm not sure I'm pronouncing her last name correctly. The Varsity Theater probably doesn't care whether I do or not. 'Jacqueline Bisset is more stunning in 'Secrets' than in the 'Greek Tycoon' which hardly seems possible. Not only is La Bisset ravishing in 'Secrets', she is also nude.'

"I want to indicate as well there is an ad on page B-8 showing a woman stating 'Lolita Teased...Candy Tempted...now, I believe there is a circumstance here

Lilly Delivers!!--'Dirty Lilly' plus 'French Teen'. We have the movie here proudly presented at the Yuclan Theatre chain--at the Queen 'Sensations--Your wildest dreams never went so far!' 'Sensations is a sensually pulsating sextravanganza! It is the best bet of all for outright voyeurs!', this is a quote from the eminent critic Bruce Williamson in Playboy. It is 'what good porno should be about' from Bob Salmaggi, who to the best of my knowledge, in my research on this subject, is the publisher of Penthouse.

"'Exhibition--most remarkable!'; 'A human triumph!', that is what it was called in New York Times--I haven't the slightest idea where that excerpted from. 'Little Angel Puss.'

"The pictures, the attempts made in the newspaper to induce people to come to these films is clearly based upon their sexual content, is clearly based upon the idea that one would find oneself titillated in some fashion, find oneself in the grip of sexual excitement. The newspapers accept these ads and accept the pictures, accept them for profit.

"Now my question would be, if this bill passes would I be entitled...and it seems to me I would be...to go to the prosecutor and ask that the Honolulu Newspaper Agency be arrested for those persons who are responsible for its existence for creating a nuisance.

"Now I can pick up the paper for reasons other than to see this. I don't always find myself in the position to be able to understand that if I turn the page that I'll be safe with it. I may buy the newspaper in order to find out information or to inform myself in some fashion as to a record review which appears also in here when Helen Reddy is going to perform, what the late shows for the Youth Theater are, 'Jack and the Beanstalk'; if you look very carefully, for when 'Jack and the Beanstalk' is playing, your child may also find an opportunity for when 'Dirty Lilly' is playing. Whether you want to see 'Jack and the Beanstalk' or 'Dirty Lilly' I suppose is up to you. Sometimes it's hard to tell the difference where the porno shows are concerned.

"So what we have here is a means for abating prostitution, what we really have is a means for abating this First Amendment to the Constitution. I myself would be loath to go and prosecute the HNA because I believe in the First Amendment and I believe that they have a right under the Constitution to publish as they please, just as

relative to pornography in which we are not dealing with the substance of the problem as seen by some people, but rather trying to find an end runway to deal with what is conceived of as being a problem, and, in the process, doing violence once again then to the Constitution.

"I can see where someone would not want to have a circumstance in which prostitution is taking place in the building, let's say where you're living and people are coming up at all hours of the night making a lot of noise, etc., for whatever those reasons on a regular basis, that this would, in fact, be a nuisance and one that's easily understood. I recognize that. If that's all that this bill addresses, I think I might find myself in agreement with it. But it says display of indecent matters and promotion of pornography--this doesn't involve, in my estimation, a nuisance in the same sense that premises for prostitution in which one's a peace of mind, physical peace in the sense of being able to sleep or not to be bothered are interfered with.

"The second you add into it, the display of indecent matters and promotion of pornography, it seems to me that you will have gone beyond the bounds of what can reasonably be expected to come under the aegis of nuisance abatement. Thank you."

Senator Kawasaki then spoke in favor of the bill:

"Mr. President, one of the reasons I speak for the bill is very certainly it may be that we may ask the prosecutor to examine the newspaper ads to which Senator Abercrombie rightfully objects.

"I think if we are not to give credence to a grossly inaccurate statement made a few minutes ago by the good Senator from the Sixth District, to wit, that the Republicans led this fight on crime, which statement accurately should reflect in the Senate Journal as 'the Republicans participated in the Senate's fight against crime.' Less we give credence to his statement in the Senate Journal, I think it behooves us to vote for this bill and if it's tested in the courts, so be it.

"But I think this is one way in which we can bring about a stop to some of the more flagrant violations of the dissemination of pornography in this state which undoubtedly has contributed to the high incidence of behavior on the part of teenagers in this state which is not quite normal, I understand from the sociologists, and the statistic alarms us parents, if you will. I

think this may be the step in the right direction and I'm certainly voting to have it tested in the courts. For this reason, I ask that each member of this Body vote for this."

The motion was put by the Chair and carried, and H.B. No. 428, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Chong).

House Bill No. 1382, H.D. 1, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, H.B. No. 1382, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TERRORISTIC THREATENING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Cayetano).

Standing Committee Report No. 909 (H.B. No. 166, H.D. 1, S.D. 2):

Senator Cobb moved that Stand. Com. Rep. No. 909 be adopted and H.B. No. 166, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator O'Connor then spoke against the bill as follows:

"Mr. President, I'm very concerned about the liability situation on this generic drug bill. This is something we've debated, that I know of, for at least six years. This again is a bill which would allow generic drugs substitutes. Again a formulary is to be used, namely a list that comes from the federal government. That list is going to be adopted by a local organization and is going to be used by individual pharmacists to use generic substitutes for name brands.

"Once again in the bill, we have an escape clause for the pharmacist which allows them out on the liability issue. And my concern as it's been for lots of years with this bill, is what happens to the poor, uninformed consumer that gets a generic substitute, pops it and then falls on the ground dead. That individual is very happily saving money and very unfortunately getting a Long's drug and if so who does the liability go against? Under the framework of this bill, the way I read it, no one is liable. Therefore, I'm going to

vote against it."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 909 was adopted and H.B. No. 166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carroll, O'Connor and Yee).

House Bill No. 177, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 177, 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, 25. Noes, none.

House Bill No. 1581, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 1581, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Campbell, Carroll and Young).

House Bill No. 57, H.D. 1, S.D. 1:

Senator Young moved that H.B. No. 57, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, this may seem innocuous at first, but this is the infamous Hawaii Community Development Authority. This is the county within a county on Oahu, and I really would ask that Senators most especially from Oahu consider this in that, our friends on the neighbor islands consider our problem here and try to relate to if the same kind of thing existed in your county.

"This allows the HCDA to provide housing for persons of all income groups rather than only for those who are in the low income. At first that sounds good because it gets perhaps the idea of a mix across.

"I disapprove myself of sticking people into so-called projects and labeling them as such as low income people making, forcing them into a situation in which they suffer bad social consequences as a result of their economic circumstances. That's not fair, it's not right.

"But, under that benign guise, we have a situation though that rather than working towards the idea of integrated housing, and I don't mean necessarily from the point of view of race or ethnic background but rather from the possible combinations of incomes specially those who are presently denied housing. I wonder why the bill opens up the development to all income groups.

"As I read it, it's going to do this. This is an extremely important force, because for those of us who do not possess the ability to own or to buy a home right now, for those of us who do not possess the financial ability to get into the investment speculation market or get into the condominium market, even into the condominium conversion market of...where renters...where apartment buildings are now being taken over for condominium conversion, we are looking to Kakaako area...downtown in the Kakaako area for urban housing.

"We're looking especially to that Kakaako area for the kind of mix of housing, apartments, condominiums, etc. that will have both a combination of business opportunity and living for those of us who cannot compete in those other markets, regardless of our desire.

"I'm really very, very concerned. If this bill goes through, it's an invitation for circulation and development in Kakaako which will take out of existence the opportunity for those of us who want to stay in the urban center, to increase the kind of density in a way that is livable and on a human scale that was envisioned when the City Council urged the adoption of development plans.

"I have a complete file on the Kakaako policies adoption here and I can assure you where the principle standards and controls to guide the future development of Kakaako which was put forth, in which extensibly is the guide to us here, that we never envisioned the situation in which we would pass such a bill, in which there would be an invitation in effect to take the kind of, and I'm going to quote here, 'density development on the average floor area ratio all development individuals and structures with large integrated residential commercial land or commercial residential developments may exceed this density provided the overall average for the development

is consistent with this density.'

"This kind of degree of detail is involved already and if we pass this, I can see exactly what's going to happen. The opportunity come whizzing in there. There's only a few landowners there, come whizzing right in there, set up some grandiose scheme of development, another speculative binge takes place, and those of us who are in rental apartments now, those who would be willing and desirous of moving into, at long last, a fully planned area for housing, for those of us who are unable to get into the high housing market, high condominium market, once again find ourselves frozen out.

"Now we know with the water resource research reports that's been made, that we are running into difficulties when we go into the Leeward area where the rise in the salt content of the water is such that the kinds of developments envisioned ten years ago, fifteen years ago, in all likelihood will not take place. We know what the cost of money is in that respect. We know that the Campbell Estate has given up the idea of leasehold to Honouliuli Development City and is now selling its leasehold areas in Makakilo and in other areas recognizing this.

"We know that the industrial development situation may go in that area. We know that there is a concerted effort now to keep open space to keep agricultural land there. So we know also that the City and County of Honolulu is now looking for...and this is why I really beg the attention of our neighbor island friends...they are looking for development of the urban areas in terms of that land which is already zoned for housing.

"If you pass this bill, I fear that we will be denied one of the key areas for that kind of development for our people here who are shut out of these other markets, who are not able now to participate in these other markets and are unlikely in the near future to be able to do so.

"If we can develop the downtown area, the potential down here is terrific. Lay aside for the moment all the political business about Kukui Plaza. The fact of the matter is that the building itself for whatever was involved with the individuals associated with it, is a good building.

"People are finding that the availability of their work downtown and so on is enhanced by it. We have a real opportunity in the center of Honolulu to rebuild here,

to do some urban, not so much redevelopment, but development on an urban scale, in an urban area rather, on a scale which would be commensurate with the kinds of desires that we have. These would be the waterfront, these would be the Kewalo Basin area, and these would be Kakaako and on down through the downtown area, through the capitol district area. We can make this a beautiful area and an area in which we can put our people and have them live under good circumstances.

"Now the reason I'm so passionate about this, I guess, is I'm going through this and I can just see it can get away from us. So, we don't need this right now. We should wait before passing such a bill right now until we have more definitive plan coming forth from this agency. We don't have that right now.

"If this bill passes, this Hawaii Community Development Authority could seize on it as an opportunity to move ahead in areas which could completely undercut everything that's being done now with the development plans that are going on in the county, completely undercut our state plan. I'm not saying that it's necessarily going to happen, but we should not give them the opportunity in law to do that until we have definitive plans from this Authority as to what they want to do, because it just may be that what they want to do is against the best interest of the citizens of Oahu. And it may just be that what they want to do is against the interest as seen by the City Council, as seen by the county.

"Many of the things we've done, my friends, here this session, has been to increase the power of the county to make decisions over their own future, to be in better control of their destiny. We've had philosophical discussions here in our various committees as to whether this is a good idea and if it is a good idea, how to implement it.

"I tell you now, that the existence of this Hawaii Community Development Authority undercuts that proposition of home rule and until we know what they're going to do, to give them this kind of weapon, to utilize at their discretion without the ability to counteract it in the City and County of Honolulu could prove a grave disaster to all of us who want to see that housing and home market opened up for those of us who have not been able to share in it till this time."

The motion was put by the Chair and carried, and H.B. No. 57, 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, 23. Noes, 2 (Abercrombie and Kawasaki).

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

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

Standing Committee Report No. 938 (H.B. No. 20, H.D. 1, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 938 be adopted and H.B. No. 20, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then stated as follows:

"Mr. President, there's an old saying in foreign service circles that the slogan during Theodore Roosevelt's time was to 'walk softly and carry a big stick', and that as time has rolled on, the American foreign policy is to 'walk stickily and carry a big soft'; and to think that the measure which we have here before us which pretends to be a limitation on spending with a loophole large enough to drive almost anything through it available for the Governor, clearly is not that.

"I think that when this particular constitutional amendment was set forth, it was touted as a really, a campaign spending feeling, and I submit without going into great detail on this subject matter that it is not, and I think the public should know that.

"I think that what's been mandated here, we must vote for, because of the way the bill has been prepared in compliance with that. But to call this a campaign spending, excuse me, to call this a budgetary limitation, is simply not to call this measure what it is."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 938 was adopted and H.B. No. 20, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 947 (H.B. No. 1671, H.D. 1, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 947 be adopted and H.B. No. 1671, H.D. 1, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke against the measure as follows:

"Mr. President, I rise to speak against this measure. The constitutional amendment provided, and I'm referring now to campaign fund and spending limit, in section 5, that the legislature shall establish a campaign fund to be used for partial public financing of campaign for public offices of the state and its political subdivision. The legislature shall provide a limit on the campaign spending of candidates.

"We were required in effect to establish a campaign fund, set the limits and then set up the mechanisms for allowing this money to be given out and spent. The committee report which reports this measure intends that the legislature create a fund to partially finance the campaigns that candidates running for certain offices and leaves it to the discretion of the legislature to decide the races which will be funded. It intends not to fully finance the campaign of a candidate. It intends the public to fund only a portion of the cost, leaving the amount and manner of raising the amounts to the legislature.

"Now, it's very clear to me, Mr. President, that voluntary contributions to this particular fund can very well be made by those members of our citizenry who voted for this measure. Under our particular bill, House Bill No. 1671, S.D. 1, we're talking about the provision for voluntary contributions, but we're also setting up for a huge expenditure to be made with very minimal requirements on the part of the qualifying candidate.

"Now, Mr. President, as far as I'm concerned, I will not vote to force the citizens of this state to fund my political campaign or those of anyone else. I believe that if we have voluntary contributions, whatever fund that results in, is the fund that should be used to fund these types of campaigns, that is the campaigns that are designated for this type of financing. And otherwise, I say that we should not be forcing our citizenry to do this and it is not clear that there's a mandate here to do what is being suggested in this bill. Therefore, I'm voting against it and I urge all others to do the same."

Senator Abercrombie spoke in opposition to the measure as follows:

"Mr. President, it's been said before.

Someone believes this thing to be...anything that comes out of there, to be unconstitutional...to vote 'no', and I believe it to be such.

"This bill...there's a rather incredible part in this bill. What it really says is if you're rich and you're born rich or if you have family that are rich, then it's okay to take money. But if you're poor or you don't have access to family that has money, then you can't have it.

"Now, I can't believe that this actually came out of here and this is supposedly something that is going to make campaigns more equitable. If you refer to page 8, lines 8 through 10, you will find a definition--"Immediate family" means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.' They can give more than \$2,000. Your friend cannot.

"Now, apparently, the belief is that we're going back to a feudal system in which patrimony or which the right of birth somehow gives one more of a privilege. Now I notice a lot of WR's (with reservations) on this document. In the respect that those WR's are there, and that this measure is thought by people who might vote for it to be taken up in conference in some fashion, I want to register in the strongest possible terms, that I think that this \$2,000 per election per donor is one of the most invidious kinds of detriment to a candidacy that could be placed.

"I agree that the First Amendment is well served by limiting campaign spending. I have no problem with that. If we're all equal on how much we can spend, then our First Amendment rights are all taken care of because we can decide how we're going to do that.

"Someone wants to buy 40 cases of beer and put it on his lawn and leave it for people to take up as they go by and make that his campaign, that's it, that's fine with me; someone wants to send out brochures, T-shirts, whatever, because we're all in the same group. But to tell me how I can get my money, if I am registering with the campaign spending commission, who I got it from and how much it was so that anybody in the press or here or in the audience can walk in and say, 'Hey, here's where the support came. Here's how it works!' and all that, and tell me I can't do that, if I'm making in public only up to \$2,000.

"My campaign, I'll tell you right now, in the last election, was saved because

someone gave me more than \$2,000 in the last week; and I'm willing to bet that someone like David Trask had something to do with this kind of trash going in there, because he can give all the money. The big companies can work it out; they'll figure out how to do it, but you take somebody who's trying to run an honest campaign and work it, especially get somebody like Trask and see how far you can get. Now I got..."

The President then interrupted Senator Abercrombie and stated, "Senator Abercrombie, would you keep your comments with reference to the bill before this Body."

Senator Abercrombie answered, "I know what I'm talking about. I have reference to the bill. Do you think that David Trask doesn't want to get involved in this campaign spending limitation deal."

The President replied, "Senator Abercrombie, the bill does not direct itself to Mr. Trask..."

Senator Abercrombie retorted, "I'm directing myself to David Trask, and I am a member of this Senate and I know damn well when I stand on this floor that I can refer to anything in the public interest and if there's anybody that isn't in the public interest, it's people like Trask and Walter Kupau...I'll give you another one..."

The President again stated, "Senator Abercrombie, the Chair would appreciate it if you keep your remarks to the bill."

Senator Abercrombie continued, "I am keeping my remarks to the bill. If you try to keep out the kind of people that try to subvert what goes on in this state in terms of democratic process then we can't talk sensibly about any bill that's in front of us.

"When someone tells me that I can't accept a donation made in good faith and report it publicly and record it up to any amount to the campaign spending limits, then they're interfering with my rights under the constitution.

"When somebody tells me that immediate family...that if you're born rich, that you can have all the money given to you for your campaign, and if you're born without it, you can't have it...and that fits to what the constitution is all about, then I say that that person doesn't understand what this country is all about and will bring about the kinds of conditions that will bring about an end or demise to democracy.

"This creates a real situation of inequality for anybody who is born without money or doesn't have access to that kind of thing within their own family. I don't care how much people give from their own family. That is their business. But to tell me that I can't get some and get the equal amounts up to the campaign spending limit, is not only against common sense, it's an opportunity to understand just how pernicious the conduct of most of that work in the Constitutional Convention was. And in the base of it were people like Trask and Kupau."

Senator Anderson then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege. I'm not a member of the Committee on Judiciary, but I sat through, I think it was nine hours one Saturday morning and I have been involved in this bill as it moved to the various committees. While the name Trask may draw and grab some headlines for newspaper writing, I believe the Chairman can correct me if I am wrong, but the \$2,000 figure came from Common Cause and I do not believe Common Cause speaks for Trask, talks to Trask, negotiates with Trask or has any saying with Trask, so it's a Common Cause \$2,000 figure and not the unions, Mr. President."

Senator O'Connor then spoke in favor of the measure:

"Mr. President, as indicated by the most previous speaker, this bill is a result of countless hours of staff work and committee work in this Body. There are many measures which individual members of this Body take issues with.

"We have had long wrangles on some of them and Senator Abercrombie is not the only Senator who takes issues with some of the problems having to do with contributions. Senator Carroll is not the only Senator that takes issues with some of the problems having to do with funding. We do have certain constitutional parameters that we had to work within in drafting the bill and they were followed.

"As best the committee work could follow, this bill cleaves to the United States Constitution's parameters and the interpretations of those parameters that have been laid down by the Supreme Court of the United States. I believe that each one of us and that includes me, to take some issue with some of the areas of the bill. However, it is one which has been hammered out by many, many Senators and staff members

and it is a product which has achieved sufficient compromises so that it should go forward into the inevitable conference which it will arrive in, in the House.

"I would urge that all members vote for it--it does represent an awful lot of work!"

Senator Kawasaki then spoke in opposition to the measure as follows:

"Mr. President, I rise to speak against this bill, but I do want to commend the Chairman of the Committee on Judiciary and the Senate for what I consider candidly a very sincere diligent effort to arrive at a bill whose language is reasonably acceptable to this Body.

"However, I find the arguments presented by Senator Carroll as well as Senator Abercrombie, quite logical, quite cogent and notwithstanding the diligent effort expended by the Committee on Judiciary, I think the arguments are overwhelmingly valid. For this reason, I will vote against this bill.

"I see no compelling reason for us even to report this out, notwithstanding the mandate of the Constitutional Convention. It could be held over for another year if necessary, in time for the 1980 elections. I will vote against this bill."

Senator Chong rose on a point of clarification and stated, "Mr. President, one of the previous speakers indicated that he felt that there was a mandatory climate of the taxpayer's of the state to donate money to political campaigns and actually, if you look at the bill, it's a voluntary check off system."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 947 was adopted, and H.B. No. 1671, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 17. Noes, 7 (Abercrombie, Ajifu, Anderson, Carpenter, Carroll, Kawasaki and Soares). Excused, 1 (Yee).

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

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

Senator Cayetano moved that H.B. No. 1, H.D. 1, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cayetano then spoke for the measure as follows:

"Mr. President, I rise to speak in favor of House Bill No. 1, H.D. 1, S.D. 1, relating to the budget. My remarks on this bill are lengthy, but I think they are important and I beg the members' indulgence.

"First, I wish to express my thanks to the members of the Ways and Means Committee and my staff for their tireless efforts in developing this bill. I also wish to thank the subject matter committees for their contributions and recommendations.

"Mr. President, this bill is not just the State Budget. It represents a fundamental change in how government will conduct its business. In a very profound way, I believe this bill represents the sense of the Senate, and with our discussion today, the product of this entire Body.

"In the evolution of government, here and elsewhere, nothing has diluted democracy more than the rise of the executive branch to an almost dictatorial position in making spending decisions. Nothing has undermined representative government more than the Executive's failure to execute the policies of the legislative branch, and nothing has eroded public confidence in government more than the buck-passing which results from conflict between the Executive and the Legislature.

"You yourself, Mr. President, correctly identified all these developments as a dangerous 'usurpation of legislative power.' And my counterpart in the House, the Honorable Chairman of the Committee on Finance, denounced the administration in June, 1976, for rewriting budgets passed by the Legislature. He said, and I quote '...if a Constitutional Convention is called by the people, I will urge the delegates to review how to stop the Governor's assumption of complete authority over the appropriations and the erosion of the Legislature's traditional power of the purse.'

"But even as the House Finance Committee Chairman was sounding the alarm, the Governor was proceeding to curtail legislative programs. In a single year, from the 1976 supplemental appropriations bill, the Governor applied total funding restrictions to 51 legislative programs. And, at the end of the year, the Governor lapsed over \$3 million appropriated from those 51 programs while the general fund accumulated a \$35 million surplus!

"Such arbitrary actions should have given the Constitutional Convention some cause for concern. Unfortunately, the convention did little to correct the

imbalance of government.

"But history has taught us, Mr. President, that where the people's representatives are confronted with the dangerous consolidation of all power in a single office or institution, it is the legislative body which must act.

"This was true of the English Parliament versus the King; this was true of the colonial legislatures versus the royal governors; this was true of the United States Congress versus the impoundments of President Nixon; and it remains true for the State of Hawaii today.

"Nobody but we, the Senate and the House of Representatives, acting in unity, can reassert the basic principles of our form of government: that is, that it is the Legislature which enacts laws and makes appropriations; and it is the Governor and his agents who must execute them faithfully. If the Governor disagrees with any of the Legislature's programs or appropriations, he should exercise his veto powers. Then, the Legislature may respond accordingly.

"Mr. President, through the bill before us, we reassert those principles.

"First, we are recommending a budget which is fiscally responsible. The times dictate that we must respond to the mood of our people who suffer from the double burden of high taxes and crushing inflation.

"Thus, the budget we have developed holds general fund appropriations under the level of the Governor's budget. We intend also to hold this budget, together with all other general fund appropriations, in line with revenue estimates as well as with the constitutional spending limitation which we expect this Legislature to pass.

"Second, we are recommending a budget which requires the Legislature to be fully accountable for its actions and which compels, in turn, the Governor to execute our actions.

"Third, we have developed a system to express the priorities of the people, as we, their elected representatives, perceive them, and we are requiring that those priorities be observed.

"To implement the new system, we have restructured the appropriations for operating programs into two parts, Part A and Part B. Part A includes those programs which we deem indispensable and urgent to the economic well-being, health, safety, and welfare of the State. Part B includes those programs

which are important but are less urgent.

"If, at the start of the next fiscal year, revenue estimates hold up and are equal to or exceed the general fund appropriations made, all programs are to be fully funded, those in Part A as well as those in Part B.

"However, if the revenue estimates at the start of the fiscal year or during the course of the year are less than the general fund appropriations made, then the amounts allotted can be adjusted below appropriations only for those programs included in Part B.

"In this way, Mr. President, we safeguard those programs which we believe to be of the highest order, but at the same time, we accord to the Governor the continuing authority to protect the public treasury if revenues are less than anticipated.

"A good question is how the Administration will react to the new system. Will it observe legislative priorities or will it subvert them?

"At the Constitutional Convention, the Director of Finance declared to the Taxation and Finance Committee, and I quote: 'Give me a consensus of 76 people, and we will follow those priorities.'

"Last Thursday, at a public hearing of our committee, I summarized our proposed system and asked the Director of Finance whether the Administration would follow our priorities. Her answer was unequivocal. She said, 'The Administration will observe legislative priorities.' I ask the members present to remember her words.

"In any event, the system we have structured in this bill and which we expect to institutionalize, has the force of law. Circumvention can take place only by violating the law. I do not expect the Governor or his agents to violate the law.

"In the days ahead, we expect to secure the support, participation and cooperation of the House of Representatives in shaping the final appropriation priorities of the Legislature. We fully expect to succeed in advancing fiscal responsibility, restoring legislative powers and elevating the public accountability of government.

"As for the capital improvements program, we are likewise determined to chart a new direction for it. We have on the books today some one billion dollars of authorized but unissued general obligation bonds, representing hundreds of projects on a wish list

from which the Governor has complete authority to pick and choose. This alone should be reason enough to reorder the public works program.

"But meanwhile, we are also faced with a number of conditions which compel us to revise our approach to capital improvement appropriations, beginning with this bill. We have a new constitutional debt limit which controls the amount the State can spend for debt service. We have a constitutional requirement that limits the duration of appropriations to three years. We have another requirement that all appropriations on the books today which are not encumbered by June 30, 1980 will be cancelled. We have still another constitutional requirement that after July 1, 1980, the Legislature must certify that the bonds which it authorizes will not cause the debt service limitation to be exceeded. For its part, the Administration is constrained by the amount of bonds the market will accept, which at this time appears to be \$150 million annually.

"All of these factors persuade us to proceed cautiously in this session of the Legislature until we can assess what effect old capital improvement appropriations will have on our capacity to make new authorizations.

"Therefore, we are taking some immediate steps to build the system of greater accountability intended by the Constitution. We are appropriating capital improvement funds only for the first year of the forthcoming biennium. This is a position identical to that taken by the House of Representatives, which also wishes to see the capital improvement situation clarified by the 1980 session before making any further authorizations. In addition, we are deferring all legislative projects until we can see where we stand in 1980.

"Mr. President, we have reviewed the executive capital improvement budget carefully. The most significant change that we have made is the deletion of funds recommended by the Governor to build a World Trade Center on the property of the Aloha Tower complex. We do not believe that the executive branch has proven its case that state construction of the Trade Center is the best course of action. Moreover, the Administration has not analyzed the alternatives. In particular, it has not assessed the alternative of private development and how private development would provide a more valid test of the viability and feasibility of the project against private market economics. Government, Mr. President, should not do for private industry what private

industry can do for itself.

"Thus, Mr. President, as with the operating budget, we are taking the initiative to inject rationality and accountability into the capital improvements program.

"There is one other specific observation I wish to share with you, and it concerns the University of Hawaii. As you know, a thorough review was conducted of the University's budget, and there are a number of disturbing situations which affect personal services costs and appear to reflect a disquieting trend. The major mission of the University should be to instruct students. All other aspects should be secondary. Yet, it appears that the administrative and faculty components of the University system and the campuses seem to have taken on a life and emphasis all of their own. This is reflected by the questionable high salaries paid to a large number of administrative and faculty personnel and the kinds of positions which have been created.

"Mr. President, we would be derelict if we did not, on the basis of our budget analysis, make the necessary adjustments to the University's budget. However, where we have made them, we have adjusted the dollar amounts for the program categories and not the positions. We will leave it up to the Board of Regents to decide just what positions are essential to the performance of the University's major mission.

"Meanwhile, what we have seen and heard concerning the University's budget leads us to believe that the University lacks a sound system for management and operational controls, the kinds of controls absolutely essential for the efficient conduct of a large organization. Therefore, we are going to give the University some help and direction by commissioning a management audit. We are requesting that the Legislative Auditor start such an audit and the University has agreed, with the first phase to cover the University's policies and practices in personnel management and administration. We are requesting that the audit be completed and presented to the Legislature prior to the 1981-82 biennium.

"In the days remaining in the session, there are still a number of uncertainties. If collective bargaining agreements are reached, we must consider those agreements in the context of their impact on overall State finances. However, we are prepared to consider any agreements reached, and we will do so by separate bills rather than through the budget. In this way, each Senator will be provided with a better

opportunity to study each collective bargaining agreement, and each agreement will be in full public view.

"Finally, Mr. President, I present this bill as one which is fiscally responsible and one which will open a new chapter in public accountability. I ask each Senator to support this bill so that we can, as a united Body, present our positions reasonably and firmly. By supporting this bill, we also demonstrate to the Executive and the public that we are determined to build a government which is both responsive and responsible. Thank you."

Senator Campbell then spoke in favor of the bill as follows:

"Mr. President, I rise to speak in favor of the budget bill with some observations and some reservations.

"First of all, Mr. President, I would like to commend you and the Chairman and members of the Ways and Means Committee for what I think is a new step in the direction of mandating fiscal accountability on the part of our executive branch.

"Now while my overview of the budget is laudatory, I do have some reservations. One of my concerns, Mr. President, has to do with the funding of the bus aides for the safe transportation of our handicapped children. In the outset, the executive budget would void our funds for bus aides and after appeals by the parents and your Committee on Education, some funds were restored by the Governor. At this point, I would like to express appreciation to the parents who served as volunteer bus aides on those buses for many, many weeks.

"Now your Committee on Education recommended 49 bus aides for the regular school year and 25 for the summer program. These were to be provided at a cost of approximately \$458,000 for the biennium. As a result of a study done by the Department of Education, the number of bus aides we suggested was considered a minimum to provide adequate services to our handicapped children.

"Now in this budget document before us tonight, this number was reduced by 50%. Now, Mr. President, the magnitude of this reduction, in my judgment, threatens the effectiveness of the program, and let us hope that full funding can be restored at conference.

"Another of my concerns relates to the recommendations of the Senate Committee on Education to include a

proviso designed to allow the retention of 3-on-2 teams in those schools where the parents, the teachers and the principals have found that those 3-on-2 teams are effective and working well. This proposal seems to have fallen by the wayside.

"After a thorough look at the 3-on-2 program, its history and its problems, one is forced to conclude that the Legislature has to take at least partial blame for the problems that now plague this program.

"In order to call to the attention of this Body, Mr. President, the mistakes that we have made with the 3-on-2 programs and the monumental mistakes that we're getting ready to commit, allow me to put in perspective the problem that this Legislature faces.

"The 3-on-2 program was a creature of the Legislature. It took millions of dollars to put it into operation. But, in 1976 or somewhat earlier, someone in the DOE got the idea that this program should be phased out. But, there was some need for justifying this action, so, in 1976-1977, the DOE contracted Northwest Regional Educational Laboratory to conduct a comprehensive evaluation of the 3-on-2 program.

"The study concluded that 'there was no significant difference in the learning activity of students in 3-on-2 classes and students in self-contained classes.' Now, Mr. President, this operation in futility cost the taxpayers of Hawaii \$93,437.

"As I indicated earlier, the Legislature cannot escape some responsibility even in this area because we had to fund the study.

"Now, the following is a part of the Ninth Legislature's mandate related to 3-on-2: 'With respect to such 3-on-2 teams as may still be in place in the 1978-79 school year, the Superintendent of Education shall assess such teams and recommend to the Legislature by December 31, 1978 whether or not any such teams should be continued in the year 1979-80, 1980-81 or beyond.'

"Now, Mr. President, the Department of Education assessment study referred to just then was due at the end of last year, but it was not received until somewhat recently. The content of that report should be of considerable interest to this Body.

"Here are some of the central findings of that study:

'The data indicate that some principals

are recommending that their teams continue after June, 1981; some principals state that more opportunities for parents to make choices on behalf of their children and greater flexibility in grouping students and scheduling programs are possible with the 3-on-2 class organization. When it comes to team effectiveness, the principals rated the 3-on-2 teams approximately 87% effective. Now when it comes to test results for children in 3-on-2 classes, the percentage of satisfaction with the test results expressed by the principals was as follows: Reading, 98%; Writing, 88%; Speaking, 97%; Math, 98%; Science, 100%; and Social Studies, 100%.'

"Now, Mr. President and members of this Body, what is amazing about this DOE study is the fact that its findings establish a firm basis for the retention of 3-on-2 teams, but the recommendation of the Department of Education is to phase out the program.

"There is a primary reason for supporting the retention of the 3-on-2 teams now in place beyond 1981. As requested by the Legislature, the findings of a DOE assessment report mandate that these teams be retained.

"Now, Mr. President, in closing, here are some important points which I think this Senate should consider related to the phasing out of the 3-on-2 program, and they are some of the things I mentioned before: (1) it took millions of dollars to put it in place; (2) it has taken over \$93,000 to study it; and (3) it cost a million dollars or more to tear down the walls in order to provide for the 3-on-2 program and if we phase it out, we must honor a request by the Department of Education for over a million dollars to replace these walls so that self-contained classes can be provided for.

"I say to this Legislature, the mistakes that we have made in the past related to the 3-on-2 program need not continue. Let's simply allow the principals, the teachers, and the parents to have the 3-on-2 program if they want it. Thank you."

Senator Cayetano in rebuttal thereof, stated as follows:

"Mr. President, I rise in rebuttal to the remarks of the previous speaker. It is unfortunate that the Senate's cards or a part thereof were made part of the record. In my years as a Committee Chairman, in the House as Chairman of the Committee on Transportation, I always discussed my differences with the Chairman of the Committee on

Finance personally with him, prior to conference, with hopes that first we would reveal the House position and secondly, we would try to make the amends in conference.

"However, since it is a matter of the record, I'd like to respond and explain why the proviso the Senator speaks of was not included in the budget. The good Senator cites a study by the DOE. Unfortunately, he did not cite the last paragraph of the study, which I read in his office; and that paragraph went something like this...and I have to paraphrase it because I don't have it before me...but it said notwithstanding the data gathered above, we find that the facts considered in the DOE were considered in the study done by the Northwest Regional Evaluation group, and that there is no reason to believe to conclude otherwise than that the 3-on-2 should be phased out. Now that paragraph of course, fills a totally different light on the study and the sections of the study that he quoted.

"For the remaining days of the Legislature and until we go to conference on the budget, let me say this, our budget is not enshrined in concrete. It is a proposal to the House and we have many subject matter committee chairmen who have had differences with Ways and Means on the budget. I would hope that we could discuss this and try to see whether we can work this out when we go into conference with the House, rather than putting it here and laying it out for all to see. That's all I have to say on this."

Senator Kawasaki then rose in support of the bill and stated as follows:

"Mr. President, I, too, am not completely satisfied with the provisions of the budget bill. However, as I recall, this is the first time in my twelve years of having the privilege of serving in this Body that I actually stood up to speak in favor of a budget bill. As a matter of fact, I've, on several occasions, spoken against the budget. I voted against the budget bill, if you will recall.

"Now I have had the privilege of also serving as Vice-Chairman of the Ways and Means Committee for the third time, this being my third time, and I must enter into the record of the Senate Journal, my complete appreciation of the intense commitment, the intelligence and the courage with which the Chairman of the Ways and Means Committee, Senator Ben Cayetano, carried on his responsibilities under very difficult circumstances, difficult by virtue of mandates by the Constitutional Convention, difficulty imposed upon him by the constraints

of our understanding amongst us, that we will not exceed the total budget figure submitted by the administration.

"I deeply appreciate it--the very incisive questioning on the part of each member of the Ways and Means Committee during the budget hearings, the fairness with which the Chairman of the Ways and Means Committee conducted these hearings, his complete interest in some minute details and the very intensive and very incisive questioning that was the result of everybody on the Ways and Means Committee, finding it quite refreshing that the entire committee now understands the fiscal constraints and a requirement for us to maintain some fiscal responsible position that is imposed upon us.

"Never have I, in the twelve years I have served here, certainly in the years as I have served as a member of the Ways and Means Committee, have I seen this kind of intense effort. And I...well, I'm not, as I said, completely satisfied to each item. I fully intend to support the Chairman in his position going into conference.

"I have...I express an added satisfaction of knowing that he certainly lived up to my expectations. As you well know, Mr. President, his being assigned as Chairman to Ways and Means Committee was a strong recommendation on my part because I realize the qualities that we require of this chairman and he certainly lived up to the chairman's requirements.

"I therefore, would go into conference with the Chairman fully supporting his position, fully cognizant of the concerns that each subject matter committee chairmen may have, regarding his own budgetary concerns. But I do want to say that I fully appreciated the effort of the Chairman this year and I fully intend to support this measure."

Senator O'Connor then spoke for the measure as follows:

"Mr. President, I rise to speak in favor of the bill and offer congratulations to the Chairman and to the Ways and Means Committee for the effort that is obviously demonstrated by the measure. However, I would like to make some observations and ask some questions of the Chairman in order to vote intelligently on this matter.

"First observation is as a matter of academic interest, I went through the individual items, item by item, and Part A, section 5, which is the major part of the operating budget, and find that on almost every page there are significant changes comparing

our budget bill with the House budget bill and comparing our budget bill with the Governor's budget bill. And coming to Part B which is the portion which is left open for, evidently for work and conference, I find that there is a total amount appropriated in our bill of \$4,000,000 for the Part B section. I wonder if the Chairman of the Ways and Means Committee would yield to a question on these particular situations?"

Senator Cayetano replied that he would yield to questions.

Senator O'Connor then continued, "First of all, of the \$4,000,000 that is denominated in Part B, general fund only or does it also take in special funding and the other funding matters?"

Senator Cayetano answered it was general funding only.

Senator O'Connor then asked, "If we take the items which are contained in the House Bill in a similar section which is not designated the same section, but in the similar section, and subtract the areas that have been cut in general funding which will reflect in our bill, how close does the \$4,000,000 come to the amount that has been cut out of that portion of the budget?"

Senator Cayetano replied, "Mr. President, I'm not certain I understand the question. May we call a short recess and he can ask me that question and explain it to me and I'll be glad to answer it on the floor if he wants me to."

At 7:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:20 o'clock p.m.

Senator O'Connor then continued with his questioning, "Mr. President, I'll re-phrase my earlier question for greater clarification. I wonder if the Chairman of the Ways and Means Committee would inform us if the deletions which have been made to Part A of part 5 are greater or lesser than the \$4,000,000 in general funds which are reflected for Part B?"

Senator Cayetano answered that the deletions were greater.

Senator O'Connor then queried, "Am I to understand they are substantially greater so as to allow the House to put its own provisions and measures

in to Part B if they so desire?"

Senator Cayetano replied, "That is correct."

Senator Anderson then spoke for the measure:

"Mr. President, in support of the Chairman of the Ways and Means Committee, less there be any question across the hall if they hear of the discussion on the budget--there are fourteen Senators, the majority of the Senate who signed the committee report, that we support the committee position and the Chairman. It's not a solid document, maybe in concrete, but it's a very firm document. I'm sure it is a Senate position--fourteen support it! It's going to be argued as a solid document and it is the Senate position, less Representative Suwa or the Speaker think otherwise. Thank you."

Senator Campbell then responded to remarks made earlier as follows:

"Mr. President, in response to the comments made by the Chairman of the Ways and Means Committee, I'm sorry that he has interpreted my remarks to be an attack on the budget. I think I tried to make clear that I fully support this budget and I fully support the commendable job that the Chairman and the members of the Committee have done.

"I think the tenor of my remarks were primarily directed not only to the Senate but to the entire Legislature as it relates to a program which I think ought to have rather serious attention by this entire Legislature. And I couldn't think of a better time to raise those issues than now, when we're getting ready to pass our budget. Thank you very much."

Senator Mizuguchi then stated as follows:

"Mr. President, on behalf of the majority members of the Senate, I just want to make some brief remarks in support of this bill.

"I believe that the Chairman and members of the Ways and Means Committee are to be commended for the rational and responsible approach that they have taken with this bill.

"The problem of the executive power to execute appropriations overriding the legislative power to make appropriations has long been with us. Prior efforts to correct this imbalance have not succeeded in the past. I believe that this effort will.

"Through the approach taken by

this bill, the Legislature can be a stronger and more effective decision-making body. We also place reasonable limitations to safeguard against abuses of the executive power. This kind of co-equality must be struck if government is to be more accountable.

"Therefore, I urge all members of this Body to support this bill. Thank you."

Senator Abercrombie then spoke in support of the measure as follows:

"Mr. President, I wish merely to, in support of this budget, to reiterate Senator Anderson's commentary.

"I very seldom have participated in an exercise of responsibility in which there was any more in the way of cooperation and any less in the way of rivalry or part of an interest undertaken.

"This is truly a committee effort, that it will truly be a Senate effort. I think that the kind of mutuality that the Majority Floor Leader just indicated can be most successful if we have, are able to instill attitude in our discussions with the House. I, for one, most certainly intend to pursue that, and I think if we do that as a Legislature and continue this cooperative attitude, we can reassert in the positive fashion,

the goals and outlines of obligations and responsibilities that the Chairman so eloquently uttered."

The motion was put by the Chair and carried, 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, 24. Noes, none. Excused, 1 (Yee).

Senator Chong then introduced to the members of the Senate, Miss Piliialoha Lee Loy, a member of the Commission on the Status of Women.

The President then made the following observation:

"It's been a very long day for most of us. I think the discussion that ensued was kept in a manner of proper decorum of the Senate. I appreciate the participation of all the Senators, and it's on to the conference."

ADJOURNMENT

At 7:30 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Tuesday, April 3, 1979.

FORTY-EIGHTH DAY

Tuesday, April 3, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Timeteo P. Quintero, St. Paul's Philippine Independent Church, after which the Roll was called showing all Senators Present, with the exception of Senators Abercrombie and Saiki, who were excused.

The President 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 Anderson introduced 48 members of the Hui Hookipa O'Kahala Senior Citizens Club.

Senator Kawasaki introduced a group of 4th graders from Salt Lake Elementary School, accompanied by their teachers Mrs. Senaha, Mrs. Kawaguchi and Mrs. Low.

Senator Carpenter then introduced ten students from Kamehameha School's student government class, accompanied by their instructor Ms. Sandy Young.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 343 to 406) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 343) returning Senate Bill No. 9, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 9, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 344) returning Senate Bill No. 11, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF

ARTICLE II, SECTION 8)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 345) returning Senate Bill No. 15, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 15, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPOR-TIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 346) returning Senate Bill No. 42, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 347) returning Senate Bill No. 45 which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 348) returning Senate Bill No. 46, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 349) returning Senate Bill No. 50, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 50, S.D. 1, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 350) returning Senate Bill No. 77, S.D. 3, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 77, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 351) returning Senate Bill No. 86, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 86, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 352) returning Senate Bill No. 87, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 87, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 353) returning Senate Bill No. 181, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 181, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 354) returning Senate Bill No. 182, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 182, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 355) returning Senate Bill No. 393, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 393, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 356) returning Senate Bill No. 581, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 581, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 357) returning Senate Bill No. 599, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 358) returning Senate Bill No. 615, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 615, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 359) returning Senate Bill No. 664, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 664, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 360) returning Senate Bill No. 666, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 666, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 361) returning Senate Bill No. 670, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 362) returning Senate Bill No. 691, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 363) returning Senate Bill No. 692, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 364) returning Senate Bill No. 694, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 694, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 365) returning Senate Bill

No. 695, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 695, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 366) returning Senate Bill No. 697, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 367) returning Senate Bill No. 870, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 870, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 368) returning Senate Bill No. 919, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 919, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 369) returning Senate Bill No. 1043, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1043, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDED OF INTEREST IN CIVIL CASES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 370) returning Senate Bill No. 1049, S.D. 1, which passed Third

Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1049, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 371) returning Senate Bill No. 1091, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1091, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 372) returning Senate Bill No. 1230, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 373) returning Senate Bill No. 1238, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1238, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 374) returning Senate Bill No. 1282, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 375) returning Senate Bill No. 1284, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form,

was placed on file.

By unanimous consent, action on S.B. No. 1284, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 376) returning Senate Bill No. 1303, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1303, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 377) returning Senate Bill No. 1315, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1315, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 378) returning Senate Bill No. 1373, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1373, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 379) returning Senate Bill No. 1540, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1540, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 380) returning Senate Bill No. 1591, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed

on file.

By unanimous consent, action on S.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 381) returning Senate Bill No. 1611, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 382) returning Senate Bill No. 1634, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1634, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 383) returning Senate Bill No. 1650, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1650, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 384) returning Senate Bill No. 1657, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1657, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 385) returning Senate Bill No. 1680, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form,

was placed on file.

By unanimous consent, action on S.B. No. 1680, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 386) returning Senate Bill No. 1682, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1682, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 387) returning Senate Bill No. 168, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 168, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 388) returning Senate Bill No. 1703, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1703, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 389) returning Senate Bill No. 1727, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1727, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 390) returning Senate Bill No. 1737, S.D. 2, which passed Third Reading in the House of Representatives

on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 391) returning Senate Bill No. 1752, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 392) returning Senate Bill No. 1753, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1753, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 393) returning Senate Bill No. 1771, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1771, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 394) returning Senate Bill No. 1389, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1389, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 395) returning Senate Bill No. 1409, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B.

No. 1409, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 396) returning Senate Bill No. 1415, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1415, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 397) returning Senate Bill No. 1430, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1430, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 398) returning Senate Bill No. 1438, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1438, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 399) returning Senate Bill No. 1439, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 400) returning Senate Bill No. 1451, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1451, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Wednesday,

April 4, 1979.

A communication from the House (Hse. Com. No. 401) returning Senate Bill No. 1483, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1483, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 402) returning Senate Bill No. 1492, S.D. 2, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1492, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 403) returning Senate Bill No. 1516, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1516, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 404) returning Senate Bill No. 1539, S.D. 1, which passed Third Reading in the House of Representatives on April 2, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 1539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", was deferred until Wednesday, April 4, 1979.

A communication from the House (Hse. Com. No. 405) returning Senate Bill No. 683, which passed Third Reading in the House of Representatives on April 2, 1979, was placed on file.

A communication from the House (Hse. Com. No. 406) returning Senate Bill No. 1760, which passed Third Reading in the House of Representatives on April 2, 1979, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 78), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INITIATE APPROPRIATE ACTIONS TO ENABLE MEMBERS OF THE MAUNALAHA VALLEY COMMUNITY ASSOCIATION TO OBTAIN LONGER TERM LAND LEASES", was offered by Senator Abercrombie and was read by the Clerk.

By unanimous consent, S.C.R. No. 78 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 333 to 342) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 333), entitled: "SENATE RESOLUTION CONGRATULATING THE CHAMINADE UNIVERSITY SILVERSWORDS FOR AN OUTSTANDING BASKETBALL SEASON", was jointly offered by Senators Soares, Saiki, Cobb, Toyofuku, Campbell, George, Yamasaki, Young, Mizuguchi, Anderson, Wong, Ushijima, O'Connor, Chong, Carroll, Hara, Takitani, Kawasaki, Abercrombie, Cayetano, Yim, Ajifu and Carpenter.

On motion by Senator Soares, seconded by Senator O'Connor and carried, S.R. No. 333 was adopted.

At this time, Senator Soares introduced to the members of the Senate the coaching staff and members of the Chaminade Basketball Team: Mike Vasconcellos, Athletic Director, Merv Lopes, Coach, Players Chico Furtado, formerly of Iolani School, Roy Villanova, formerly of Kalani High School, and Will Pearson, formerly of Kailua High School, and presented them with certified copies of the resolution.

Senator Soares then added as follows:

"Mr. President, the much-talented and outstanding center of the ball club, Will Pounds, who was selected to the All-Western District First Team and earned All West honors, could not be here this morning.

"I would like it noted here that these players have no scholarships; they work part-time to pay their way to school; they have no gym to practice in and yet they have gone as far as they have to bring honor to Hawaii."

At 11:43 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.

A resolution (S.R. No. 334), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE HAWAII ECONOMIC DEVELOPMENT CORPORATION (HEDCO), ITS EXECUTIVE DIRECTOR, MICHAEL J. COY, AND THE HEDCO STAFF FOR THEIR CONTRIBUTIONS TO THE SMALL BUSINESS COMMUNITY", was jointly offered by Senators Wong, Hara, Takitani, Young, O'Connor, Toyofuku, Cobb, Cayetano, Ushijima, Yamasaki, Carpenter, Mizuguchi, Carroll, Campbell, Chong, Kuroda, Kawasaki, George, Soares, Ajifu, Yee, Anderson, Yim, Abercrombie and Saiki.

On motion by Senator Campbell, seconded by Senator Chong and carried, S.R. No. 334 was adopted.

At this time, Senator Campbell introduced to the members of the Senate a group of persons who are connected with HEDCO, sitting in the Senate gallery: Michael Belkosky, Nathan Blumstein, Kathryn Bonsey, Cynthia Chang, Sylvia Gadow, Frederick Luning, Randall Takahashi, Dexter Taniguchi, Kali Tanita, Rumi Westergren, all of Honolulu; Wilbert Lee and Myron Yamasato of Hilo; Susan Coy and daughters Kim, Janine Miles and Alex Myers. Also introduced were Mr. Michael J. Coy, Executive Director, and Mr. James Swenson, President of the Board of Directors, who were presented with certified copies of the resolution by Senator Campbell and leis by Senator Young.

At 11: 51 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.

At this time, Senator Ajifu introduced to the members of the Senate Miss Jennifer Goto, a student of Castle High School, her father, Mr. Renji Goto, and Mr. Harold Chong, Principal of Castle High School, who were sitting in the gallery, and stated as follows:

"Jennifer was recently named a Hawaii Delegate to the 17th Annual United States Senate Youth Program in Washington, D.C., where she had gone through an intensive week-long study of the federal government, met with our Senators, participated in a mock joint session of Congress, met with Chief Justice Thurgood Marshall, toured some of the departments there and was privileged to have met President Carter."

A resolution (S.R. No. 335), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INITIATE APPROPRIATE ACTIONS TO ENABLE MEMBERS OF THE MAUNALAHA VALLEY COMMUNITY ASSOCIATION TO OBTAIN LONGER TERM LAND LEASES", was offered by Senator Abercrombie.

By unanimous consent, S.R. No. 335 was referred to the Committee on Economic Development.

A resolution (S.R. No. 336), entitled: "SENATE RESOLUTION COMMENDING CASTLE HIGH SCHOOL AWARD WINNERS IN THE 1979 HAWAII REGIONAL SCHOLASTIC ART EXHIBIT", was jointly offered by Senators Anderson, Ajifu, Soares, Takitani, Young, Yamasaki, Toyofuku, Hara, Kuroda and Cobb.

On motion by Senator Anderson, seconded by Senator Ajifu and carried, S.R. No. 336 was adopted.

A resolution (S.R. No. 337), entitled: "SENATE RESOLUTION REQUESTING THE CHAIRMAN OF THE SENATE WAYS AND MEANS COMMITTEE TO HOLD A PUBLIC HEARING ON ISSUES RELATING TO THE ALLOCATION AND ALLOTMENT OF APPROPRIATIONS", was jointly offered by Senators Anderson, Saiki, Ajifu, Soares, Takitani, Cobb and Young.

By unanimous consent, S.R. No. 337 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 338), entitled: "SENATE RESOLUTION REQUESTING A REPORT FROM THE DEPARTMENT OF TRANSPORTATION ON THE COMMERCIAL USE OF STATE HARBORS AND ITS REVIEW BY THE SENATE COMMITTEE ON TRANSPORTATION", was jointly offered by Senators Mizuguchi, George, Hara, Yim, Cobb, Chong, Takitani, Young, Yamasaki, Toyofuku, Ajifu, Carpenter and Campbell.

By unanimous consent, S.R. No. 338 was referred to the Committee on Transportation, then to the Committee on Legislative Management.

A resolution (S.R. No. 339), entitled: "SENATE RESOLUTION REQUESTING A STUDY COMPARING THE CHARGES FOR MEDICAL SERVICES BY PRIVATE AND PUBLIC HOSPITALS IN THE STATE OF HAWAII", was jointly offered by Senators Carpenter, Chong, Ajifu, Toyofuku, Cayetano, Takitani, Campbell, Abercrombie, Hara, Yamasaki, Young, Yim and Cobb.

By unanimous consent, S.R. No. 339 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 340), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE AREAS THROUGHOUT THE STATE WHICH LACK EMERGENCY MEDICAL SERVICES", was jointly offered by Senators Carpenter, Chong, Hara, Yamasaki, Young, Takitani, Yim, Cobb,

Toyofuku and Ajifu.

By unanimous consent, S.R. No. 340 was referred to the Committee on Health.

A resolution (S.R. No. 341), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF ADULT CARE HOMES FOR THE ELDERLY IN HAWAII AND THE POTENTIAL OF INCREASING SUCH HOMES ACCORDING TO DIFFERENT LEVELS OF CARE", was jointly offered by Senators Carpenter, Chong, Hara, Yamasaki, Young, Takitani, Yim, Cobb, Toyofuku and Ajifu.

By unanimous consent, S.R. No. 341 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 342), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF ZILLAH S. YOUNG AND EXTENDING SYMPATHY AND CONDOLENCES TO HER FAMILY", was jointly offered by Senators Anderson, Young, Ushijima, Takitani, Soares, Yamasaki, Toyofuku, O'Connor, Cayetano, Carpenter, Hara, Yim, Yee, Carroll, Chong, George, Saiki and Ajifu.

On motion by Senator Anderson, seconded by Senator Young and carried, S.R. No. 342 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 952) informing the Senate that Senate Concurrent Resolution Nos. 76 and 77, Senate Resolution Nos. 327 to 332 and Standing Committee Report No. 951 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 953) recommending that Senate Concurrent Resolution No.

53, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY AREA AGENCIES ON AGING TO COOPERATE WITH THE EXECUTIVE OFFICE ON AGING, OFFICE OF THE GOVERNOR OF HAWAII, IN THE DEVELOPMENT OF THEIR AREA PLANS ON AGING", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 954) recommending that Senate Concurrent Resolution No. 70, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.C.R. No. 70, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXEMPTION FROM THE AVERAGE WAGE PROVISIONS FOR CERTAIN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PARTICIPANTS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 955) recommending that Senate Concurrent Resolution No. 71 be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.C.R. No. 71, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING REVIEW OF LEGISLATIVE REFERENCE BUREAU STUDY REPORTS PERTAINING TO HUMAN SERVICES INTEGRATION AND ECONOMIC ASSISTANCE PROGRAMS FOR NEEDY OLDER PERSONS", was referred to the Committee on Legislative Management.

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, April 4, 1979.

FORTY-NINTH DAY

Wednesday, April 4, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Shigenori Makino of the Kailua Hongwanji Temple, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Forty-Eighth Day.

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

Senator Anderson introduced twelve members of the Kanewai Senior Citizens Club.

Senator Hara introduced sixteen Student Observers from the Island of Hawaii, accompanied by Mr. John Sosa, who is the Vice Principal at Ka'u High School, Hawaii.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 114), transmitting a report entitled, "Economic Viability of Independent Sugar Cane Farms on the Hilo Coast", prepared by the University of Hawaii College of Tropical Agriculture and jointly financed by the University, the Department of Agriculture, and the Agriculture Coordinating Committee, noting that this is a preliminary report of Part I of a two-part study in response to House Concurrent Resolution No. 99 (1978), and adding that the report contains tentative findings based on interviews of 41 independent growers out of the required 66, was read by the Clerk and was referred to the Committee on Agriculture.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 79 to 81) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 79), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING THE MERGER OF BIG BROTHERS OF HAWAII AND KE KUA'ANA NUI-HAWAII BIG SISTERS", was jointly offered by Senators Cobb, Chong, George, Toyofuku, Takitani, Saiki, Ushijima, Yamasaki, Carpenter, Campbell, Mizuguchi, Kawasaki, Cayetano, Yim, Young, Ajifu, Kuroda, Carroll and O'Connor.

On motion by Senator Cobb, seconded by Senator Chong and carried, S.C.R. No. 79 was adopted.

A concurrent resolution (S.C.R. No. 80), entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING THE CONTRIBUTION OF LYKES BROTHERS STEAMSHIP COMPANY TO HAWAII BY ITS PROVIDING FAR EAST/HAWAII/WEST COAST CARGO SERVICE", was jointly offered by Senators Cobb, Mizuguchi, Kuroda, Chong, Yim, Campbell, Young, Yamasaki, Kawasaki, Ajifu, Carroll, Ushijima, Yee, O'Connor and Saiki.

On motion by Senator Cobb, seconded by Senator Mizuguchi and carried, S.C.R. No. 80 was adopted.

A concurrent resolution (S.C.R. No. 81), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO REPEAL THE FEDERAL 'NEWSPAPER PRESERVATION ACT' ", was jointly offered by Senators Kawasaki, Wong, Abercrombie, Cayetano, Mizuguchi, Chong, Young, Ajifu, Carpenter, Yim, Kuroda, Toyofuku and Takitani.

By unanimous consent, S.C.R. No. 81 was referred to the Committee on Judiciary.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 343 to 350) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 343), entitled: "SENATE RESOLUTION HONORING DR. LINUS PAULING FOR HIS EFFORTS TOWARD IMPROVING THE HUMAN CONDITION", was jointly offered by Senators Chong, Wong, Campbell, Cobb, Mizuguchi, O'Connor, Kawasaki, Yamasaki, Kuroda, Ushijima, George, Hara, Cayetano, Carpenter, Ajifu, Anderson, Soares, Saiki, Carroll, Takitani, Yee, Yim, Abercrombie, Toyofuku and Young.

Senator Chong moved that S.R. No. 343 be adopted, seconded by Senator Campbell.

Senator Chong then stated as follows:

"Mr. President, I would especially like to point out a few of the 'WHEREAS' clauses of the resolution: 'WHEREAS, Linus Pauling has for many years distinguished himself as a scientist and a humanitarian; WHEREAS, Linus Pauling was awarded the Nobel Prize in 1954 for his study of protein structures, and the Nobel Peace Prize in 1962 for his role in the movement toward World Peace and the banning

of nuclear testing; and WHEREAS, Linus Pauling came to Hawaii to speak at the recent open house dedication of the Cancer Center of Hawaii whose research will undoubtedly extend the boundaries of science; and WHEREAS, the family of Linus Pauling, Jr., son of Dr. Linus Pauling, has made its home in Hawaii, it is natural that we consider his much-honored father a welcomed addition to our ohana; "

Senator Abercrombie then remarked as follows:

"Mr. President, I wish merely to add to the commentary given by Senator Chong by saying that it was my distinct pleasure and honor many years ago to meet Dr. Pauling when he was here in Hawaii speaking on not only the movement to which was rapidly gaining attention worldwide for the establishment of the premises for world peace, but most especially in the banning of nuclear testing.

"Mr. President, it's always in the after-glow of history that people become renowned, that they are honored. Most often this kind of honor takes place after people have passed away. I think it's a fortunate circumstance that we have an example in Dr. Pauling today of what it takes to display courage in the face of adversity, what it takes to display the necessary requisites for a democratic society in upholding its value, of what it takes to exemplify the meaning of the constitution in respect of free speech, of what it takes when someone has knowledge and is not afraid then to take that knowledge to the public and to let the people know what exactly are the circumstances that might befall them if they remain ignorant of the knowledge that that person has gained and wishes to share.

"In this particular instance, it had to do with radiation poisoning. It had to do with nuclear testing. Mr. President, if one goes back in history, you will find very few individuals in this country who are ever assaulted more viciously, verbally, whose character was impugned more, whose premises were questioned with more acidity than that position which was expounded by Dr. Pauling concerning the effects of radiation on human beings--what would happen to us. It's a grim irony that he is here today with the events that have transpired in Harrisburg, Pennsylvania.

"I think this was recognized by the Nobel Prize Commission in awarding him a second Nobel Prize. It's a thrill and an honor to be able to stand in these halls today and to see him here

once again in Hawaii and to have the opportunity to add, for the formal record of the State of Hawaii, my congratulations and my deeply felt sense of honor and privilege of being in the company of this great, great man, this great American, this great citizen of the world."

Senator Kawasaki then expressed his thoughts as follows:

"Mr. President, I, too, would like to take this means to express to the honoree today that we're completely delighted to have him present at this session today.

"I want to also refresh the memory of Dr. Pauling to say that, as a consequence of his opposition to nuclear testing, here in the State Senate years ago, that Senator Patsy Mink also took a position consonant with his views and she too, as I recall, was the subject of great criticism by people less knowledgeable than these two individuals and we do want to tell you, your theories were a great influence on, at that time, State Senator Patsy Mink.

"I want to tell you as a personal note that I've been following your theories regarding vitamin C and its relevancy to cancer research with great interest. And I am delighted to have you here in this Body."

Senator Campbell then stated as follows:

"Mr. President, I hadn't planned to say anything but I was encouraged by the remarks of my fellow Senators. I feel a great sense of personal honor to have a man of the caliber of Dr. Pauling to be sitting on this floor with us today. And the thing I want to let him know is, that I take vitamin C quite regularly."

The motion was put by the Chair and carried, and S.R. No. 343 was adopted.

Senator Chong then introduced to the members of the Senate, Dr. Linus Pauling, and those who accompanied him, his wife, Mrs. Pauling; their son, Dr. Linus Pauling, Jr.; and Ms. Roberta Cabulong, a local University of Hawaii student and Aide to Dr. Pauling, Jr.

Senator Young presented Dr. Linus Pauling, Sr., with a lei on behalf of the State Senate and a certified copy of the resolution.

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.

The President appointed Senators George and Saiki to escort Dr. Linus Pauling,

Sr. to the rostrum.

The President then stated: "Members of the Senate, it's a singular honor for me to introduce to you the world famous, two-time Nobel Prize winner, and perhaps we can think over what he has to say for us and think more deeply into what the future will hold for all of us. May I present, the Honorable Dr. Linus Pauling."

Dr. Linus Pauling then addressed the members of the Senate as follows:

"Mr. President, Senators, Ladies and Gentlemen, I am honored by the resolution that you have passed today. I appreciate it very much and I appreciate also the opportunity to speak to you today.

"The present situation about the nuclear power plant, the Three Mile Island nuclear power plant near Harrisburg, Pennsylvania, has suggested to me that I should tell you what my opinions are about nuclear fission energy and related problems.

"I have worked very much, for many years now, on the question of the damage done by high energy radiation to people, to unborn children, to people now living who of course develop cancer when they are exposed to this high energy radiation. The amount of damage is proportional to the dose essentially. There is no safe amount of exposure.

"I am opposed to the construction of any more nuclear fission power plants and I believe also that the existing ones should be taken out of commission as soon as circumstances, economic circumstances and circumstances about their safety and about the availability of energy permits it.

"The reasons that I have are in part the conventional ones that these nuclear power plants liberate amounts of radioactive materials that do damage to unborn children and to people who are now living through their mutagenic and cancer-genic action. In addition, there is the danger of a terrible catastrophe, a melt-down or other catastrophe that might mean the death of thousands or tens of thousands of people and ultimately damage the birth of many, perhaps hundreds of thousands of unborn children with gross...who have gross physical or mental defects and a similar number of cases of cancer in people who otherwise would not have developed it.

"Then there is the problem of the safe disposition of the tremendous

amounts of nuclear waste that are formed in these nuclear fission power plants. We don't know how to handle this problem which is one that will be with the human race for thousands, tens of thousands of years if the human race survives.

"There's another reason that I oppose the burning of uranium and thorium just to produce energy. These elements exist on earth in a limited amount. I hope that the human race will continue on earth for thousands, tens of thousands of years of generations. And I believe that it is likely that these unique substances will turn out to have great values that we do not understand at the present time, do not know about. To burn up all of this rare...these rare materials, just to get some additional energy during a period of perhaps 100 years by which time the supplies would be exhausted, seems to me to constitute an injustice to future generations of human beings.

"The same argument applies also to petroleum. We should be conserving that valuable material. Sooner or later, we shall have to go over to the inexhaustible source of energy which is the sun, so that we should be expending much larger sums on research into the economical use of solar energy. This will take time, of course, and as we have the question, 'what shall we do about the energy crunch?' I believe that the way to handle this problem is to save energy, to cut down on the waste of energy, and there is a terrible amount of wasted energy in the system that we now operate.

"It would be a good thing, I believe, if the human race were to slow down a bit and enjoy life more, and this could be done by cutting down on the amount of energy that we use.

"In particular, I would like to see, in addition to what the rest of the people do, would like to see the military cut down on its use of energy. I think that there are tremendous amounts of energy wasted by the military and that a great decrease in the amount of this energy use could be achieved without any decrease in the security of our country, and with benefit to the nation as a whole.

"There is, of course, also the problem of the hazard associated with the nuclear weapons, the stock piles of nuclear weapons. They constitute a hazard somewhat different from that of the nuclear power plants, but nevertheless a hazard. This is a problem that legislators in particular and the people as a whole, need to be constantly attacking.

"I hope that the time will come when the amounts of man-made radioactivity that damage the human race, damage unborn

children by the mutagenic action, damage people now living by the cancer-genic action, will be decreased significantly, brought to a much lower level.

"I thank you for giving me the opportunity of expressing my opinions about these important questions and thank you for the honor that you have done me."

A resolution (S.R. No. 344), entitled: "SENATE RESOLUTION EXTENDING FONDEST ALOHA AND WELCOME TO THE REAL ESTATE INSTITUTE OF AUSTRALIA", was jointly offered by Senators Young, Hara, Carpenter, O'Connor, Abercrombie, Ushijima, Yamasaki, Anderson, Yim, Carroll, Mizuguchi, Toyofuku, George, Yee, Cobb, Chong, Takitani, Cayetano, Campbell, Kawasaki, Kuroda, Saiki, Ajifu and Soares.

On motion by Senator Young, seconded by Senator Hara and carried, S.R. No. 344 was adopted.

A resolution (S.R. No. 345), entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A PUBLIC INFORMATION PROGRAM REGARDING FEE SIMPLE ACQUISITION OF RESIDENTIAL LEASEHOLDS", was jointly offered by Senators Cobb, Kuroda, Chong, Mizuguchi, Takitani, Ushijima, Kawasaki, Yamasaki, Yim, Young, O'Connor, Saiki, Campbell, Cayetano, George, Ajifu, Carpenter and Carroll.

By unanimous consent, S.R. No. 345 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 346), entitled: "SENATE RESOLUTION COMMENDING THE MERGER OF BIG BROTHERS OF HAWAII AND KE KUA'ANA NUI-HAWAII BIG SISTERS", was jointly offered by Senators Cobb, Chong, George, Toyofuku, Takitani, Saiki, Ushijima, Yamasaki, Carpenter, Campbell, Kawasaki, Yim, Cayetano, Young, Kuroda and Carroll.

On motion by Senator Cobb, seconded by Senator Chong and carried, S.R. No. 346 was adopted.

A resolution (S.R. No. 347), entitled: "SENATE RESOLUTION RECOGNIZING THE CONTRIBUTION OF LYKES BROTHERS STEAMSHIP COMPANY TO HAWAII BY ITS PROVIDING FAR EAST/HAWAII/WEST COAST CARGO SERVICE", was jointly offered by Senators Cobb, Mizuguchi, Kuroda, Yim, Campbell, Young, Yamasaki, Kawasaki, Ajifu, Carroll, Ushijima, Yee and Saiki.

On motion by Senator Cobb, seconded by Senator Chong and carried, S.R. No. 347 was adopted.

A resolution (S.R. No. 348), entitled: "SENATE RESOLUTION CONGRATULATING THE MARINE CORPS AIR STATION, KANEOHE BAY, ON THE RECEIPT OF THE SECRETARY OF THE NAVY ENVIRONMENTAL PROTECTION AWARD", was jointly offered by Senators George, Ajifu, Mizuguchi, Cobb, Hara, Chong, Kuroda, Ushijima, Soares, Yim, Takitani, Yamasaki, Kawasaki, Saiki, Carroll, Carpenter, Campbell, Yee, Anderson and Young.

On motion by Senator George, seconded by Senator Ajifu and carried, S.R. No. 348 was adopted.

Senator George then introduced to the members of the Senate Colonel M.H. Sautter, the Commanding Officer of the Kaneohe Marine Corps Air Station; Mr. Tom Cajski, Environmental Specialist at the Kaneohe Marine Corps Air Station; and Mr. Mel Yoshinaga, Chief Engineer at the Kaneohe Marine Corps Air Station. A few years ago, Mr. Yoshinaga was the recipient of the Federal Employee of the Year Award.

Senator George then presented certified copies of the resolution to the above mentioned.

At 12:07 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 then introduced to the members of the Senate Mr. Alvin T. Amaral, a former member of the House of Representatives, from the island of Maui.

A resolution (S.R. No. 349), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO MARI DYER AND KAILI TRASK ON THEIR ARTISTIC ACHIEVEMENTS", was jointly offered by Senators George, Ajifu, Saiki, Hara, Mizuguchi, Yim, Cayetano, Chong, Kuroda, Soares, Takitani, Yamasaki, Cobb, Carroll, Ushijima, Carpenter, Campbell, Young, Yee and Anderson.

On motion by Senator George, seconded by Senator Ajifu and carried, S.R. No. 349 was adopted.

A resolution (S.R. No. 350), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO REPEAL THE FEDERAL 'NEWSPAPER PRESERVATION ACT'", was jointly offered by Senators Kawasaki, Wong, Abercrombie, Cayetano, Mizuguchi, Chong, Takitani, Young, Ajifu, Carpenter, Yim, Kuroda and Toyofuku.

By unanimous consent, S.R. No. 350 was referred to the Committee on Judiciary.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 956) informing the Senate that Senate Concurrent Resolution No. 78, Senate Resolution Nos. 333 to 342 and Standing Committee Report Nos. 953 to 955 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 957) recommending that Senate Resolution No. 114, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.R. No. 114, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING A MASSAGE THERAPY CURRICULUM IN COMMUNITY COLLEGES IN COUNTIES WHERE NO MASSAGE SCHOOL EXISTS", was referred to the Committee on Legislative Management.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 958) recommending that Senate Resolution No. 182 be adopted.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and S.R. No. 182, entitled: "SENATE RESOLUTION COMMENDING THE WOMEN'S STUDIES PROGRAM OF THE UNIVERSITY OF HAWAII AND REQUESTING PERMANENT STATUS FOR THE PROGRAM", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 959) recommending that House Concurrent Resolution No. 42 be referred to the Committee on Economic Development.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE STATE BOARD OF LAND AND NATURAL RESOURCES FOR THEIR EFFORTS TO STRENGTHEN AGRICULTURAL WATER RESOURCE PROGRAMS IN WAIMANALO, OAHU, AND URGING THE BOARD TO INTENSIFY ACTIVITIES TO UPGRADE THE AGRICULTURAL WATER SYSTEMS IN WAIMANALO", was referred to

the Committee on Economic Development.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 960) recommending that House Concurrent Resolution No. 44 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING HAWAII'S DELEGATION TO THE UNITED STATES CONGRESS TO SPONSOR AND SUPPORT LEGISLATION RELATING TO THE FARM OWNERSHIP PROGRAM LOANS OF THE FEDERAL FARMERS HOME ADMINISTRATION", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 961) recommending that Senate Concurrent Resolution No. 39 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.C.R. No. 39, entitled: "SENATE CONCURRENT RESOLUTION DECLARING THE PROTECTION OF HAWAII'S SUGAR INDUSTRY AS A MATTER OF COMPELLING STATE INTEREST AND URGING ALL THE PEOPLE OF HAWAII, INCLUDING BUSINESS ESTABLISHMENTS, TO ACTIVELY SUPPORT THE INDUSTRY", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 962) recommending that Senate Concurrent Resolution No. 61 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO ADOPT GRADING STANDARDS ON GINGER ROOT IMPORTED INTO THE UNITED STATES", was adopted.

Senators Takitani and Mizuguchi, for the Committees on Agriculture and Transportation, presented a joint report (Stand. Com. Rep. No. 963) recommending that Senate Resolution No. 146 be adopted.

On motion by Senator Takitani, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 146, entitled: "SENATE RESOLUTION REQUESTING THE CIVIL AERONAUTICS BOARD TO ASSIST THE AGRICULTURAL INDUSTRY OF HAWAII IN THE AREA OF TRANSPORTATION BY AIR", was adopted.

Senator Takitani, for the Committee

on Agriculture, presented a report (Stand. Com. Rep. No. 964) recommending that Senate Resolution No. 108 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 108, entitled: "SENATE RESOLUTION REQUESTING ESTABLISHMENT OF A SPECIAL LOGO TO IDENTIFY LOCALLY PRODUCED AGRICULTURAL COMMODITIES CERTIFYING HAWAIIAN ORIGIN", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 965) recommending that Senate Resolution No. 109, as amended in S.D. 1, be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 109, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EXECUTIVE BRANCH TO SUPPORT THE SUGAR INDUSTRY WITH ALL MEANS PRACTICABLE TO ENSURE ITS STABILITY AND CONTINUITY", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 966) recommending that Senate Resolution No. 110, as amended in S.D. 1, be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 110, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO TAKE WHATEVER ACTION POSSIBLE AT THE FEDERAL LEVEL TO ASSIST THE SUGAR INDUSTRY OF HAWAII", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 967) recommending that Senate Resolution No. 144 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 144, entitled: "SENATE RESOLUTION RELATING TO THE AMELIORATION OR RELIEF OF THE BANISHMENT FROM THE UNITED STATES MAINLAND OF THE HAWAIIAN AVOCADO AND MANGO", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 968) recommending that Senate Resolution No. 200 be adopted.

On motion by Senator Takitani, seconded

by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 200, entitled: "SENATE RESOLUTION DECLARING THE PROTECTION OF HAWAII'S SUGAR INDUSTRY AS A MATTER OF COMPPELLING STATE INTEREST AND URGING ALL THE PEOPLE OF HAWAII, INCLUDING BUSINESS ESTABLISHMENTS, TO ACTIVELY SUPPORT THE INDUSTRY", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 969) recommending that Senate Resolution No. 201 be adopted.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 201, entitled: "SENATE RESOLUTION ENCOURAGING THE CREATION OF A SINGLE UNIFIED AGRICULTURAL COOPERATIVE ASSOCIATION FOR VEGETABLE GROWERS ON MAUI AND COMMENDING THE TWO EXISTING ASSOCIATIONS FOR INITIATING MERGER ACTIONS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 970) recommending that House Concurrent Resolution No. 49, H.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.C.R. No. 49, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE OCCUPATIONAL INFORMATION COORDINATING COMMITTEE (HSOICC) TO UTILIZE AN ADVISORY COMMITTEE STRUCTURE FOR THE PURPOSE OF INCREASING THE INPUT AND PARTICIPATION IN THE INFORMATION SYSTEM", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 971) recommending that Senate Concurrent Resolution No. 47, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 47, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO THE WORKERS' COMPENSATION PROGRAM", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 972) recommending that Senate Concurrent Resolution No. 56, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee

was adopted and S.C.R. No. 56, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON PAYMENTS FOR MEDICAL CARE, SERVICES, AND SUPPLIES IN WORKERS' COMPENSATION CASES", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 973) recommending that Senate Concurrent Resolution No. 59, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE EFFECTIVENESS OF THE COORDINATION OF EMPLOYMENT TRAINING, VOCATIONAL-TECHNICAL EDUCATION, AND RELATED MANPOWER TRAINING PROGRAMS WITH ECONOMIC DEVELOPMENT ACTIVITIES", was referred to the Committee on Legislative Management.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 974) recommending that Senate Resolution No. 264 be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.R. No. 264, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CHARGES MADE TO EMPLOYERS UNDER THE HAWAII EMPLOYMENT SECURITY LAW", was referred to the Committee on Legislative Management.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 975) recommending that House Concurrent Resolution No. 52, be adopted.

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO PURSUE THE ESTABLISHMENT OF AN OLYMPIC TRAINING CENTER AND SPORTS-MEDICINE CLINIC IN HAWAII WITH THE U.S. OLYMPIC COMMITTEE", was adopted.

ORDER OF THE DAY

MATTERS DEFERRED
FROM MARCH 27, 1979

Senate Bill No. 1096, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1096, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1097, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1097, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1098, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1098, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1099, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1099, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1100, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1100, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1101, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1101, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1102, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1102, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1103, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1103, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1104, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1104, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1105, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1105, S.D. 2, and requested a conference on the subject matter thereof.

In accordance thereof, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1106, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1106, S.D. 2, and requested a conference on the subject matter thereof.

In accordance thereof, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1108, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1108, S.D. 2, and requested a conference on the subject matter thereof.

In accordance thereof, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1742, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1742, S.D. 1, and requested a conference on the subject matter thereof.

In accordance thereof, the President appointed Senators Cayetano, Chairman, Kawasaki, Abercrombie, Carpenter, Chong, Hara, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

MATTERS DEFERRED
FROM APRIL 3, 1979

Senate Bill No. 9, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 9, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 11, H.D. 1:

By unanimous consent, action on S.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 15, S.D. 1, H.D. 1:

By unanimous consent, action S.B. No. 15, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 42, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 45, H.D. 1:

By unanimous consent, action on S.B. No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 46, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 50, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 50, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", was deferred until Thursday, April 5, 1979.

Senate Bill No. 77, S.D. 3, H.D. 1:

By unanimous consent, action on S.B. No. 77, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", was deferred until Thursday, April 5, 1979.

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

By unanimous consent, action on S.B. No. 86, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 87, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 87, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", was deferred until Thursday, April 5, 1979.

Senate Bill No. 181, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 181, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", was deferred until Thursday, April 5, 1979.

Senate Bill No. 182, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 182, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 393, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 393, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Thursday, April 5, 1979.

Senate Bill No. 581, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 581, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 599, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 615, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 615, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES"

OF THE DEPARTMENT OF HEALTH", was deferred until Thursday, April 5, 1979.

Senate Bill No. 664, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 664, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", was deferred until Thursday, April 5, 1979.

Senate Bill No. 666, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 666, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 670, H.D. 1:

By unanimous consent, action on S.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 691, H.D. 1:

By unanimous consent, action on S.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", was deferred until Thursday, April 5, 1979.

Senate Bill No. 692, H.D. 1:

By unanimous consent, action on S.B. No. 692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 694, H.D. 1:

By unanimous consent, action on S.B. No. 694, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", was deferred until Thursday, April 5, 1979.

Senate Bill No. 695, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 695, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", was deferred until Thursday, April 5, 1979.

Senate Bill No. 697, H.D. 1:

By unanimous consent, action on

S.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", was deferred until Thursday, April 5, 1979.

Senate Bill No. 870, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 870, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", was deferred until Thursday, April 5, 1979.

Senate Bill No. 919, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 919, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1043, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1043, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDDING OF INTEREST IN CIVIL CASES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1049, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1049, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1091, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1091, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1230, H.D. 1:

By unanimous consent, action on S.B. No. 1230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1238, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1238, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1282, H.D. 1:

By unanimous consent, action on S.B. No. 1282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", was deferred until

Thursday, April 5, 1979.

Senate Bill No. 1284, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1284, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1303, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1303, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1315, H.D. 1:

By unanimous consent, action on S.B. No. 1315, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1373, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1373, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", was deferred until Thursday, April 5, 1979.

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

By unanimous consent, action on S.B. No. 1540, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1591, H.D. 2:

By unanimous consent, action on S.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1611, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1634, S.D. 2, H.D. 1:

By unanimous consent, action on

S.B. No. 1634, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1650, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1650, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1657, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1657, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1680, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1680, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION" was deferred until Thursday, April 5, 1979.

Senate Bill No. 1682, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1682, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 168, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 168, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1703, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1703, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1727, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1727, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1737, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Thursday,

April 5, 1979.

Senate Bill No. 1752, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1753, H.D. 1:

By unanimous consent, action on S.B. No. 1753, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1771, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1771, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1389, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1389, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1409, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1409, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1415, H.D. 1:

By unanimous consent, action on S.B. No. 1415, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1430, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1430, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1438, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1438, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1439, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1451, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1451, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1483, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1483, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1492, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1492, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1516, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1516, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", was deferred until Thursday, April 5, 1979.

Senate Bill No. 1539, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", was deferred until Thursday, April 5, 1979.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 23 to 29) were read by the Clerk and were disposed of as follows:

A communication from Mrs. Bernard H. Levinson and family (Misc. Com. No. 23), extending appreciation for and acknowledging receipt of Senate Resolution No. 257 (1979), was placed on file.

A communication from Ms. Eunice M. Howell and family (Misc. Com. No. 24), acknowledging receipt of and expressing appreciation for Senate Resolution No. 164 (1979), was placed on file.

A communication from George S. Moriguchi,

Chief Planning Officer, Department of General Planning, City and County of Honolulu, (Misc. Com. No. 25), transmitting the "Notification of Intent" for Federal assistance to develop the Salt Lake Housing for the Handicapped, TMK: 1-1-58:14, HUD Project No. 140-EH006-WHC-L8, was referred to the Committee on Housing and Hawaiian Homes.

A communication from George S. Moriguchi, Chief Planning Officer, Department of General Planning, City and County of Honolulu, (Misc. Com. No. 26), transmitting the "Notification" from the U.S. Department of Housing and Urban Development of their intent to provide Home Mortgage Insurance and Rental Subsidy for the Ewa Gardens Project, was referred to the Committee on Housing and Hawaiian Homes.

A communication from George S. Moriguchi, Chief Planning Officer, Department of General Planning, City and County of Honolulu, (Misc. Com. No. 27), transmitting the "Notification" from the U.S. Department of Housing and Urban Development of their intent to provide Rental Subsidy for the Jack Hall Memorial, Phase II, project, was referred to the Committee on Housing and Hawaiian Homes.

A communication from Charles F. Fell, Temporary Chairman, Interim Committee to Study Governmental Tort Liability, Department of Attorney General, (Misc. Com. No. 28), transmitting documents substantiating that the report of that committee had unanimous support, was referred to the Committee on Judiciary.

A communication from Mr. W. D. Stevens, Chairman of the Board of Foster Wheeler Corporation, Livingston,

New Jersey, (Misc. Com. No. 29), acknowledging receipt of and expressing appreciation for Senate Resolution No. 248 (1979), was placed on file.

Senator Kawasaki then rose on a point of personal privilege and stated as follows:

"Mr. President, one comment if I may on a point of personal privilege... I trust that the very cogent words spoken by the great humanitarian, thinker and indeed a man ahead of his time, will be very accurately reflected in the pages of the Senate Journal for the edification of generations of Senators coming afterwards.

"I think his suggestion regarding the saving of energy... or the waste of tremendous amounts of energy by the defense establishment is completely true, in fact, and I hope that some thought will be given to his words by people responsible for the waste of energy."

Senator Carroll then stated as follows:

"Mr. President, on a point of personal privilege and I don't say this with tongue in cheek, but we talk very often about saving energy and very few of us do very much about it, other than to think and talk about it. There's a very obvious way and I'm not suggesting that every member of this Body should do so, but a very economical and healthful way of saving energy is to ride a bicycle, and I know that all of my bicycle legislation is dormant at least until the next half of the session. But I think that it is something that we should consider. Thank you."

ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Thursday, April 5, 1979.

FIFTIETH DAY

Thursday, April 5, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the Vice President in the Chair.

The Divine Blessing was invoked by Reverend Doctor Chester Terpstra, Central Union Church, after which the Roll was called showing all Senators present, with the exception of Senators Ajifu, Hara, Takitani and Wong, who were excused.

The Vice President announced that the President had read and approved the Journal of the Forty-Ninth Day.

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

Senator Yamasaki introduced 26 seventh and eighth grade students from Paia School, Maui, accompanied by their teachers, Mr. Bill Uemura and Mr. Earl Fukami, and chaperones, Mr. and Mrs. George Cayasan.

Senator Anderson introduced 17 members of the Kapahulu Senior Citizens Club who toured Iolani Palace and are visiting the Capitol.

Senator Toyofuku introduced 12 high school students from Kauai who are participating in the Kauai Student Leaders program, accompanied by their advisors, Mr. Al Nagata, Mr. Morris Nakahata, Mr. Daniel Yotsuda and Mr. Rodolfo Sina. Miss Kauai, Roxanne Beutler of Waimea, was also introduced.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 115) transmitting the 6th Annual Report, 1977-1978, prepared by the Hawaii State Commission on the Status of Women, in compliance with Act 190, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 407 to 412) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 407) transmitting House Concurrent Resolution No. 7, H.D. 1, which was adopted by the House of Representatives on April 4, 1979, was placed on file.

By unanimous consent, H.C.R. No.

7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO INCREASE FUNDS AVAILABLE UNDER VOCATIONAL REHABILITATION ACT, AS AMENDED, AND TITLE XX OF THE SOCIAL SECURITY ACT, SO THAT THE VOCATIONAL/SOCIAL REHABILITATION SERVICES IN HAWAII MAY RECEIVE ADEQUATE FUNDING", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 408) transmitting House Concurrent Resolution No. 11 which was adopted by the House of Representatives on April 4, 1979, was placed on file.

By unanimous consent, H.C.R. No. 11, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES ARMY AND NAVY TO ALLOW THE GENERAL PUBLIC TO UTILIZE THE LEILEHUA GOLF COURSE AND THE NAVY-MARINE GOLF COURSE", was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 409) transmitting House Concurrent Resolution No. 24, H.D. 1, which was adopted by the House of Representatives on April 4, 1979, was placed on file.

By unanimous consent, H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 410) transmitting House Concurrent Resolution No. 97, H.D. 1, which was adopted by the House of Representatives on April 4, 1979, was placed on file.

By unanimous consent, H.C.R. No. 97, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE HAWAII COALITION OF LABOR ORGANIZATIONS IN THEIR BOYCOTT OF J. P. STEVENS AND COMPANY PRODUCTS", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 411) transmitting House Concurrent Resolution No. 119 which was adopted by the House of Representatives on April 4, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING 1979 AS THE INTERNATIONAL YEAR OF THE

CHILD IN ACCORDANCE WITH THE DECLARATION OF THE UNITED NATIONS", was adopted.

A communication from the House (Hse. Com. No. 412) transmitting House Concurrent Resolution No. 120 which was adopted by the House of Representatives on April 4, 1979, was placed on file.

By unanimous consent, H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ACQUISITION OF FEDERAL GRANTS FOR BICYCLE PROJECTS UNDER THE FEDERAL-AID HIGHWAY ACT OF 1978", was referred to the Committee on Transportation.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 82 to 86) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 82), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was jointly offered by Senators Cobb, Yim, Toyofuku, Campbell, George, Hara, Kawasaki, Yamasaki, Takitani, Kuroda, Cayetano, Yee, Ushijima, Chong, Carpenter and Carroll.

By unanimous consent, S.C.R. No. 82 was referred to the Committee on Consumer Protection and Commerce.

A concurrent resolution (S.C.R. No. 83), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING DEVELOPMENT OF A DIAMOND HEAD-FORT RUGER LAND USE PLAN", was jointly offered by Senators Cobb, Soares, Saiki and O'Connor.

By unanimous consent, S.C.R. No. 83 was referred jointly to the Committee on Higher Education and the Committee on Economic Development.

At 11:13 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:16 o'clock a.m.

A concurrent resolution (S.C.R. No. 84), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING AND COMMENDING THE BOARD OF DIRECTORS, THE EXECUTIVE DIRECTOR, THE STAFF, AND ALL PERSONS RESPONSIBLE FOR THE SUCCESSFUL AND EFFECTIVE OPERATION OF HALE OPIO KAUAI, INC., AT PUHI, KAUAI", was jointly offered by Senators Toyofuku, Takitani, Yamasaki,

Soares, O'Connor, Ajifu, Anderson, Kawasaki, Hara, Young, George, Cayetano, Kuroda, Cobb, Saiki, Chong, Ushijima, Yim, Yee, Abercrombie, Carpenter, Mizuguchi, Campbell, Carroll and Wong.

On motion by Senator Toyofuku, seconded by Senator Carpenter and carried, S.C.R. No. 84 was adopted.

A concurrent resolution (S.C.R. No. 85), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS AND ALOHA TO THE OAHU AJA VETERANS COUNCIL FOR A SUCCESSFUL 1979 NISEI VETERANS REUNION", was jointly offered by Senators Ushijima, Hara, Yamasaki, Takitani, Kuroda, Toyofuku, Cobb, Young, George, O'Connor, Kawasaki, Chong, Yim, Cayetano, Soares, Yee, Saiki, Anderson, Carroll and Ajifu.

On motion by Senator Ushijima, seconded by Senator Mizuguchi and carried, S.C.R. No. 85 was adopted.

A concurrent resolution (S.C.R. No. 86), entitled: "SENATE CONCURRENT RESOLUTION EXTENDING CONGRATULATIONS TO THE LEGISLATIVE REFERENCE BUREAU, UNDER DIRECTOR SAMUEL B. K. CHANG, FOR WINNING THE 1978 NATIONAL CONFERENCE OF STATE LEGISLATURES OUTSTANDING LEGISLATIVE RESEARCH REPORTS COMPETITION", was jointly offered by Senators Ushijima, Yamasaki, Takitani, Toyofuku, Soares, Cobb, Yim, Yee, Mizuguchi, Anderson, Wong, Hara, Chong, Young, Ajifu, Cayetano, George, Kawasaki, O'Connor, Saiki, Carroll, Campbell, Abercrombie and Carpenter.

On motion by Senator Ushijima, seconded by Senator Mizuguchi and carried, S.C.R. No. 86 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 351 to 364) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 351), entitled: "SENATE RESOLUTION CONGRATULATING HAWAIIAN AIRLINES, INC. ON ITS ALL-FEMALE CREW", was jointly offered by Senators Saiki, Carroll, Chong, Mizuguchi, Soares, Cobb, Young, Ushijima, Carpenter, Yamasaki, Hara, Cayetano, Ajifu, Takitani, Toyofuku, O'Connor, George, Wong, Campbell, Kawasaki, Anderson, Kuroda, Abercrombie, Yee and Yim.

Senator Saiki then moved that S.R. No. 351 be adopted, seconded by Senator Carroll.

At this time, Senator Saiki rose to state as follows:

"Mr. President, in speaking in support of this resolution, I would like to point out that when Hawaiian Airlines' Flight No. 200 departed on March the 6th for Molokai from Honolulu, it was the very first all-female crew in the history of America's certified, scheduled air carriers. This inaugural flight was accomplished by a crew of able, dedicated, and qualified women who achieved a milestone in the establishment of equal opportunities for women. They have, indeed, paved the way for many others to follow.

"I ask everyone to vote in support of the resolution."

Senator Carroll then added as follows:

"Mr. President, I also rise to urge that everyone vote for this measure and I can only say that you just about have to be a pilot to understand what these ladies have had to go through in order to have achieved this very remarkable feat.

"Having seen the Hawaiian Airlines shorts, as we call that particular airplane, and not having had the opportunity to pilot it, I'd say it takes quite a man to move that particular machine back and forth and particularly in an area like Molokai. Quite safely I'm sure, but quite a job.

"It is really an honor to be able to move on this particular Senate Resolution."

Senator Soares then remarked as follows:

"On behalf of Aloha Airlines, I want to extend my heartfelt congratulations on the resolution to a wonderful crew."

Senator Kawasaki, the Presiding Officer, then stated as follows:

"I had to do a lot of soul-searching to decide to vote for this resolution, much less to have been one of the cosigners.

"As the sole remaining member of this Body known as the last of the male chauvinists with an unblemished record in this regard, I really had great reservations about signing the resolution; however, in the true tradition of the gallantry of the male members of this Body, I decided I shall accede to Senator Saiki's wishes and I therefore urge all of you to vote for this, although I still have some reservations about whether I want to take a trip to one of the outer islands on our all-female crew. Be that as it may, I urge the voting of this resolution by unanimous acclamation."

The motion was put by the Chair and carried and S.R. No. 351 was adopted.

Senator Saiki then introduced to the members of the Senate the crew of the inaugural flight: Captain Sharyn Emminger, First Officer Karen Squyres, and Flight Attendant Trude Asada, accompanied by Mr. John H. Magoon, Jr., President and Chairman of the Board of Hawaiian Airlines. Certified copies of the resolution and leis were presented to them by Senators Saiki, Anderson, Yee, Yamasaki, O'Connor and George.

Also introduced, sitting in the gallery, were the following: Honolulu ticket agent Shirly Nuyha, Honolulu baggage handler Trudie Oshiro and Molokai baggage handler Cecelia Elersten, who are part of the all-female crew, accompanied by Mr. Al Narimatsu, Director of Government Affairs for Hawaiian Airlines.

At 11:21 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:24 o'clock a.m.

A resolution (S.R. No. 352), entitled: "SENATE RESOLUTION CONGRATULATING THE FIRST CHINESE CHURCH OF CHRIST IN HAWAII ON ITS 100TH ANNIVERSARY", was jointly offered by Senators Yee, Takitani, Hara, Young, Chong, Toyofuku, Cobb, Yim, George, Campbell, Carpenter, Kuroda, Yamasaki, Anderson, Soares, Mizuguchi, Cayetano and Ajifu.

On motion by Senator Yee, seconded by Senator Chong and carried, S.R. No. 352 was adopted.

A resolution (S.R. No. 353), entitled: "SENATE RESOLUTION CONGRATULATING MARIE KANHOI KAHULA FOR BEING SELECTED AS HAWAII'S MOTHER OF THE YEAR", was jointly offered by Senators Yamasaki, Takitani, Young, Toyofuku, Campbell, Yim, Kawasaki, Cayetano, O'Connor, Ushijima, Kuroda, Soares, Anderson, Hara, Chong, Cobb, Carpenter, Mizuguchi, Yee, Wong, George, Ajifu, Saiki, Carroll and Abercrombie.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.R. No. 353 was adopted.

A resolution (S.R. No. 354), entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was jointly offered by Senators Cobb, Chong, Yim, Toyofuku, Campbell, George, Hara, Kawasaki, Yamasaki, Takitani, Kuroda, Cayetano, Yee, Ushijima, Carpenter and Carroll.

By unanimous consent, S.R. No. 354 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 355), entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE WHETHER MARTIAL ART TOURNAMENTS OR SIMILAR SPORTING EVENTS SHOULD BE UNDER OFFICIAL STATE SUPERVISION AND CONTROL", was jointly offered by Senators Cobb, Yim, Toyofuku, Campbell, George, Hara, Kawasaki, Yamasaki, Chong, Takitani, Kuroda, Soares, Cayetano, O'Connor, Carpenter, Carroll, Yee and Ushijima.

By unanimous consent, S.R. No. 355 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 356), entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT OF A DIAMOND HEAD-FORT RUGER LAND USE PLAN", was jointly offered by Senators Cobb, Soares, Saiki and O'Connor.

By unanimous consent, S.R. No. 356 was referred jointly to the Committee on Higher Education and the Committee on Economic Development.

A resolution (S.R. No. 357), entitled: "SENATE RESOLUTION REQUESTING LEGISLATIVE SUPPORT FOR A STATE-WIDE OBSERVATION OF EARTH DAY FOR FRIDAY, APRIL 27, 1979", was jointly offered by Senators Abercrombie, Carroll, Carpenter, Yamasaki, Hara, Campbell, George, Yim, Young, Ushijima, Ajifu, Takitani, O'Connor, Soares, Kuroda, Cayetano and Cobb.

Senator Abercrombie then moved that S.R. No. 357 be adopted, seconded by Senator Carroll.

At this time, Senator Abercrombie rose to state as follows:

"Mr. President, the Earth Day celebration, if you will, goes back some period of time to, I suppose, what we might call the era of awareness of our earth at first glance. That kind of observation seems to be something that should be so obvious that no time should have to be taken to make other than an observation. But I think that within the last decade especially, and with the words of Dr. Pauling just yesterday, and the events that have taken place just within this state alone, in the last decade, in terms of the necessity of paying close attention to the earth which gives us life, that this resolution is particularly in order. And with that in mind I hope that all the members will be voting 'aye'."

The motion was put by the Chair and

carried and S.R. No. 357 was adopted.

Senator Abercrombie then introduced Joyce Miller, President of the Council for Environmental Affairs, and stated as follows:

"Mr. President, there are several individuals and organizations to receive copies of the resolution but, in particular, the leading force in the presentation of the resolution of Senator Carroll and myself has been the Council for Environmental Affairs."

and presented a certified copy of the resolution to Ms. Miller.

At 11:29 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.

The President, at this time, assumed the rostrum.

A resolution (S.R. No. 358), entitled: "SENATE RESOLUTION COMMENDING THE HAWAII INDUSTRIAL ARTS ASSOCIATION AND THE DEPARTMENT OF EDUCATION FOR THEIR CO-SPONSORSHIP OF THE 25TH ANNUAL HAWAII INDUSTRIAL ARTS FAIR", was jointly offered by Senators Ajifu, Yee, Soares, Yamasaki, Ushijima, Cayetano, Young, Toyofuku, Cobb, O'Connor, Takitani, Carroll, Anderson, Hara, Campbell, Chong, Abercrombie, Kawasaki, Saiki, Carpenter, Kuroda, Mizuguchi and George.

On motion by Senator Saiki, seconded by Senator Yee and carried, S.R. No. 358 was adopted.

A resolution (S.R. No. 359), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE BOARD OF DIRECTORS, THE EXECUTIVE DIRECTOR, THE STAFF, AND ALL PERSONS RESPONSIBLE FOR THE SUCCESSFUL AND EFFECTIVE OPERATION OF HALE OPIO KAUAI, INC., AT PUHI, KAUAI", was jointly offered by Senators Toyofuku, Takitani, Yamasaki, George, Cayetano, Soares, Hara, Young, Kuroda, Ajifu, Anderson, Kawasaki, Cobb, Ushijima, Chong, O'Connor, Yim, Yee, Carpenter, Mizuguchi, Campbell, Saiki, Carroll and Wong.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.R. No. 359 was adopted.

A resolution (S.R. No. 360), entitled: "SENATE RESOLUTION URGING THE MAYOR AND COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO PROVIDE IMPROVED PUBLIC FACILITIES IN THE WAIKIKI-ALA MOANA AREA", was jointly

offered by Senators Carroll, Yee, Anderson, George, Ushijima, Young, Toyofuku, Takitani, Yamasaki, Soares, O'Connor, Hara, Chong and Cayetano.

By unanimous consent, S.R. No. 360 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 361), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND ALOHA TO THE OAHU AJA VETERANS COUNCIL FOR A SUCCESSFUL 1979 NISEI VETERANS REUNION", was jointly offered by Senators Ushijima, Hara, Yamasaki, Takitani, Kuroda, Toyofuku, O'Connor, Cobb, Kawasaki, Chong, Yim, Young, George, Cayetano, Soares, Yee, Saiki, Anderson and Carroll.

On motion by Senator Ushijima, seconded by Senator Mizuguchi and carried, S.R. No. 361 was adopted.

A resolution (S.R. No. 362), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO THE LEGISLATIVE REFERENCE BUREAU, UNDER DIRECTOR SAMUEL B. K. CHANG, FOR WINNING THE 1978 NATIONAL CONFERENCE OF STATE LEGISLATURES OUTSTANDING LEGISLATIVE RESEARCH REPORTS COMPETITION", was jointly offered by Senators Ushijima, Yamasaki, Carpenter, Takitani, Toyofuku, Soares, Kuroda, Cobb, Yim, Yee, Anderson, Carroll, Hara, Chong, Young, Ajifu, Kawasaki, Cayetano, George, O'Connor, Saiki, Wong, Campbell and Abercrombie.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.R. No. 362 was adopted.

A resolution (S.R. No. 363), entitled: "SENATE RESOLUTION CONGRATULATING HIROSHI YAMASHITA ON HIS ELECTION AS PRESIDENT OF THE NATIONAL SCHOOL BOARDS ASSOCIATION FOR 1979-80", was jointly offered by Senators Ushijima, Takitani, Cobb, O'Connor, Hara, Saiki, Yamasaki, Toyofuku, Soares, Kuroda, Yim, Carpenter, Chong, Young, Ajifu, Cayetano, George, Kawasaki, Yee, Anderson and Carroll.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.R. No. 363 was adopted.

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

The Senate reconvened at 11:36 o'clock a.m.

A resolution (S.R. No. 364), entitled: "SENATE RESOLUTION COMMENDING AND HONORING MAURICE M. KAHAWAII ON HIS SELECTION AS THE 1979 TRUCK DRIVER OF THE YEAR FOR HAWAII",

was jointly offered by Senators Chong, Campbell, Kuroda, Carpenter, Carroll, Yee, Saiki, Ajifu, Hara, Abercrombie, Cobb, Cayetano, Soares, Takitani, Yim, George, Yamasaki, Ushijima, Wong, O'Connor, Mizuguchi, Young, Kawasaki and Anderson.

On motion by Senator Chong, seconded by Senator Campbell and carried, S.R. No. 364 was adopted.

At this time, Senator Chong introduced to the members of the Senate Mr. Maurice Kahawaii and his wife Marian, and presented them with a certified copy of the resolution.

At 11:37 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:39 o'clock a.m.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 976) informing the Senate that Senate Concurrent Resolution Nos. 79 to 81, Senate Resolution Nos. 343 to 350 and Standing Committee Report Nos. 957 to 975 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 977) recommending that House Bill No. 498, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 977 and H.B. No. 498, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", was deferred until Friday, April 6, 1979.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 978) recommending that Senate Resolution No. 121 be referred to the Committee on Judiciary.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 121, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE FAMILY COURT TO SPONSOR AN EDUCATIONAL PROGRAM DESIGNED TO PREVENT SHOPLIFTING", was referred to the Committee on Judiciary.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 979) recommending that Senate Concurrent Resolution No. 57, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 57, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF PERSONNEL SERVICES TO REVIEW COMPENSATION PLANS OF SECRETARIAL CLASSES OF THE CIVIL SERVICE", was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 4, 1979

Senate Bill No. 9, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 9, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", was deferred until Friday, April 6, 1979.

Senate Bill No. 11, H.D. 1:

By unanimous consent, action on S.B. No. 11, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", was deferred until Friday, April 6, 1979.

Senate Bill No. 15, S.D. 1, H.D. 1:

By unanimous consent, action S.B. No. 15, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", was deferred until Friday, April 6, 1979.

Senate Bill No. 42, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 42, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", was deferred until Friday, April 6, 1979.

Senate Bill No. 45, H.D. 1:

By unanimous consent, action on S.B. No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", was deferred until Friday, April 6, 1979.

Senate Bill No. 46, S.D. 2, H.D. 2:

By unanimous consent, action on S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC

OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", was deferred until Friday, April 6, 1979.

Senate Bill No. 50, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 50, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", was deferred until Friday, April 6, 1979.

Senate Bill No. 77, S.D. 3, H.D. 1:

By unanimous consent, action on S.B. No. 77, S.D. 3, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", was deferred until Friday, April 6, 1979.

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

By unanimous consent, action on S.B. No. 86, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Friday, April 6, 1979.

Senate Bill No. 87, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 87, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", was deferred until Friday, April 6, 1979.

Senate Bill No. 181, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 181, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", was deferred until Friday, April 6, 1979.

Senate Bill No. 182, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 182, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Friday, April 6, 1979.

Senate Bill No. 393, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 393, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Friday, April 6, 1979.

Senate Bill No. 581, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 581, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", was deferred until Friday, April 6,

1979.

Senate Bill No. 599, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", was deferred until Friday, April 6, 1979.

Senate Bill No. 615, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 615, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", was deferred until Friday, April 6, 1979.

Senate Bill No. 664, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 664, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", was deferred until Friday, April 6, 1979.

Senate Bill No. 666, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 666, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", was deferred until Friday, April 6, 1979.

Senate Bill No. 670, H.D. 1:

By unanimous consent, action on S.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", was deferred until Friday, April 6, 1979.

Senate Bill No. 691, H.D. 1:

By unanimous consent, action on S.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", was deferred until Friday, April 6, 1979.

Senate Bill No. 692, H.D. 1:

By unanimous consent, action on S.B. No. 692, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE", was deferred until Friday, April 6, 1979.

Senate Bill No. 694, H.D. 1:

By unanimous consent, action on S.B. No. 694, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", was deferred until Friday, April 6, 1979.

Senate Bill No. 695, S.D. 1, H.D. 1:

By unanimous consent, action S.B. No. 695, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", was deferred until Friday, April 6, 1979.

Senate Bill No. 697, H.D. 1:

By unanimous consent, action on S.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", was deferred until Friday, April 6, 1979.

Senate Bill No. 870, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 870, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTER-ISLAND TRANSPORTATION SYSTEM", was deferred until Friday, April 6, 1979.

Senate Bill No. 919, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 919, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION", was deferred until Friday, April 6, 1979.

Senate Bill No. 1043, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1043, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDING OF INTEREST IN CIVIL CASES", was deferred until Friday, April 6, 1979.

Senate Bill No. 1049, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1049, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", was deferred until Friday, April 6, 1979.

Senate Bill No. 1091, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1091, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1230, H.D. 1:

By unanimous consent, action on S.B. No. 1230, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Friday, April 6, 1979.

Senate Bill No. 1238, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1238, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1282, H.D. 1:

By unanimous consent, action on S.B. No. 1282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", was deferred until Friday, April 6, 1979.

Senate Bill No. 1284, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1284, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1303, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1303, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", was deferred until Friday, April 6, 1979.

Senate Bill No. 1315, H.D. 1:

By unanimous consent, action on S.B. No. 1315, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", was deferred until Friday, April 6, 1979.

Senate Bill No. 1373, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1373, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", was deferred until Friday, April 6, 1979.

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

By unanimous consent, action on S.B. No. 1540, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EQUIPMENT", was deferred until Friday, April 6, 1979.

Senate Bill No. 1591, H.D. 2:

By unanimous consent, action on S.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1611, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1634, S.D. 2, H.D. 1:

By unanimous consent, S.B. No. 1634, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", was deferred until Friday, April 6, 1979.

Senate Bill No. 1650, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1650, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1657, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1657, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1680, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1680, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", was deferred until Friday, April 6, 1979.

Senate Bill No. 1682, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1682, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", was deferred until Friday, April 6, 1979.

Senate Bill No. 168, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 168, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY PROCEEDINGS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1703, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1703, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1727, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1727, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON", was deferred until Friday, April 6, 1979.

Senate Bill No. 1737, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", was deferred until Thursday, April 6, 1979.

Senate Bill No. 1752, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Friday, April 6, 1979.

Senate Bill No. 1753, H.D. 1:

By unanimous consent, action on S.B. No. 1753, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", was deferred until Friday, April 6, 1979.

Senate Bill No. 1771, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1771, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", was deferred until Friday, April 6, 1979.

Senate Bill No. 1389, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1389, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", was deferred until Friday, April 6, 1979.

Senate Bill No. 1409, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1409, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", was deferred until Friday, April 6, 1979.

Senate Bill No. 1415, H.D. 1:

By unanimous consent, action on S.B. No. 1415, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", was deferred until Friday, April 6, 1979.

Senate Bill No. 1430, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1430, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING", was deferred until Friday, April 6, 1979.

Senate Bill No. 1438, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1438, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Friday, April 6, 1979.

Senate Bill No. 1439, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", was deferred until Friday, April 6, 1979.

Senate Bill No. 1451, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1451, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Friday, April 6, 1979.

Senate Bill No. 1483, S.D. 1, H.D. 2:

By unanimous consent, action on S.B. No. 1483, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", was deferred until Friday, April 6, 1979.

Senate Bill No. 1492, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1492, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", was deferred until Friday, April 6, 1979.

Senate Bill No. 1516, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1516, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARING", was deferred until Friday, April 6, 1979.

Senate Bill No. 1539, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", was deferred until Friday, April 6, 1979.

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

"Mr. President, I rise on a point of personal privilege to discuss with this Body... a subject matter I think needs discussing... and this is the matter of the kind of coverage we've had on resolutions and bills introduced relative to the possible repeal or relative to the attorney general's office inquiry... investigation of possible predatory practices by the two newspapers

and the monopoly that's created there and asking the Congress of the United States to repeal the Newspaper Preservation Act enacted in the year 1970.

"Ordinarily, I would not take the time of this Body to discuss some of the concerns that I have but I think it's important to put in proper context, proper perspective, the reasons for the introduction of some of these resolutions and bills, and certainly, I think I owe this discussion and the information I hope to impart this morning to the cosigners of the resolution that's been referred to the Committee on Judiciary, yesterday, asking for the Congress to repeal the Newspaper Preservation Act.

"What has been very disturbing in the past is that whenever coverage of these resolutions, coverage of committee hearings relative to these resolutions and bills were involved in the past ... coverage is very limited, giving forth the reasons for the move on our side. The newspaper's side on the other hand, and I suppose you (have) this advantage if you own the newspapers, there've been editorials, there've been half-a-page articles, there've been five-column spreads, quoting verbatim the written testimony, in this session, for example, of the newspaperowner's position, this is patently, I think, not impartial coverage.

"Generally, when they refer to these resolutions and bills, they've been saying that this is the Newspaper Preservation Act which provides 'limited exemptions' and the joint use of facilities..."

The President then asked, "Excuse me, Senator Kawasaki, I wonder if you would state your point of personal privilege?"

Senator Kawasaki replied as follows:

"The point I want to make is (that) coverage has not been fair. I want to call the attention of this Body to this coverage. Let me put this in the proper context, as I said. I hope in due time, at the committee deliberations, to present arguments in favor of these resolutions, but let me put this matter in its proper perspective.

"Unlike what the newspaper coverage claims that this is just 'limited exemptions' for the newspapers, let me just read you the exact language of the statute we passed in 1973; incidentally, which Senator Anderson very wisely opposed at that time, and at that time I was one of the people speaking in favor of this bill and I promised this Body that I would be the first to lead a move to repeal the Act if, since the advent of the enactment of that statute, we found abuses, trade abuses, monopoly abuses that affected

the consumers of the state...and this is the primary reason for why I think we should be concerned.

"The newspapers rarely have carried the fact that since enactment by us, of this Newspaper Preservation Act, they have raised advertising rates exactly eight times. They have joint use of facilities and so forth and my point is, because of the economies effectuated by the joint use of facilities and the joint operations that they now enjoy, there's no need for the newspapers to continue to raise the rates which are passed on by the supermarkets, and the retail merchants to the consumers. This is one reason why the cost of living, the cost of food is so high in this state--possibly the highest in this nation. This affects your constituents, your voters, the consumers of the state, and let me, as I suggested, read you the language.

"The bill that we passed years ago does not just provide 'limited exemptions' as the reporters would have you understand. The joint use of facilities allows for the joint advertising solicitation by both papers jointly. It allows for joint circulation solicitation. It allows for joint establishment of advertising rates. It allows for joint revenue distribution agreement between these two papers.

"Now these items, had it not been for this Newspaper Preservation Act and the language that we allowed, would be clearly and patently violations of the Antitrust Act.

"Let me quote further the statement of the Department of Justice, Antitrust Division, in opposing the enactment by the Congress in 1970 of this Act, and I think the reason set forth by the Justice Department, the Antitrust Division, is very important for us to remember. This puts the entire matter in its proper context and its proper perspective; and I quote--this is a statement before the relevant committees in the Congress by Richard McClaren, Assistant Attorney General, Antitrust Division of the Department of Justice--and I quote:

"The Department of Justice is strongly opposed to this legislation. 'The Newspaper Preservation Act he's talking about and the relevant state statute we have which is identical language.' We agree with the supporters of this legislation that the preservation of an independent newspaper press is very much in the public interest. But the cause of newspaper independence would be poorly served by this bill.

"There is nothing (there is nothing) in existing law which would prohibit

a newspaper threatened with financial failure from engaging with a competitor in a number of joint activities reasonably necessary to survival. But to permit a newspaper or any other regulated business enterprise to save itself from failure by price fixing or profit pooling agreements (all of these) would violate the basic principles of the free enterprise system and should not be permitted.

'Price fixing and profit pooling are "per se" violations of the Sherman Act. The description means that they are illegal in and of themselves. Because of what the Supreme Court has described as their "pernicious effect on competition and lack of any redeeming virtue" they are conclusively presumed to be unreasonable. We see no reason to depart from these well established principles in the case of newspapers. A business enterprise, including a newspaper, which can be saved only by eliminating all competition between it and its competitors is undoubtedly so lifeless that it simply should not be saved. It is better that it disappear from the market, thus making room for its replacement by a more robust competitor.'

"Incidentally, if I may just digress for a moment, I also was prompted to make this statement here today because I understand the editor of the morning newspaper took the trouble to send each of the cosigners of this bill, I did not receive my copy as yet, I suppose I will, stating his opposition and why we should not allow, for example, the attorney general to examine some of the operations. And I continue...

'There is a lack of any evidence that such extreme measures as price fixing or profit pooling are in fact necessary to permit the independent existence of today's newspapers. Agreements to engage in joint activities which will permit the survival of a failing newspaper, and which do not involve "per se" violations, would most likely be found reasonable and therefore legal. There is no basis in fact for the assertion that agreements going beyond this are necessary to "newspaper preservation"

"During questioning by the committee members regarding the Department's objections to the proposed bill concerning that language allowing joint agreements with respect to the setting of advertising and circulation rates and revenue distribution, McLaren responded:

'... Basically, we think that with the joint economies that are permitted, the

joint publishing, the joint circulation, and other joint functions, ... that they get enough savings out of that; they get the chance to really go ahead and operate as profitable businesses, and the next two steps, the price fixing and the profit pooling are not economies. Those are the anticompetitive practices which are condemned elsewhere in the economy under the antitrust laws. We don't think that they should go on and fix prices and share profits.

'In effect, ... that is shared monopoly. We don't have that in our economy unless there is regulation of prices and profits which then protect the consumer and the advertiser from monopoly profits.'

"McLaren went on to say that 'the Department of Justice would allow any joint operations which are reasonably necessary for the preservation of independent newspapers in a particular market, but that the department did not think that price fixing and profit pooling should be included in those allowable functions.'

"The Federal Trade Commission, incidentally, testified before this committee and opposed the legislation for the very same reasons.

"My point here is that the coverage on these news items regarding the introduction of these resolutions and bills is not a fair objective one. We're saying, the description of the statute we enacted as 'limited exemption' is patently untrue. I think this clarification needs to be made in order that the members of the Senate, both in committee and on the floor of this Senate, if this comes out of committee and we're to vote on it, have all of this information to get the proper perspective. Thank you."

Senator Kuroda then remarked:

"Mr. President, on Tuesday, we'll have a lunch meeting with the Advertiser people and I'm glad that the Vice President had an opportunity to vent his frustration inasmuch as during the lunch meeting we hope that the discussion will center around the relationship between press and legislation and not so much that particular subject. Thank you."

Senator Kawasaki responded as follows:

"Mr. President, just responding briefly to Senator Kuroda's remark. This is not venting frustration, this is keeping the promise that I made on accepting the Vice President's position that I will do everything possible to protect the greater public interest as against the interest of special monopolies lobbying around here, even by writing letters

to us individually as cosigners of this resolution."

Senator Kuroda further added as follows:

"Mr. President, once more, for slight rebuttal here. Then the Vice President does concede to carrying on the discussion at the lunch meeting on matters other than the repeal. Thank you very much, Mr. Vice President."

The President then made the following observations:

"I feel quite embarrassed as I think although we may have strong feelings about pieces of legislation pending before us, the proper place for this to be heard is in the committee.

"I've allowed Senator Kawasaki the opportunity to speak on this subject matter on the floor only because I feel that he has been a long proponent of this piece of legislation, but I would like to warn the members of the Senate that it is going to be the policy of the President not to allow the discussion of matters that are pending before this Body be brought before the Senate floor except on the occasion of a debate which is a full give and take situation here on the floor.

"I will consider the matter closed as of this moment."

At 11: 55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Abercrombie then rose to state as follows:

"Mr. President, I requested the recess in opportunity to address myself to the rules of procedure.

"You could do me a service by explaining a bit more as to what you refer to in respect of members rising on a point of personal privilege. Under what circumstances would that be recognized as being in order?"

The President then replied as follows:

"The Chair had stated that if there are pending matters before this Body, and the bills are in committee in position for discussion, I think discussion of a particular background of the piece of legislation, its history, should be restricted to that of the committee discussion in their deliberation of the bill.

"The second possibility that debate will take place on a matter is when the

matter is pending before the Body, the final passage ... and in that spirit of a democratic society, we will permit it and it's very allowable to have debate on the floor; everyone can state his position and we vote either up or down.

"With reference to personal privilege, the order of granting a privilege motion comes directly from the Chair. The Chair in its 'wisdom' will determine whether or not the points sought are within the context, bounds of good behavior, decorum and the other kinds of qualifications that one needs to permit a member of the Senate to address a particular issue on the basis of personal attack on him, his family, on some of his decisions. The Chair will allow these kinds of personal privilege motions to take place.

"I do want to caution the Senate again that it will be my understanding that the Chair will make the determination as to whether or not the motion for a personal privilege is granted or not.

"If there should be some disagreement, as to whether or not the Chair has ruled a person out of order, there is a recourse and that recourse is to appeal the ruling of the Chair by the majority of the members present in the Body."

Senator Abercrombie then responded as follows:

"May I take it then that if a member feels if he or she has been aggrieved personally as a member of this assembly, that that member may then bring it to the attention of the Body."

The President replied in the affirmative and stated that "the Chair at that time will rule whether or not that individual should proceed."

Senator Abercrombie again responded as follows:

"Okay... and I'll repeat it again so I understand it to myself. Attack then as a member of this Body and a reflection made upon him or her in the conduct of their duties and obligations ..."

The President added as follows:

"Senator Abercrombie, if a member of the Senate feels aggrieved on a matter, he should raise his point, and the Chair at that time will rule on whether or not he should proceed."

Senator Abercrombie replied as follows:

"Very well, may I just then draw the members' attention to... I don't know if everyone has the same book as I do which is the Fawcett Edition of 'Modern Rules of Order' by Cushing, page 113.

If you have another edition it might be useful to look at 'When in doubt as to the relevancy of a member's remark to question', is the title of the paragraph.

"I agree with your interpretation."

The President then thanked Senator Abercrombie.

Senator Kawasaki then rose to state as follows:

"Just to perhaps throw some more light on this matter of personal privilege. A motion for a personal privilege generally has to do with someone asking for some course of action to be taken of his ability to bring the attention of the Body, to either comfort the Body, in this case the Senate, or to perhaps throw some light on a situation. Anytime I think something happens in this Body, including newspaper reporting of a Senator's action, or a newspaper reporting of a particular issue that's before us, I think if the newspaper reporting of that gets to possibly result in an erroneous picture being given, incomplete information being given deliberately, then I think it's awfully important for this Body to be able to ascertain from facts provided here the complete story. This is awfully important, particularly because many members of this Body are not members of a subject matter committee to which a matter is referred.

"If information throws light on a subject, I think this is perfectly permissible under the motion of personal privilege. I interpret it to mean that."

The President responded as follows:

"I will respond just very briefly, Senator Kawasaki.

"As I mentioned before, I think the information available on the subject which you discussed has been in this hall for many, many years. I am very certain that majority of the members do have an idea of what is involved, and if not, I think there are other avenues by which a Senator or member of the Senate can communicate to his colleagues in the Body the strong feelings by memorandum or by any position paper that one chooses to disseminate this information. The other recourse might be to write a letter to the editors expressing your strong reservations or amend a strong reservation as to a particular way in which a matter is being treated.

"All I want to say is that, I feel that the proper place for the discussion on any matter pending before the Senate is in the committee, and then to the floor, and then for a final vote."

Senator Cayetano then rose on a point of personal privilege stating that he would "like to address some remarks to an editorial printed in the Honolulu Advertiser this morning."

The President allowed Senator Cayetano to proceed.

Senator Cayetano then stated as follows:

"Mr. President, I believe this editorial is proper for discussion here today because as the title reads, 'Senate Endangers HVB.'

"Mr. President, most of the members, if not all of the members of the Ways and Means Committee, I think, understand the Senate's position with respect to the budget in terms of the HVB (Hawaii Visitors Bureau). This editorial takes the Senate to task for the cuts we made to the HVB budget.

"It would seem to me that the newspaper, the Honolulu Advertiser and the editors, could probably establish some means of communication with the Senate, if they use the telephone; pick up the telephone and call the chairman and try to get an insight or some better understanding as to the motives of the Senate on this particular issue.

"I think the headline is somewhat misleading. The Senate's position does not endanger the HVB, and I would like to explain.

"As a Senate position, we have taken the position of cutting the HVB budget by about approximately a half a million dollars each year of the biennium. And we have done that, Mr. President, because the message and the mandate that I believe we have received from the voters, the taxpayers of this state, is clear.

"Ratification of the Con Con amendments indicate that our people want a limitation on expenditures, and we have an amendment to that effect. We also have an amendment ratified by the voters which places a limitation on the amount of bonds that a state can issue.

"Another Con Con amendment states that in the event there is a surplus in state revenues or expenditures for two consecutive years, we must rebate the surplus to the people.

"So then, in a nutshell, I think the message from our voters is clear...keep government spending to a reasonable limit and if there is surplus, give the money back to the people. This has been the underlying theme in the Senate's formulation of its version of the budget.

"Everything that I read, all the arguments that I read in this editorial have been made to me at the hearings in person, by the representatives of industry. That's fine, but I would hope that the editors of the Advertiser would keep their ears to the ground so that they can get some input from the people.

"If we are to keep a limitation on spending, then we must make cuts somewhere, and we have chosen the HVB for the following reasons. We understand that tourism is vital to the economy of the state; however, when we reviewed the HVB, historically, we find that the HVB originally started as a joint proposition between private industry and the state. It started on a 50-50 basis. The state would put up 50% of the funds, private industry would put up the other 50%.

"Now, that proposition no longer holds. The issue of funding has changed. Presently, the state funds the HVB up to nearly 70% of the HVB budget, the remaining 30% is put in by private industry. All the reports that we have had from the DPED and from the financial institutions in town indicate that tourism has enjoyed probably its greatest boom years.

"What we're saying at this juncture is that it's time for industry, which is no longer the infant industry it once was, it's time for us to revert back to the 50-50 proposition, the equal joint venture by state and industry, in funding the HVB.

"Half a million dollars taken out from the HVB budget is a lot of money. I would like the editors of the Advertiser to tell us, if we give the HVB this money, where shall we make it up? Shall we delete the expenditures requested by the Hemophilia Society? Shall we delete or reduce the expenditures requested by the groups representing retarded children?

"A central theme which I've been pushing as committee chairman in preparing the budget is that, if industry which keeps on telling us that they do not want further regulations, if that's industry's position, then I don't think government should be doing for industry what it can do for itself.

"This is why we have taken the position that we have on the HVB budget. We have to live within the means that we have available to us, and the Senate's position this session is to stay within the Governor's ceiling.

"With that, Mr. President, I hope if any other Senators have any questions regarding the editorial or the statements made therein that they would communicate

with me directly.

"Thank you."

Senator Kuroda then responded as follows:

"Mr. President, I also saw the editorial and I think that I need to make some public comments inasmuch as the Chairman of the Ways and Means Committee has mentioned... seems fit to mention it here on the floor.

"I do not disagree with the Chairman of the Ways and Means Committee with regards to the need for cuts in the budget. I, as the Chairman of the Tourism Committee, have reluctantly agreed with the Chairman of the Ways and Means Committee. However, I feel that as we proceed through this legislative session and especially as a member of this Body, I feel that it is important for each one of us as chairmen of committees to work along with our colleagues and also with the chairman of the money committee, in this case the Ways and Means Committee.

"I have some philosophical differences with the Chairman of the Ways and Means Committee. I have some disagreements with regards to the amount. I don't think that this is the place for me to share the disagreements, and especially this year with a fancy title of majority leader, I'm part of a so-called establishment and I must exercise it with caution with regards to what I do, what I say.

"It's an unusual situation for me and I'm still feeling myself through; however, inasmuch as this matter has been discussed, I must take a position to say that there are differences that I have that must be further explored without compromising the position of this Body as we deliberate over the matter with the House. Thank you."

Senator Kawasaki further stated as follows:

"Mr. President, just a brief bit of information so that this Body will keep everything in the right perspective.

"It might be a little more than coincidence, about the content of the editorial, considering the fact that the editor-in-chief of the Advertiser is also a member of the board of directors of HVB."

Senator Cobb then remarked as follows:

"Mr. President, rising gracefully on a point of parliamentary privilege which would govern the conduct, operations and efficiency of the Body as a whole, I would like to state that having served in the House for six years where the

points of personal privilege were far more restrictive, I find that most interpretations of the matter of an individual's personal privilege in his conduct as a legislator go to the question of the individual's capacity, effectiveness, or ability to serve, or question his conduct in a manner in which he needed to conduct himself as chairman or as a member of the Body.

"As such, I find most of the points raised today are entirely in order and at the same time I must accede and concur with your interpretation of it that you

have granted a great deal of latitude in matters of personal privilege and that the only way such questions can be resolved, if there is disagreement, is by majority vote of the Body, if there's disagreement with the Chair's ruling."

ADJOURNMENT

At 12:19 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:00 o'clock a.m., Friday, April 6, 1979.

FIFTY-FIRST DAY

Friday, April 6, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bernard Eikmeir, Pastor of St. Anthony's Church, Kailua, after which the Roll was called showing all Senators present with the exception of Senator Takitani, who was excused.

The President announced that he had read and approved the Journal of the Fiftieth Day.

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

Senator Kuroda introduced thirty-nine students from the fourth and fifth grades at Waialua Elementary School, accompanied by their teachers, Mrs. Kathleen Nakatsu and Miss Janice Shigehara; and parents, Mrs. Nancy Ramirez and Mrs. Erline Furuichi.

Senator Anderson introduced twenty-eight members from the Honolulu Senior Citizens Club.

Senator Chong introduced Dr. Jean Fertel of the American Civil Liberties Union.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Administrative Director of the Courts, The Judiciary, (Dept. Com. No. 12), transmitting the Judiciary's Annual Report for the year 1977-78, was read by the Clerk and was referred to the Committee on Judiciary.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 413 to 424) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 413), returning Senate Concurrent Resolution No. 79, which was adopted by the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 414), returning Senate Bill No. 31, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 415), returning Senate

Bill No. 32, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 416), returning Senate Bill No. 483, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 417), returning Senate Bill No. 654, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 418), returning Senate Bill No. 698, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 419), returning Senate Bill No. 758, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 420), returning Senate Bill No. 1117, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 421), returning Senate Bill No. 1537, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 422), returning Senate Bill No. 1594, S.D. 2, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 423), returning Senate Bill No. 1764, S.D. 1, which passed Third Reading in the House of Representatives on April 5, 1979, was placed on file.

A communication from the House (Hse. Com. No. 424), informing the Senate that the House had disagreed to the amendments proposed by the Senate to the following: H.B. No. 38, H.D. 2; H.B. No. 48, H.D. 2; H.B. No. 544; H.B. No. 1252, H.D. 2; H.B. No. 1322, H.D. 1; and H.B. No. 1686, H.D. 2, was placed on file.

By unanimous consent, action on the following bills was deferred until Monday, April 9, 1979:

H.B. No. 38, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION";

H.B. No. 48, H.D. 2, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO THE
STATE PROGRAM FOR THE UNEMPLOYED";

H.B. No. 544, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
INDUSTRIAL CARCINOGENS";

H.B. No. 1252, H.D. 2, S.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO FARM LOANS";

H.B. No. 1322, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY"; and

H.B. No. 1686, H.D. 2, S.D. 3,
entitled: "A BILL FOR AN ACT RELATING
TO THE HAWAII HOUSING AUTHORITY".

SENATE RESOLUTIONS

The following resolutions (S.R.
Nos. 365 to 369) were read by the Clerk
and were disposed of as follows:

A resolution (S.R. No. 365), entitled:
"SENATE RESOLUTION REQUESTING
THE STATE DEPARTMENT OF HEALTH
TO ESTABLISH A PROGRAM OF ENVIRON-
MENTAL MONITORING FOR POSSIBLE
RADIOACTIVE CONTAMINATION OF
MARINE LIFE IN AND AROUND PEARL
HARBOR", was jointly offered by Senators
Chong and Abercrombie.

By unanimous consent, S.R. No.
365 was referred jointly to the Committee
on Health and the Committee on Ecology,
Environment and Recreation.

A resolution (S.R. No. 366), entitled:
"SENATE RESOLUTION REQUESTING
THE LEGISLATIVE REFERENCE BUREAU
TO STUDY THE FEASIBILITY OF ESTABLISH-
ING A STATE DEPARTMENT OF ENERGY
FROM VARIOUS AND DIVERSE STATE
AGENCIES", was offered by Senator
Chong, by request.

By unanimous consent, S.R. No.
366 was referred to the Committee
on Economic Development, then to
the Committee on Legislative Management.

A resolution (S.R. No. 367), entitled:
"SENATE RESOLUTION EXTOLLING THE
VIRTUES OF THE CULINARY ARTS
IN HAWAII AND URGING FULL COMMUNITY
SUPPORT FOR THE 1979 CULINARY
ARTS AND SUPPLIERS EXPOSITION",
was jointly offered by Senators Kuroda,
Abercrombie, Young, Yamasaki, Ushijima,
George, Cobb, Anderson, Toyofuku,
Cayetano, Campbell, O'Connor, Chong,
Saiki, Wong, Mizuguchi, Yee, Carroll,
Soares and Kawasaki.

On motion by Senator Abercrombie,
seconded by Senator Kuroda and carried,

S.R. No. 367 was adopted.

Senator Kuroda introduced to the members
of the Senate the following: Mr. Alan
Wong, a student at Kapiolani Community
College; Miss Venus Delizo, a student
from the Honolulu Community College;
Mr. Jack Kaneshiro, the executive chef
with the Jolly Roger Restaurant chain;
Mr. Rolf Walters, the executive chef
at the Hale Koa Hotel; Sergeant First Class
Carroll Melancon, representing the
United States Army Food Services; and
Mr. Gene Kaneshiro, of Columbia Inn,
who is the Chairman of the Exposition
this year.

Senator Kuroda announced that the
8th Annual Culinary Arts and Supplies
Exposition will be held on April 8th
at the Coral Ballroom at the Hilton Hawaiian
Village and urged all to attend.

Senators Saiki, Young, George and
Abercrombie presented leis to Mr. Wong,
Mr. Kaneshiro, Mr. Walters, Sgt. Melancon,
Mr. Kaneshiro and Miss Delizo, respectively.
Senator Kuroda presented each of them
with a certified copy of the resolution.

At 11:20 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.

A resolution (S.R. No. 368), entitled:
"SENATE RESOLUTION EXPRESSING SUPPORT
AND EXTENDING CONGRATULATIONS
ON THE SIXTH ANNUAL INTERNATIONAL
FAIR SPONSORED BY THE EAST-WEST
CENTER PARTICIPANTS ASSOCIATION",
was jointly offered by Senators Chong,
Cobb, Campbell, Carpenter, Wong, Soares,
Kuroda, Young, Yamasaki, Carroll, Ushijima,
Cayetano, O'Connor, Kawasaki, Abercrombie,
Toyofuku and Mizuguchi.

On motion by Senator Chong, seconded
by Senator Cobb and carried, S.R.
No. 368 was adopted.

A resolution (S.R. No. 369), entitled:
"SENATE RESOLUTION REQUESTING THE
DEPARTMENT OF HEALTH TO CONDUCT
A STUDY OF THE SCHOOL FOOD SERVICES
PROGRAM", was offered by Senator Campbell.

By unanimous consent, S.R. No. 369
was referred jointly to the Committee
on Education and the Committee on Health.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee
on Legislative Management, presented
a report (Stand. Com. Rep. No. 980),
informing the Senate that Senate Concurrent
Resolution Nos. 82 to 86, Senate Resolution
Nos. 351 to 364 and Standing Committee
Report Nos. 977 to 979 have been printed

and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 981), recommending that Senate Resolution No. 148 be referred to the Committee on Ways and Means.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 148, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was referred to the Committee on Ways and Means.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 5, 1979

Standing Committee Report No. 977
(H.B. No. 498, H.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 977 and H.B. No. 498, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", was deferred until Monday, April 9, 1979.

Senate Bill No. 9, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 9, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 11, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 11, and requested a conference on the subject matter thereof.

Senate Bill No. 15, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 15, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments primarily constitute a new section which provides for certain amendments in the election law reflecting the placement of the Reapportionment Committee provisions.

The motion was put by the Chair and carried, and the Senate agreed

to the amendments proposed by the House to S.B. No. 15, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 15, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)."

At 11:25 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.

Senate Bill No. 42, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 42, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 45, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 45, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments made by the House are primarily technical in nature.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 45, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)."

Senate Bill No. 46, S.D. 2, H.D. 2:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.B. No. 46, S.D. 2, seconded by Senator O'Connor.

Senator Toyofuku then explained that the intent of the amendment is to provide that conviction rather than the commission of an act is necessary for disqualification.

The motion was put by the Chair, and Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 46, S.D. 2, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Takitani).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 46, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)."

Senate Bill No. 50, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 50, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments made by the House primarily were to properly "Ramseyer" the bill.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 50, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 50, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)."

Senate Bill No. 77, S.D. 3, H.D. 1:

On motion by Senator Hara, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 77, S.D. 3, and requested a conference on the subject matter thereof.

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

On motion by Senator Cobb, seconded by Senator Chong 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.

Senate Bill No. 87, S.D. 1, H.D. 1:

Senator Kawasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 87, S.D. 1, seconded by Senator Yamasaki.

Senator Kawasaki then explained that the amendments were purely language, technical changes and had no great consequence.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 87, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 87, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT."

Senate Bill No. 181, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 181, S.D. 2, and requested a conference on the subject matter thereof.

Senate Bill No. 182, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 182, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 393, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 393, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 581, S.D. 1, H.D. 1:

On motion by Senator Ushijima, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 581, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 599, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 599, S.D. 1, seconded by Senator Cobb.

Senator O'Connor explained that the House amended the bill to insure that the National Labor Relations Act would not be impeded by this bill.

At 11:33 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:36 o'clock a.m.

Senator O'Connor then withdrew his motion to agree to the amendments, and Senator Cobb withdrew his second.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 599, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 615, S.D. 1, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.B. No. 615, S.D. 1, seconded by Senator Cayetano.

Senator Toyofuku then explained that this is merely a change of language with no great consequence.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 615, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 615, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH."

Senate Bill No. 664, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 664, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 666, S.D. 2, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.B. No. 666, S.D. 2, seconded by Senator Cayetano.

Senator Toyofuku explained that the change is a language change. The Senate language provided that 'to the maximum extent practicable'; the House amended it to provide that 'to the extent allowable by federal requirements.'

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 666, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 666, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE."

Senate Bill No. 670, H.D. 1:

Senator Kawasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 670, seconded by Senator Ushijima.

Senator Kawasaki explained that the amendments were merely grammatical changes and of no consequence.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 670, and in accordance with Article III, Section 15, of the Constitution

of the State of Hawaii, the 48-hour notice was given on S.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES."

Senate Bill No. 691, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 691, seconded by Senator Chong.

Senator Cobb then stated that the changes involved are primarily typographical and "Ramseyer" and do not involve any substantive changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 691, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD."

Senate Bill No. 692, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 692, and requested a conference on the subject matter thereof.

Senate Bill No. 694, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 694, and requested a conference on the subject matter thereof.

Senate Bill No. 695, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 695, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 697, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 697, seconded by Senator Chong.

Senator Cobb then explained that the changes in this measure were primarily typographical and "Ramseyer" and do not involve substance.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 697, and in accordance with Article III, Section 15, of the Constitution

of the State of Hawaii, the 48-hour notice was given on S.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION."

Senate Bill No. 870, S.D. 2, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 870, S.D. 2, and requested a conference on the subject matter thereof.

Senate Bill No. 919, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 919, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1043, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1043, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1049, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1049, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1091, S.D. 1, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1091, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1230, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1230, and requested a conference on the subject matter thereof.

Senate Bill No. 1238, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1238, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1282, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.B. No. 1282, seconded by Senator O'Connor.

Senator Toyofuku explained that the amendments made are minor stylistic changes.

Senator Abercrombie then stated:

"Mr. President, I would like to know what we are accomplishing with this in terms, 'relating to false statements and representations in regard to unemployment compensation.' We're getting in a felony category here.

"Perhaps there are a few here who have gone through the experience of unemployment compensation. I happen to have been one who has gone through that process. I have not always been sure myself frankly on the information-- you may have the dates wrong, you may not have records kept very well by someone else, you may find someone indicating that you worked at a place or did not work at the place at a certain time and they may not find their records wrong, and it may take you having to get an attorney to find out or be able to prove whether you're right or wrong in this kind of situation. In the meantime, you can be charged with a Class C felony, even if it's not carried through to culmination.

"Merely to be and then charged with a felony will have that on your record in terms of any future situation that you might find yourself in, and any prosecuting attorney or anyone who wants to use that on you can say that you have been charged with a felony.

"The mere charging of a felony in someone's life is enough in many instances to ruin their reputation for the rest of their lives. The fact that the felony charge may have been without basis, the fact that you may have been found innocent of a felony charge, the fact that the felony charge may have been placed with capriciousness, the fact that there may have been political motives involved, the fact that it may be found later to have been a mistake, nonetheless leaves you with the charge of a felony that can be utilized by employers, utilized by credit institutions, utilized by people who may have to wish you ill.

"To get in this kind of a situation, it seems to me, where it has to do with false statements and representations, knowing it to be false and failing to make disclosure of material, it seems to

me is moving into an area in which you were clearly leaving the idea of fraud, which I think is punishable, is prosecutable. And moving into an area in which the ordinary citizen who is not attempting to commit a fraud, who is not a criminal, who makes a mistake or even a series of mistakes finds himself in a felony situation. I can assure you that when you stand in an unemployment line for the first time, you're scared, you're humiliated, you feel upset that you're there, you wish you weren't.

"The ones who are committing fraud don't care in the first place. They'll do anything that they can to falsify and take any kind of calculated precautions that they can to protect themselves, but for the person who is honest and straightforward about it, they may find themselves very easily making statements or doing things that are not true, and not realizing that they're doing it or doing it inadvertently, or doing it because of the psychological turmoil they're going through at that time.

"I just can't see making a felonious situation under these circumstances, unless it was made clear to me where the line was drawn between outright fraud and merely being able to charge anybody who is found to make (quote) 'a false statement'. This could be, as I interpret this situation where the felony addition is concerned, something as little as mistaking the date upon which you left employment; suppose it was 1964 and you put down 1963--that's a false statement. And if the value of the benefit obtained or increase is \$200 or more, you can be charged with a Class C felony.

"I doubt there are many people on this floor who would tell you exactly right now what date they left a position, say 10 or 15 years ago. They may not have kept those records. They may have worked...inadvertently...in times when you're a student, you work two or three months at a time in some place. And to charge a felony and reiterate, in conclusion, to face a felony charge, even if it turns out later that it is in fact an error, a mistake or omission, you nonetheless have made a false statement, you nonetheless are going to face a felony charge, you nonetheless are going to have to explain at some point most likely in your life, why that was there. And it can do serious and terrible lifelong damage if that kind of thing occurs.

"I understand why we want to hit on fraud and I'm hopeful that language exists already in the law...not sufficiently

well versed in it to know, but I'm hopeful that language already exists in law to handle out-and-out fraud cases. If it doesn't, then we should do so. This is not the way to do it. Let's not punish innocent people who unknowingly make mistakes with a charge of a felony.

At 11:50 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 Abercrombie continued,

"Mr. President, I want to make clear, I don't think I stated whether I was for or against the motion when I stood up. I'm against the motion to agree because I would like to see this go to conference. As a member of the committee, I don't think the Chairman wants to go to conference on the grounds that if it went to conference, he would find himself in agreement with that. What I'm hoping to do, of course, by making this commentary is that the Chairman will have a flash of insight and agree with me that the bill should be disagreed with, so it can go to conference and get rid of this pernicious felony portion."

The motion was put by the Chair and carried, and Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 1282, on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Abercrombie, Chong and Kawasaki). Excused, 1 (Takitani).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION."

Senate Bill No. 1284, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1284, S.D. 1, seconded by Senator Cobb.

Senator O'Connor explained that the amendments were purely typographical ones and that there were no substantive changes made to this measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1284, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1284, S.D. 1, H.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE UNIFORM
PROBATE CODE AND TRUSTS."

Senate Bill No. 1303, S.D. 1, H.D.
1:

Senator O'Connor moved that the
Senate agree to the amendments proposed
by the House to S.B. No. 1303, S.D.
1, seconded by Senator Cobb.

Senator O'Connor explained that there
were no substantive changes made
by the House.

The motion was put by the Chair
and carried, and the Senate agreed
to the amendments proposed by the
House to S.B. No. 1303, S.D. 1, and
in accordance with Article III, Section
15, of the Constitution of the State
of Hawaii, the 48-hour notice was given
on S.B. No. 1303, S.D. 1, H.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
ADOPTION OF CHILDREN."

Senate Bill No. 1315, H.D. 1:

Senator Cobb moved that the Senate
agree to the amendments proposed
by the House to S.B. No. 1315, seconded
by Senator Chong.

Senator Cobb then explained that
there were no substantive changes made
but only a change in the "Ramseyer"
provision in the bill itself.

The motion was put by the Chair
and carried, and the Senate agreed
to the amendments proposed by the
House to S.B. No. 1315, and in accordance
with Article III, Section 15, of the Constitution
of the State of Hawaii, the 48-hour
notice was given on S.B. No. 1315,
H.D. 1, entitled: "A BILL FOR AN
ACT RELATING TO INSURANCE."

Senate Bill No. 1373, S.D. 1, H.D. 1:

On motion by Senator Campbell,
seconded by Senator Cayetano and
carried, the Senate disagreed to the
amendments proposed by the House
to S.B. No. 1373, S.D. 1, and requested
a conference on the subject matter
thereof.

At 11:55 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.

At this time, Senator Carroll introduced
to the members of the Senate Mr. Walter
Nishioka, a top karate instructor in
Hawaii, and his wife, Mrs. Nishioka.

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

Senator Carpenter moved that the
Senate agree to the amendments proposed
by the House to S.B. No. 1540, S.D.
1, seconded by Senator Cayetano.

Senator Carpenter explained that
there were very minor changes in
language only.

The motion was put by the Chair and
carried, and the Senate agreed to
the amendments proposed by the House
to S.B. No. 1540, S.D. 1, and in accordance
with Article III, Section 15, of the Constitution
of the State of Hawaii, the 48-hour
notice was given on S.B. No. 1540,
S.D. 1, H.D. 1, entitled: "A BILL FOR
AN ACT RELATING TO EQUIPMENT."

Senate Bill No. 1591, H.D. 2:

Senator Hara moved that the Senate
agree to the amendments proposed
by the House to S.B. No. 1591, seconded
by Senator O'Connor.

Senator Hara explained the amendments
as follows:

"Mr. President, the House amended
the Senate version in one area where
the limitation of action period was limited
to 90 days in the Senate bill, the House
amended it to 120 days. The other action,
where the applicant would submit
their environmental impact statement,
the present law stated 60 days, and
the Senate did have this 60-day period,
but the House amended the bill so that
they may consider the statement for
another additional 30 days. I see no
objection to it and I urge this Body to
support the motion."

Senator Soares then inquired if
the Chairman of the Committee on Ecology,
Environment and Recreation would yield
to a question, to which Senator Hara
replied in the affirmative.

Senator Soares then asked, "I'd
like to know whether or not this 30-
day extension would cause a problem
in the development of an environmental
impact statement?"

Senator Hara answered, "As I understand
it, the additional 30-day waiting period
will be allowed in the event that a
given subject matter requires that additional
time, but it is not mandatory."

The motion was put by the Chair and
carried, and the Senate agreed to
the amendments proposed by the House
to S.B. No. 1591, and in accordance
with Article III, Section 15, of the Constitution
of the State of Hawaii, the 48-hour
notice was given on S.B. No. 1591,
H.D. 2, entitled: "A BILL FOR AN
ACT RELATING TO ENVIRONMENTAL

QUALITY COMMISSION AND ENVIRONMENTAL
IMPACT STATEMENTS."

Senate Bill No. 1611, S.D. 2, H.D.
1:

Senator Carpenter moved that the Senate agree to the amendments proposed by the House to S.B. No. 1611, S.D. 2, seconded by Senator Cayetano.

At 12:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Carpenter then explained that the House added a "sunset" or "drop-dead" clause effective 1984 because the bill affects the test for rubella susceptibility and it essentially speaks to a gap group which should have been meted by that date, 1984.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1611, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS."

Senate Bill No. 1634, S.D. 2, H.D.
1:

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1634, S.D. 2, and requested a conference on the subject matter thereof.

Senate Bill No. 1650, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1650, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments made by the House simply enlarge the language which the Senate had already placed in the bill. The intent and effect are exactly the same at the Senate version.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1650, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1650, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF

CORPORATIONS."

At 12:11 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.

Senate Bill No. 1657, S.D. 2, H.D. 1:

On motion by Senator Hara, seconded by Senator Cayetano and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1657, S.D. 2, and requested a conference on the subject matter thereof.

Senate Bill No. 1680, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1680, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1682, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1682, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 168, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 168, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1703, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1703, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1727, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1727, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1737, S.D. 2, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.B. No. 1737, S.D. 2, seconded by Senator Cayetano.

Senator Toyofuku explained that the

amendments proposed by the House would provide that entitlement to the benefits will depend primarily on the ability to resume work rather than mere medical stabilization.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1737, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1737, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Senate Bill No. 1752, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1752, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1753, H.D. 1:

Senator Chong moved that the Senate agree to the amendments proposed by the House to S.B. No. 1753, seconded by Senator Mizuguchi.

Senator Chong explained the amendments as being purely typographical ones and effected no substantive changes.

Senator Abercrombie then inquired if the Chairman of the Committee on Public Utilities would yield to a question, to which Senator Chong replied that he would.

Senator Abercrombie then queried, "Is it my understanding then that the objection that was raised previously that the fines will be substantially reduced is still intact?"

Senator Chong answered, "Yes, the purpose of the bill is simply to reduce the inordinately high fine structure we had in the past, to make it more equitable to the motor carrier industry."

Senator Abercrombie then stated,

"Well, thank you. Mr. President, I cannot agree. We have just had an incident in which a truck...if we are to give any credence at all to reports in the press and not judging at this moment whether those reports are all in fact true, nonetheless if they are true, it would appear that where the motor carriers are concerned, that reducing the fines at this particular moment lies in the face of a tragic experience that is just before all of us.

"I cannot see where it is equitable for the motor carrier at all to reduce the fine, on the contrary. It seems to me that the equitability that is involved is to punish those motor carriers who do not live up to their responsibilities. In this particular instance you have a situation in which you are rewarding people, rewarding carriers who do not live up to their obligations.

"I think that you encourage people to do things on the cheap, to try and get away with things, if you reduce the fine. The more we do that, the more likely we are to find corners cut and everything from brakes to loading, to licensing, to tires, to the qualifications of the drivers in every aspect.

"It seems to me that it should be patently obvious that with this recent tragedy, that where motor carriers are concerned, if anything, the increasing of fines ought to be put into effect so that those motor carriers who do live up to the rules can expect that those who do not, will neither gain an economic advantage on them, neither will they be rewarded for their deliberate evasion so that they can cut cost and in the process endanger all of us. They endanger other motor carriers..."

Senator O'Connor then rose on a point of order and stated, "Mr. President, the point I rise upon is that the amendment to this bill has to do with penalties. We don't file a financial report with a commission. It has nothing to do with accidents or anything like that, and so I feel that the learned speaker is sort of straying away from the purport of the bill."

The President ruled that Senator O'Connor's point was well taken.

Senator Abercrombie then retorted, "No, the point is not well taken, Mr. President, and I'll explain to you why.

"I thought I had just indicated that when you file a financial report, one of the ways you file a financial report has to do with how you conduct your business and what your books are going to show in terms of expenses.

"Now on this financial report, I'm saying that this is an indication that this financial report, when we pass this bill, this is an indication to all the motor carriers that it is not that important that it reflect honestly what the motor carrier is in fact doing.

"If you reduce the penalties, what you are saying is that the financial report may be done sloppily. It may be done in a manner which does not reflect proper bookkeeping. It may be done in a manner

which does not reflect the actualities of the business involved.

"Now the reason for this stringent fining situation in respect to the financial report, is to reduce that kind of thing; and the reason I mention this accident recently is that's a perfect example of how you could put through a financial report which did not reflect the actual conditions under which that company's business was being conducted.

"If you reduce the fines that are involved in respect of the finding of the financial report, you are inviting people to mock the law. Is my point now well taken or not?"

The President stated, "No, it isn't. The Chair says that the point made by Senator O'Connor is correct. We are not talking per se about accidents. We are talking about financial statements."

Senator Abercrombie continued, "But the financial... then I'll have to appeal the ruling."

Senator O'Connor then withdrew his objection.

Senator Abercrombie continued, "Rightly so... I appreciate that. Now I'll reiterate. I know what a financial report is all about... it's the same kind... we just held a hearing last night on a financial report coming over from the Kohala Task Force. I can see a financial report..."

Senator Cayetano then rose on a point of information and inquired if Senator Abercrombie was appealing the ruling or not.

The President answered that Senator Abercrombie was reiterating his position on the withdrawal of the point of order made by Senator O'Connor.

Senator Yee then rose on a point of order and stated as follows:

"Mr. President, in due deference to the speaker, I know he's going to the heart and the merit of the bill. Is it proper that his concern in debate be held forty-eight hours from now and the matter before us is whether we just agree or disagree to the amendments made by the House."

The President answered, "That is correct and I have given the latitude to the speakers to speak on the motion to agree or disagree and I would appreciate if we have any discussion that we restrict ourselves to the changes and amendments made by the House, as far as substantive changes that should be

dealt with in the conference committee, should we disagree."

Senator Abercrombie then remarked, "Mr. President, on page 1 and 12 of the Rules of Order of this assembly, it states that debates must be confined to the question. Every question that can be made in a deliberative assembly is susceptible of being debated according to its nature--that is every member has the right of expressing his opinion upon it. Hence, as a general rule and a principle unrelated to this matter, that in debate those who speak are to confine themselves to the question which the previous speaker says that I am, and not to speak impertinently or beside the subject, which he says I am not doing. So long as a member has the floor and keeps within the rule, he may speak as for long a time as he pleases and I think that this is adequately covered after that. It speaks about becoming uninterested after that and then the displeasure of the company or the assembly can be known.

"If we're going to treat this situation in this assembly as a super-market where we simply check bills out or do not put people on adequate warning, yes, we can do that.

"I've also seen what happens when we move after the forty-eight hours or the twenty-four hours and you get down to where you want to start passing bills and people begin to resent debate at the time of that debate.

"Now I think it's important that if you're going to have the forty-eight hours and keep within the spirit of what that forty-eight hours is all about, that people be put on notice about some of these things and give them some of the reasons as to why they should be taken up, because at the time of the debate when the forty-eight hours is over, it may be difficult for people at that time on the floor at that moment to encompass all the arguments. Whereas, if they have some of them in the forty-eight hours, they will be able to mull them over and perhaps research them a little bit to see whether or not they find themselves in agreement."

The President then stated, "Senator Abercrombie, that is why on the motion to agree, all members of the Senate have forty-eight hours to examine the bill and prepare for debate for Final Reading when the bill is placed on deck for final passage. I want to reiterate that it is not the position of the Chair to disallow any member to speak on a matter. However, I think for procedural matters, I think the Chair will have to use its discretion in finding the arguments to the changes in the motion to agree or disagree."

Senator Abercrombie then remarked, "Yes, Mr. President, I have no disagreement with that. This is a matter of substance and not a procedure."

The motion was put by the Chair and carried, and, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 1753, on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Abercrombie and Kawasaki). Excused, 1 (Takitani).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1753, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS."

Senate Bill No. 1771, S.D. 2, H.D. 1:

Senator Carpenter moved that the Senate agree to the amendments proposed by the House to S.B. No. 1771, S.D. 2, seconded by Senator Cayetano.

Senator Carpenter then explained that the amendments are small and technical, with the exception of one change which decreased the number of members on the State Planning Council on Developmental Disabilities from 17 to 15.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1771, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1771, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES."

Senate Bill No. 1389, S.D. 1, H.D. 1:

Senator Yim moved that the Senate agree to the amendments proposed by the House to S.B. No. 1389, S.D. 1, seconded by Senator Cayetano.

Senator Yim explained that the House made some very minor technical amendments to the bill.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1389, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1389, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT

OF KAUAI."

Senate Bill No. 1409, S.D. 1, H.D. 2:

Senator Hara moved that the Senate agree to the amendments proposed by the House to S.B. No. 1409, S.D. 1, seconded by Senator Mizuguchi.

Senator Hara explained that the House deleted the appropriation section of this bill and it agreed in total as to the substance of the bill itself.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1409, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1409, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE."

Senate Bill No. 1415, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1415, and requested a conference on the subject matter thereof.

Senate Bill No. 1430, S.D. 1, H.D. 1:

Senator Yim moved that the Senate agree to the amendments proposed by the House to S.B. No. 1430, S.D. 1, seconded by Senator Carpenter.

Senator Yim then explained that the House added a "drop-dead" clause to this measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1430, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1430, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING."

Senate Bill No. 1438, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1438, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained that there were some technical changes with the dollar amounts in terms of the language, but none in the substance of the bill.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1438, S.D. 1, and in accordance

with Article III, Section 15, of our Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1438, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Senate Bill No. 1439, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1439, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained the amendments as follows:

"Mr. President, what the House did in this particular case was combine Senate Bill Nos. 1439 and 1440. The former 'relating to the late charges' and the latter 'relating to the prior notice requirement before late charges are assessed'; and since it's all combined in the same section and did not change the intent of either of the bills, I find these changes agreeable."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1439, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Senate Bill No. 1451, S.D. 1, H.D. 1:

Senator Young moved that the Senate agree to the amendments proposed by the House to S.B. No. 1451, S.D. 1, seconded by Senator Cayetano.

Senator Young explained that the House corrected a typographical error in the bill.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1451, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1451, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING."

Senate Bill No. 1483, S.D. 1, H.D. 2:

Senator Young moved that the Senate agree to the amendments proposed by the House to S.B. No. 1483, S.D. 1, seconded by Senator Toyofuku.

Senator Young explained that the original bill stated that 25% of the authority's work force be comprised of residents residing in the project, and the House amended it to read not more than 26%.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1483, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1483, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM."

Senate Bill No. 1492, S.D. 2, H.D. 1:

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 1492, S.D. 2, seconded by Senator O'Connor.

Senator Cobb then explained that the changes made by the House were primarily grammatical and in effect conforms largely to the intent that the Senate passed the bill in its original form.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1492, S.D. 2, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1492, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW."

Senate Bill No. 1516, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate disagree to the amendments proposed by the House to S.B. No. 1516, S.D. 1, seconded by Senator Chong.

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

The Senate reconvened at 12:34 o'clock p.m.

Senator Cayetano then spoke against the motion to disagree.

"Mr. President, the subject of time-sharing has been before this legislature for quite a few years. I've been here for five years now and every year it's cropped its head.

"I think the House is taking a very good position on this subject and I support it. I support it primarily because I believe time-sharing will be detrimental to our tourist industry and especially to the employment in the tourist industry.

My recollection of a similar bill which was passed by the Legislature some years ago, was that it was vetoed by the Governor. I think the reasons stated in the Governor's veto message are still valid and I oppose this motion to disagree."

Senator Abercrombie then spoke against the motion as follows:

"Mr. President, I'm sorry to have to disagree with the point of disagreeing."

"Mr. President, as the previous speaker has stated, the time sharing concept in the State of Hawaii will be ruinous to those of us who are now deprived from the housing market and/or the condominium market and/or even the condominium conversion market. As a matter of fact, I think if the condominium conversion situation continues apace with the time sharing additions, it will be even more difficult for those of us who rent to try and get any kind of a permanent abode at any kind of price that we can afford."

"Secondly, regardless of what some members of the tourist industry, whether in the labor and/or the management end think in terms of my advocacy or other persons' advocacies here in the Legislature of a hotel room tax, the premises that have been involved in that advocacy have always been for the benefit of the people here and of the industry, as a disagreement over what...whether that course is a correct one to follow."

"So, I don't think it's inconsistent when those of us who have advocated that, at the same time indicate that time-sharing will make serious inroads into the financial stability of the industry both from the point of view of workers who will receive wages, and from the treasury, the revenues that we can expect from the industry itself in terms of our general funds."

"I think it's the most serious degradation of the possibility for us who live here, both economically and socially that has ever faced us in terms of real estate."

Senator O'Connor then spoke in favor of the disagreement as follows:

"Mr. President, I have the dubious honor of being one of the major drafters of the bill. It was earlier vetoed by the Governor."

"As I read this bill, it seeks to do away with certain things which only pertain to estates and real property. All of the definitions of time-sharing

in this bill have to do with estates and real property. One of the major difficulties that the drafters of this type of bill have had in the past, has been definitions of time-sharing."

"We have time-sharing going on in Hawaii today. Most of the time sharing plans that exist are not necessarily interest in real property. They are memberships in clubs, securities, a whole raft of different legal devices, none of which are regulated or pertain to it. I would certainly agree with the Chairman of Consumer Protection and Commerce Committee that this matter should be disagreed with as this bill as drafted is inadequate."

Senator Cobb in support of the motion stated as follows:

"Mr. President, in elaboration of the definitional problem we encountered in time-sharing...roughly 85% to 90% of the units involved already in Hawaii today are on a basis of other than real property. The House version does nothing at all to address those, nor does it prohibit, even though it's an allegation of a prohibition that's been made here, does it prohibit the selling of a time share unit on a security basis, even in a residential neighborhood."

"Mr. President, I think if we're going to establish any kind of controls at all, any kind of safeguards, and meet the constitutional provisions which, by the way, some members of the House have acknowledged to be of dubious value, then we have to do so in conference committee. This will give us the opportunity to do so."

Senator Abercrombie then rose on a point of information as follows:

"Mr. President, on a point of information, do I take the previous speaker's remark and the speaker previous to him to say that the bill, as presented from the House, is inadequate in terms of stopping time-sharing because of the elements that they mention, that if we went to conference, the idea would be to add those elements into a bill of banning time-sharing?"

Senator Cobb then responded, "Mr. President, I believe the position that was discussed over a series of four late evening hearings was a strict regulation, not a ban...but a ban would certainly be a subject to be negotiated in a joint House-Senate conference committee. It is not my firm position yet unless I can be convinced of it, but that is definitely a subject of negotiation within a conference committee."

Senator Cayetano then stated, "Mr. President, after hearing the Chairman's

remarks and hearing that he is still open on the question of a ban, I withdraw my objection."

Senator Abercrombie then remarked, "Mr. President, I would like to do likewise."

The motion was put by the Chair and carried, and the Senate disagreed to the amendments proposed by the House to S.B. No. 1516, S.D. 1, and requested a conference on the subject matter thereof.

Senate Bill No. 1539, S.D. 1, H.D. 1:

On motion by Senator Carpenter, seconded by Senator O'Connor and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1539, S.D. 1, and requested a conference on the subject matter thereof.

MISCELLANEOUS COMMUNICATION

A communication from the Honorable Elmer F. Cravalho, Mayor, County of Maui, (Misc. Com. No. 30), acknowledging receipt of Senate Resolution No. 168 (1979), was read by the Clerk and was placed on file.

The President then announced that the naming of conferees on the part of the Senate for the conferences requested on the various Senate Bills will be held on Monday, April 9, 1979.

ADJOURNMENT

At 12:45 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 9, 1979.

FIFTY-SECOND DAY

Monday, April 9, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 12:00 o'clock noon, with the President in the Chair.

The Divine Blessing was invoked by Rabbi Julius Nodel, Temple Emanu-el, after which the Roll was called showing all Senators present, with the exception of Senators Anderson, George and Ushijima, who were excused.

The President announced that he had read and approved the Journal of the Fifty-First Day.

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

Senator Campbell introduced Ms. Jamie Deckoff, Graduate of Albert Einstein Medical School, presently an intern at Queen's Medical Center.

Senator Soares, on behalf of Senator Anderson and the Senators from the Seventh Senatorial District, introduced 10 members of the Kalima Hana O'Lono Senior Citizens Club.

Senator Chong introduced Ms. Jo-Dee Young, a consumer advocate and medical records expert.

Senator Ajifu introduced Mrs. Henriette Chang, a member of the Koolau Senior Citizens Group of Kaneohe.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 116) transmitting a copy of the Annual Report, prepared by the State Immigrant Services Center of the Commission on Manpower and Full Employment, pursuant to Section 202-9, Hawaii Revised Statutes, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 425 to 433) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 425), returning Senate Concurrent Resolution No. 84, which was adopted by the House of Representatives on April 6, 1979, was placed on file.

A communication from the House (Hse. Com. No. 426), returning Senate Concurrent Resolution No. 85, which was adopted by the House of Representatives on April

6, 1979, was placed on file.

A communication from the House (Hse. Com. No. 427), returning Senate Concurrent Resolution No. 86, which was adopted by the House of Representatives on April 6, 1979, was placed on file.

A communication from the House (Hse. Com. No. 428) informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following measures:

H.B. No. 1, H.D. 1;
H.B. No. 2, H.D. 1;
H.B. No. 14, H.D. 1;
H.B. No. 20, H.D. 1;
H.B. No. 1473, H.D. 1; and
H.B. No. 1639, H.D. 1,

and has requested a conference on the subject matters thereof, in consequence of which, on April 6, 1979, the Speaker appointed Representatives Suwa, Chairman, Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, action on the following bills was deferred until Tuesday, April 10, 1979:

H.B. No. 1, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE STATE BUDGET";

H.B. No. 2, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE JUDICIARY BUDGET";

H.B. No. 14, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE TAX REVIEW COMMISSION";

H.B. No. 20, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE BUDGETARY PROCESS";

H.B. No. 1473, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE HAWAII WING, CIVIL AIR PATROL";
and

H.B. No. 1639, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT MAKING APPROPRI-
ATIONS FOR ADJUSTMENT AUTHORIZED
BY CHAPTER 89C, HAWAII REVISED
STATUTES".

A communication from the House (Hse. Com. No. 429) informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 48, H.D. 2, and has requested a conference on the subject matter thereof,

in consequence of which, on April 6, 1979, the Speaker appointed Representatives Takamine, Chairman, de Heer, Kiyabu, Machida and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, action on H.B. No. 48, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", was deferred until Tuesday, April 10, 1979.

A communication from the House (Hse. Com. No. 430) informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 544, and has requested a conference on the subject matter thereof, in consequence of which on April 6, 1979, the Speaker appointed Representatives Takamine, Chairman, Dods, Hagino, Say and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, action on H.B. No. 544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", was deferred until Tuesday, April 10, 1979.

A communication from the House (Hse. Com. No. 431) informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to the following measures:

S.B. No. 1096, S.D. 2;
S.B. No. 1097, S.D. 2;
S.B. No. 1098, S.D. 2;
S.B. No. 1099, S.D. 2;
S.B. No. 1100, S.D. 2;
S.B. No. 1101, S.D. 2;
S.B. No. 1102, S.D. 2;
S.B. No. 1103, S.D. 2;
S.B. No. 1104, S.D. 2;
S.B. No. 1105, S.D. 2;
S.B. No. 1106, S.D. 2; and
S.B. No. 1108, S.D. 2,

and the request for a conference on the subject matter of said amendments, on April 6, 1979, the Speaker appointed Representatives Suwa, Chairman, Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 432) informing the Senate that the House has disagreed to the amendments proposed by the Senate to House Bill No. 1686, H.D. 2, and has requested a conference on the subject matter thereof, in consequence of which on April 6, 1979, the Speaker appointed Representatives

Shito, Chairman, Aki, Ige, Lee, Ushijima and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

By unanimous consent, action on H.B. No. 1686, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Tuesday, April 10, 1979.

A communication from the House (Hse. Com. No. 433) informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following measures:

H.B. No. 80, H.D. 2;
H.B. No. 82, H.D. 1;
H.B. No. 92, H.D. 2;
H.B. No. 95, H.D. 2;
H.B. No. 98, H.D. 2;
H.B. No. 99, H.D. 1;
H.B. No. 102, H.D. 1;
H.B. No. 166, H.D. 1;
H.B. No. 173, H.D. 1;
H.B. No. 181, H.D. 1;
H.B. No. 282, H.D. 1;
H.B. No. 417, H.D. 2;
H.B. No. 421, H.D. 1;
H.B. No. 424, H.D. 1;
H.B. No. 438;
H.B. No. 451;
H.B. No. 479, H.D. 1;
H.B. No. 520, H.D. 1;
H.B. No. 531;
H.B. No. 556;
H.B. No. 583, H.D. 2;
H.B. No. 643, H.D. 1;
H.B. No. 723, H.D. 1;
H.B. No. 732;
H.B. No. 748;
H.B. No. 890, H.D. 1;
H.B. No. 921, H.D. 1;
H.B. No. 923, H.D. 1;
H.B. No. 1004;
H.B. No. 1140, H.D. 1;
H.B. No. 1143, H.D. 1;
H.B. No. 1215, H.D. 1;
H.B. No. 1216, H.D. 1;
H.B. No. 1232;
H.B. No. 1341;
H.B. No. 1386, H.D. 1;
H.B. No. 1432, H.D. 1;
H.B. No. 1459, H.D. 1;
H.B. No. 1557, H.D. 1;
H.B. No. 1588;
H.B. No. 1627;
H.B. No. 1634, H.D. 1;
H.B. No. 1642, H.D. 1;
H.B. No. 1646, H.D. 1;
H.B. No. 1647, H.D. 2;
H.B. No. 1667;
H.B. No. 1671, H.D. 1; and
H.B. No. 1716,

was placed on file.

By unanimous consent, action on the following bills was deferred until Tuesday,

April 10, 1979.

H.B. No. 80, H.D. 2, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
NURSING HOMES";

H.B. No. 82, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE HAWAII REGULATORY LICENSING
REFORM ACT";

H.B. No. 92, H.D. 2, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE JUDICIARY";

H.B. No. 95, H.D. 2, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE GRAND JURY";

H.B. No. 98, H.D. 2, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE JUDICIAL SALARY COMMISSION";

H.B. No. 99, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
THE JUDICIARY";

H.B. No. 102, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
QUIETING TITLE";

H.B. No. 166, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
FOOD, DRUGS, AND COSMETICS";

H.B. No. 173, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
INTOXICATING LIQUOR";

H.B. No. 181, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
MOTOR CARRIER LAW";

H.B. No. 282, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
CRIMINAL HISTORY RECORD INFORMATION";

H.B. No. 417, H.D. 2, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
PLASTIC BOTTLES";

H.B. No. 421, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
CRIMINAL PROCEDURE: DEFERRED
ACCEPTANCE OF GUILTY PLEA";

H.B. No. 424, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
CRIMINAL TAMPERING";

H.B. No. 438, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO SEXUAL
OFFENSES";

H.B. No. 451, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO PROMOTING
A DANGEROUS DRUG";

H.B. No. 479, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
ADVERTISING BY OPTOMETRISTS";

H.B. No. 520, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
MINORS";

H.B. No. 531, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO PROFES-
SIONAL ENGINEERS, ARCHITECTS,
SURVEYORS, AND LANDSCAPE ARCHI-
TECTS";

H.B. No. 556, S.D. 2, entitled: "A
BILL FOR AN ACT RELATING TO MONO-
POLIES; RESTRAINT OF TRADE";

H.B. No. 583, H.D. 2, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
ENVIRONMENTAL QUALITY AND LITTER
CONTROL";

H.B. No. 643, H.D. 1, S.D. 2, entitled:
"A BILL FOR AN ACT RELATING TO
ELECTIONS";

H.B. No. 723, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
FRAUDULENT CLAIMS SUBMITTED
AGAINST THE STATE";

H.B. No. 732, S.D. 2, entitled: "A
BILL FOR AN ACT RELATING TO THE
HAWAII CAPITAL LOAN PROGRAM";

H.B. No. 748, S.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO HORIZON-
TAL PROPERTY REGIMES";

H.B. No. 890, H.D. 1, S.D. 3, entitled:
"A BILL FOR AN ACT RELATING TO
AN OFFICE ON HAWAIIAN AFFAIRS";

H.B. No. 921, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE ISSUANCE OF TEMPORARY RESTRAIN-
ING ORDERS IN CASES OF SPOUSE
ABUSE AND OTHER DOMESTIC VIOLENCE";

H.B. No. 923, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
OFFENSES AGAINST PROPERTY RIGHTS";

H.B. No. 1004, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
DURESS";

H.B. No. 1140, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
STATUTORY REVISION; AMENDING
OR REPEALING VARIOUS PROVISIONS
OF THE HAWAII REVISED STATUTES
FOR THE PURPOSE OF CORRECTING
ERRORS, CLARIFYING LANGUAGE,
CORRECTING REFERENCES, AND DELETING
OBSOLETE OR UNNECESSARY PROVISIONS";

H.B. No. 1143, H.D. 1, S.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE METROPOLITAN PLANNING ORGANI-
ZATION";

H.B. No. 1215, H.D. 1, S.D. 3, entitled:
"A BILL FOR AN ACT TO AMEND SECTION

46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS";

H.B. No. 1216, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE";

H.B. No. 1232, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE";

H.B. No. 1341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD";

H.B. No. 1386, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES";

H.B. No. 1432, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDES";

H.B. No. 1459, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES";

H.B. No. 1557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN";

H.B. No. 1588, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS";

H.B. No. 1627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS";

H.B. No. 1634, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT";

H.B. No. 1642, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT";

H.B. No. 1646, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY";

H.B. No. 1647, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS";

H.B. No. 1667, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW";

H.B. No. 1671, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING"; and

H.B. No. 1716, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

EMBLEMS AND SYMBOLS".

At 12:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:16 o'clock p.m.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 87 to 119) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 87), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STUDY OF HEALTH INFORMATION NEEDS OF THE STATE OF HAWAII AND THE RECOMMENDATION OF PERTINENT LEGISLATION THEREFOR", was jointly offered by Senators Carpenter, Chong, Abercrombie, Saiki, Ajifu, Soares, Takitani, Kuroda, Yamasaki, Campbell, Yee, Cobb, Young and Kawasaki.

By unanimous consent, S.C.R. No. 87 was referred to the Committee on Health, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 88), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON SHORELINE SAFETY", was offered by Senator Yamasaki, by request.

By unanimous consent, S.C.R. No. 88 was referred to the Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 89), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT SUGAR LEGISLATION FOR THE BENEFIT OF THE AMERICAN CONSUMER", was jointly offered by Senators Cobb, Yamasaki, Chong, Carpenter, Yim, Ajifu, Kuroda, Yee, Soares, Ushijima, Hara, Young and Cayetano.

By unanimous consent, S.C.R. No. 89 was referred to the Committee on Agriculture.

A concurrent resolution (S.C.R. No. 90), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", was jointly offered by Senators Carpenter, Chong, Saiki, Cobb, Young, Yamasaki, Kawasaki, Ajifu, Kuroda and Campbell.

By unanimous consent, S.C.R. No. 90 was referred to the Committee on

Health, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 91), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF PUBLIC PURCHASING FOR PRIVATE NONPROFIT HEALTH CARE FACILITIES", was jointly offered by Senators Carpenter, Abercrombie, Chong, Young, Kuroda, Cobb, Yamasaki, Kawasaki, Ajifu and Campbell.

By unanimous consent, S.C.R. No. 91 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 92), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENT OF THE FUNCTIONAL PLAN FOR AGRICULTURE", was offered by Senator Wong, by request.

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

A concurrent resolution (S.C.R. No. 93), entitled: "SENATE CONCURRENT RESOLUTION DECLARING LEGISLATIVE SUPPORT FOR, AND URGING ALL GOVERNMENT AGENCIES TO SUPPORT THE DEVELOPMENT AND UTILIZATION OF, ALTERNATE ENERGY RESOURCES", was offered by Senator Yim.

By unanimous consent, S.C.R. No. 93 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 94), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STUDY OF THE JUVENILE JUSTICE PLAN AND SUPPLEMENT", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 94 was referred to the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 95), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A RESIDENTIAL CARE HOME FACILITY AT HALE MOHALU, PEARL CITY", was offered by Senator Carpenter.

By unanimous consent, S.C.R. No. 95 was referred to the Committee on Health, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 96), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ALLOW FOR LIABILITY COVERAGE OF VOLUNTEER TECHNICIANS FOR THE PROPOSED KONA RECOMPRESSION CHAMBER SERVICE", was offered by

Senator Carpenter.

By unanimous consent, S.C.R. No. 96 was referred jointly to the Committee on Health and the Committee on Judiciary.

A concurrent resolution (S.C.R. No. 97), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was offered by Senator Carpenter.

By unanimous consent, S.C.R. No. 97 was referred jointly to the Committee on Health and the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 98), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO USE THE DECLARATION METHOD IN DETERMINING ELIGIBILITY FOR FAMILY PLANNING SERVICES", was offered by Senator Carpenter.

By unanimous consent, S.C.R. No. 98 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 99), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE U.S. CONGRESS TO REVIEW APPROPRIATIONS UNDER THE PUBLIC HEALTH SERVICE ACT, SECTION 314D", was offered by Senator Carpenter.

By unanimous consent, S.C.R. No. 99 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 100), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PEOPLE OF THE STATE WHO ARE UNABLE TO BEAR THE BURDEN OF HEALTH CARE COSTS AND WHO DO NOT QUALIFY FOR STATE AID", was offered by Senator Carpenter.

By unanimous consent, S.C.R. No. 100 was referred to the Committee on Health, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 101), entitled: "SENATE CONCURRENT RESOLUTION OPPOSING THE ACQUISITION OF KALAUPAPA SETTLEMENT BY THE FEDERAL GOVERNMENT AND THE CREATION OF A NATIONAL HISTORICAL PARK AT KALAUPAPA SETTLEMENT ON MOLOKAI", was offered by Senator Yee.

By unanimous consent, S.C.R. No. 101 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 102), entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE METHODS FOR AUTOMATICALLY CONFORMING THE STATE INCOME TAX LAW WITH THE FEDERAL INTERNAL REVENUE CODE, AND THEIR RELATIVE IMPACT ON EXISTING TAX POLICY, ADMINISTRATION, AND TAXPAYER COMPLIANCE", was jointly offered by Senators Cayetano and Toyofuku.

By unanimous consent, S.C.R. No. 102 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 103), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE FEASIBILITY OF INTERFACING THE CONTRIBUTION AND BENEFIT PROGRAMS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII WITH THOSE OF THE SOCIAL SECURITY SYSTEM", was jointly offered by Senators Cayetano and Toyofuku.

By unanimous consent, S.C.R. No. 103 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 104), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADOPTING THE FEDERAL METHOD OF COMPUTING THE STANDARD DEDUCTION THROUGH ZERO BRACKET AMOUNTS", was offered by Senator Cayetano.

By unanimous consent, S.C.R. No. 104 was referred to the Committee on Ways and Means.

A concurrent resolution (S.C.R. No. 105), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE PROPOSED MODIFICATIONS TO THE HAWAII RULES OF EVIDENCE BE INTRODUCED IN THIS SESSION OF THE LEGISLATURE, THEN STUDIED DURING THE INTERIM PERIOD BETWEEN THE REGULAR SESSION OF 1979 AND THE REGULAR SESSION OF 1980", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 105 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 106), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT AN INTERIM STUDY BE CONDUCTED ON THE COORDINATION BETWEEN THE SUB-UNITS OF THE STATE CRIMINAL JUSTICE SYSTEM", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 106 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 107), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 107 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 108), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO APPOINTMENT OF THE CHAIRMAN OF THE HAWAII CRIME COMMISSION", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 108 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 109), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO RESIDENTIAL TREATMENT FACILITIES FOR MENTAL HEALTH AND/OR SUBSTANCE ABUSE PATIENTS", was offered by Senator O'Connor.

By unanimous consent, S.C.R. No. 109 was referred to the Committee on Health.

A concurrent resolution (S.C.R. No. 110), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND FAVORABLE ACTION BY THE GOVERNOR TOWARD THE ECONOMIC DEVELOPMENT MERITS OF THE HILO BAYFRONT DEVELOPMENT PLAN", was jointly offered by Senators Hara and Carpenter.

By unanimous consent, S.C.R. No. 110 was referred to the Committee on Economic Development.

A concurrent resolution (S.C.R. No. 111), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO SUPPORT RECOGNITION OF THE BLAISDELL HOTEL AS A HISTORIC PROPERTY", was jointly offered by Senators Carroll, Saiki, Takitani, Carpenter, Yamasaki, Hara, Campbell, Chong and Ajifu.

By unanimous consent, S.C.R. No. 111 was referred to the Committee on Intergovernmental Relations.

A concurrent resolution (S.C.R. No. 112), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE REVISION OF THE HAWAII

REVISED STATUTES", was offered by Senator O'Connor.

By unanimous consent, action on S.C.R. No. 112 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 113), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE PROPOSED STATE TOURISM FUNCTIONAL PLAN", was jointly offered by Senators Kuroda, Takitani, Cobb and Kawasaki.

By unanimous consent, action on S.C.R. No. 113 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 114), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE CONTINUATION, PROMOTION AND EXPANSION OF THE VAN GO HAWAII PROGRAM", was jointly offered by Senators Mizuguchi, Kuroda, Chong, O'Connor, Yamasaki, Ajifu, Carroll, Toyofuku, Cobb, Takitani, Carpenter and Yim.

By unanimous consent, action on S.C.R. No. 114 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 115), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO MEMBERSHIP OF THE STATE OF HAWAII IN VARIOUS LOCAL, NATIONAL, AND INTERNATIONAL ORGANIZATIONS", was jointly offered by Senators Kuroda, Chong, Kawasaki and Carpenter.

By unanimous consent, action on S.C.R. No. 115 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 116), entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A GENERAL AVIATION AIRPORT ON OAHU", was jointly offered by Senators Mizuguchi, Cayetano, Toyofuku, Soares, Young, Kuroda and Chong.

By unanimous consent, action on S.C.R. No. 116 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 117), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF CERTIFIED PUBLIC ACCOUNTANCY REQUIREMENTS IN HAWAII", was jointly offered by Senators Cobb, Kuroda, Chong, Saiki, Ajifu, Soares, Yim, O'Connor, Campbell, Carroll, Yee and Young.

By unanimous consent, action on S.C.R. No. 117 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 118), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO UPGRADE THE POSITION OF NUTRITION CURRICULUM SPECIALIST", was jointly offered by Senators Carpenter and Young.

By unanimous consent, action on S.C.R. No. 118 was deferred until Tuesday, April 10, 1979.

A concurrent resolution (S.C.R. No. 119), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES AND THE HOUSE COMMITTEE ON HOUSING TO CONDUCT AN INTERIM STUDY ON THE STATE HOUSING PLAN", was jointly offered by Senators Young, Soares, Cayetano, Yim, Carpenter, Hara, Takitani and Ajifu.

By unanimous consent, action on S.C.R. No. 119 was deferred until Tuesday, April 10, 1979.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 370 to 447) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 370), entitled: "SENATE RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE CONSTRUCTION OF A BYPASS ROUTE AROUND HALEIWA TOWN, OAHU", was jointly offered by Senators Kuroda, Cayetano, Mizuguchi and Young.

By unanimous consent, S.R. No. 370 was referred to the Committee on Transportation.

A resolution (S.R. No. 371), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MINIMUM EDUCATIONAL REQUIREMENTS FOR ENTRY INTO THE PRACTICE OF NURSING", was jointly offered by Senators Carpenter, Abercrombie, Young, Soares, Campbell, Yamasaki, Kawasaki, Chong, Cobb and Cayetano.

By unanimous consent, S.R. No. 371 was referred to the Committee on Health.

A resolution (S.R. No. 372), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON INCLUDING CHIROPRACTIC BENEFITS IN PREPAID HEALTH CARE COVERAGE", was jointly offered by Senators Carpenter, Chong, Abercrombie, Cobb, Young, Soares, Campbell, Yamasaki, Ushijima, Kawasaki and Cayetano.

By unanimous consent, S.R. No. 372 was referred to the Committee on Health, then to the Committee on Legislative

Management.

A resolution (S.R. No. 373), entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE USE OF DRUGS IN OPTOMETRIC PRACTICE", was jointly offered by Senators Carpenter, Abercrombie, Yee, Cobb, Young, Campbell, Yamasaki, Ushijima, Chong, Saiki, Kawasaki and Cayetano.

By unanimous consent, S.R. No. 373 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 374), entitled: "SENATE RESOLUTION COMMENDING THE HOME BUILDERS ASSOCIATION OF HAWAII IN LAUNCHING THE FIRST SELF-REGULATED HOME OWNERS WARRANTY PROGRAM FOR NEW HOME BUYERS", was jointly offered by Senators Young, Cayetano, Ajifu, Takitani, Toyofuku, Cobb, Yamasaki, Ushijima, Mizuguchi, Soares, Hara, Saiki, George, Kuroda, Chong, Campbell, Abercrombie, O'Connor and Carpenter.

On motion by Senator Young, seconded by Senator Kawasaki and carried, S.R. No. 374 was adopted.

A resolution (S.R. No. 375), entitled: "SENATE RESOLUTION REQUESTING INTERIM STUDY OF ISSUES RELATING TO THE HAWAIIAN HOMES COMMISSION ACT OF 1920, AS AMENDED", was jointly offered by Senator Young, Hara, Cayetano, Takitani, Soares, Ajifu, Saiki, O'Connor, Mizuguchi, Campbell, Carpenter, Cobb, Chong, Yamasaki, Kuroda, George, Carroll, Abercrombie and Ushijima.

By unanimous consent, S.R. No. 375 was referred to the Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management.

A resolution (S.R. No. 376), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF LOCAL SALES ACTIVITIES RELATING TO CONDOMINIUMS LOCATED OUTSIDE HAWAII", was jointly offered by Senators Cobb, Chong, Carpenter, Yim, Ajifu, Kuroda, Saiki, Yee, Soares, Ushijima, Young and Cayetano.

By unanimous consent, S.R. No. 376 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 377), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF REDUCING THE COST OF ADMINISTERING THE NO-FAULT AUTOMOBILE INSURANCE COVERAGE PROVIDED PUBLIC ASSISTANCE RECIPIENTS", was jointly offered by Senators Cobb, Chong, Kuroda, Saiki, Yamasaki, Carpenter, Yim, Ajifu,

Yee, Soares, Young, Ushijima and Cayetano.

By unanimous consent, S.R. No. 377 was referred to the Committee on Consumer Protection and Commerce.

A resolution (S.R. No. 378), entitled: "SENATE RESOLUTION REQUESTING CONGRESS TO ENACT SUGAR LEGISLATION FOR THE BENEFIT OF THE AMERICAN CONSUMER", was jointly offered by Senators Cobb, Yamasaki, Chong, Carpenter, Yim, Ajifu, Kuroda, Saiki, Yee, Soares, Ushijima, Hara, Young and Cayetano.

By unanimous consent, S.R. No. 378 was referred to the Committee on Agriculture.

A resolution (S.R. No. 379), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE A DEFINITE PLAN FOR USE OF THE PRESENT SITE OF THE HAWAII YOUTH CORRECTIONAL FACILITY IN KAILUA, OAHU, HAWAII", was offered by Senator George.

By unanimous consent, S.R. No. 379 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 380), entitled: "SENATE RESOLUTION REQUESTING THE STATE AND CITY GOVERNMENTS TO STUDY THE POSSIBILITY OF ESTABLISHING A SENIOR CITIZEN CENTER AT MAKIKI PARK", was jointly offered by Senators Chong, Abercrombie, Carroll and Yee.

By unanimous consent, S.R. No. 380 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 381), entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A COMPREHENSIVE PLAN TO IDENTIFY SCHOOLS WITH DECLINING ENROLLMENTS AND TO MAKE SUCH INFORMATION AVAILABLE TO THE COMMUNITY", was jointly offered by Senators Chong, Campbell, Carpenter, Ushijima, Cayetano, Yamasaki, Ajifu, Abercrombie and Soares.

By unanimous consent, S.R. No. 381 was referred to the Committee on Education.

A resolution (S.R. No. 382), entitled: "SENATE RESOLUTION HONORING INDIVIDUALS FOR COMMUNITY SERVICE IN THE RECENT DEDICATION AND CELEBRATION OF THE HONOLULU STADIUM PARK", was jointly offered by Senators Chong, Campbell, Carpenter, Cayetano, Hara, Saiki, Ushijima, Ajifu, Yamasaki, Soares and Abercrombie.

On motion by Senator Chong, seconded

by Senator Campbell and carried, S.R. No. 382 was adopted.

A resolution (S.R. No. 383), entitled: "SENATE RESOLUTION REQUESTING THE PAYMENT OF THE TOTAL COST OF EDUCATING EACH HANDICAPPED CHILD EDUCATED BY PRIVATE SPECIAL EDUCATION SCHOOLS", was jointly offered by Senators Campbell, Takitani, Carpenter, Cobb, Ajifu, Abercrombie, Chong, Young and Mizuguchi.

By unanimous consent, S.R. No. 383 was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 384), entitled: "SENATE RESOLUTION EXPRESSING THE SUPPORT FOR THE ESTABLISHMENT OF A FILM PROCESSING INDUSTRY IN HAWAII", was offered by Senator Yim.

By unanimous consent, S.R. No. 384 was referred to the Committee on Economic Development.

A resolution (S.R. No. 385), entitled: "SENATE RESOLUTION DECLARING LEGISLATIVE SUPPORT FOR, AND URGING ALL GOVERNMENT AGENCIES TO SUPPORT THE DEVELOPMENT AND UTILIZATION OF, ALTERNATE ENERGY RESOURCES", was offered by Senator Yim.

By unanimous consent, S.R. No. 385 was referred to the Committee on Economic Development.

A resolution (S.R. No. 386), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE ADEQUACY OF SIGNS AND OTHER EMBLEMS INDICATING THE LOCATION OF EMERGENCY MEDICAL FACILITIES AND HOSPITALS", was jointly offered by Senators Saiki, Soares, Abercrombie, Toyofuku, Carpenter, Cayetano, Young, Yamasaki, Ushijima, O'Connor, Mizuguchi, Kuroda, Carroll, Cobb, Hara, Campbell, Chong, Kawasaki, Yee, George, Yim, Ajifu and Anderson.

By unanimous consent, S.R. No. 386 was referred jointly to the Committee on Health and the Committee on Transportation.

A resolution (S.R. No. 387), entitled: "SENATE RESOLUTION REQUESTING SUPPORT AND FUNDING FOR THE LANGUAGE ARTS MULTI-CULTURAL PROGRAM (LAMP)", was jointly offered by Senators Ushijima and Campbell.

By unanimous consent, S.R. No. 387 was referred jointly to the Committee on Education and the Committee on Intergovernmental Relations, then to the Committee on Ways and Means.

A resolution (S.R. No. 388), entitled:

"SENATE RESOLUTION CONGRATULATING THE DEAF ACTION GROUP ON THEIR ACTIVITIES AND SERVICES AND WISHING THEM A SUCCESSFUL DEAF AWARENESS HAWAII PROGRAM FOR THE MONTH OF APRIL", was jointly offered by Senators Wong, Yim, Campbell, Chong and Yamasaki.

On motion by Senator Kawasaki, seconded by Senator Yim and carried, S.R. No. 388 was adopted.

At this time, Senator Kawasaki introduced to the members of the Senate the following officers of the Deaf Action Group: Dr. Wayne R. McKinney, President; Mrs. Georgia Morikawa, Chairperson, Deaf Awareness Hawaii; and Mr. Paul Tomiyasu, Vice President, who were presented with certified copies of the resolution. Mrs. Juanita Schiewek, interpreter for the group, was also introduced.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:28 o'clock p.m.

A resolution (S.R. No. 389), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBILITY OF ESTABLISHING COMPREHENSIVE STATUTES REGARDING THE USE AND OWNERSHIP OF FIREARMS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 389 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 390), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE FEASIBILITY OF ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 390 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 391), entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON A PROPOSAL TO AMEND THE DISCRIMINATORY PRACTICES PORTION OF THE EMPLOYMENT PRACTICES LAW", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 391 was referred jointly to the Committee on Judiciary and the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 392), entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED

ON HAWAII'S CORPORATION LAWS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 392 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 393), entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON HAWAII'S COMPARATIVE NEGLIGENCE LAWS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 393 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 394), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY TO STUDY THE JUVENILE JUSTICE PLAN AND SUPPLEMENT", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 394 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 395), entitled: "SENATE RESOLUTION REQUESTING THE EUTHANAIR REVIEW COMMITTEE OF THE HAWAIIAN HUMANE SOCIETY TO STUDY THE USE OF ALTERNATE MEANS TO EUTHANIZE ANIMALS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 395 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 396), entitled: "SENATE RESOLUTION RELATING TO GARNISHMENT", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 396 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 397), entitled: "SENATE RESOLUTION RELATING TO HAWAIIAN ELECTRIC COMPANY'S CONTRIBUTION TO ENERGY RESEARCH", was offered by Senator Yim.

By unanimous consent, S.R. No. 397 was referred jointly to the Committee on Public Utilities and the Committee on Economic Development.

A resolution (S.R. No. 398), entitled: "SENATE RESOLUTION REQUESTING EVERY STATE DEPARTMENT AND COUNTY GOVERNMENT TO PRESENT REASONS FOR ITS NONCOMPLIANCE WITH THE MANDATES OF SECTION 94-6, HAWAII

REVISED STATUTES", was offered by Senator Campbell.

By unanimous consent, S.R. No. 398 was referred to the Committee on Government Operations and Efficiency.

A resolution (S.R. No. 399), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON CANOE RACE SITES FOR STUDENTS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 399 was referred to the Committee on Ecology, Environment and Recreation.

A resolution (S.R. No. 400), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY OF THE STATE TRAFFIC TICKETING SYSTEM", was offered by Senator Yee.

By unanimous consent, S.R. No. 400 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 401), entitled: "SENATE RESOLUTION REQUESTING CONCURRENCE BY THE U.S. DEPARTMENT OF INTERIOR WITH THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR ACCESS INTO THE LAGOONS OF THE NORTHWESTERN HAWAIIAN ISLANDS TO CAPTURE BAITFISH FOR THE PURPOSES OF A SURVEY OF SURFACE TUNA RESOURCES OF THE LEEWARD HAWAIIAN ISLANDS", was jointly offered by Senators Yim and Yee.

By unanimous consent, S.R. No. 401 was referred to the Committee on Economic Development.

A resolution (S.R. No. 402), entitled: "SENATE RESOLUTION REQUESTING THE APPROVAL OF H.R. 884, RELATING TO CORRECTIONAL CONSTRUCTION AND PROGRAM ACT OF 1979", was offered by Senator Campbell.

By unanimous consent, S.R. No. 402 was referred to the Committee on Judiciary.

A resolution (S.R. No. 403), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE U.S. CONGRESS TO REVIEW APPROPRIATIONS UNDER THE PUBLIC HEALTH SERVICE ACT, SECTION 314D", was offered by Senator Carpenter.

By unanimous consent, S.R. No. 403 was referred to the Committee on Health.

A resolution (S.R. No. 404), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE PEOPLE OF THE STATE WHO ARE UNABLE TO BEAR THE BURDEN

OF HEALTH CARE COSTS AND WHO DO NOT QUALIFY FOR STATE AID", was offered by Senator Carpenter.

By unanimous consent, S.R. No. 404 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 405), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO USE THE DECLARATION METHOD IN DETERMINING ELIGIBILITY FOR FAMILY PLANNING SERVICES", was offered by Senator Carpenter.

By unanimous consent, S.R. No. 405 was referred to the Committee on Health.

A resolution (S.R. No. 406), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was offered by Senator Carpenter.

By unanimous consent, S.R. No. 406 was referred jointly to the Committee on Health and the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 407), entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF A RESIDENTIAL CARE HOME FACILITY AT HALE MOHALU, PEARL CITY", was offered by Senator Carpenter.

By unanimous consent, S.R. No. 407 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 408), entitled: "SENATE RESOLUTION OPPOSING THE ACQUISITION OF KALAUPAPA SETTLEMENT BY THE FEDERAL GOVERNMENT AND THE CREATION OF A NATIONAL HISTORICAL PARK AT KALAUPAPA SETTLEMENT ON MOLOKAI", was offered by Senator Yee.

By unanimous consent, S.R. No. 408 was referred to the Committee on Health.

A resolution (S.R. No. 409), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE METHODS FOR AUTOMATICALLY CONFORMING THE STATE INCOME TAX LAW WITH THE FEDERAL INTERNAL REVENUE CODE, AND THEIR RELATIVE IMPACT ON EXISTING TAX POLICY, ADMINISTRATION, AND TAXPAYER COMPLIANCE", was jointly offered by Senators Cayetano and Toyofuku.

By unanimous consent, S.R. No. 409 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 410), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE FEASIBILITY OF INTERFACING THE CONTRIBUTION AND BENEFIT PROGRAMS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII WITH THOSE OF THE SOCIAL SECURITY SYSTEM", was jointly offered by Senators Cayetano and Toyofuku.

By unanimous consent, S.R. No. 410 was referred to the Committee on Ways and Means, then to the Committee on Legislative Management.

A resolution (S.R. No. 411), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADOPTING THE FEDERAL METHOD OF COMPUTING THE STANDARD DEDUCTION THROUGH ZERO BRACKET AMOUNTS", was offered by Senator Cayetano.

By unanimous consent, S.R. No. 411 was referred to the Committee on Ways and Means.

A resolution (S.R. No. 412), entitled: "SENATE RESOLUTION REQUESTING THAT THE PROPOSED MODIFICATIONS TO THE HAWAII RULES OF EVIDENCE BE INTRODUCED IN THIS SESSION OF THE LEGISLATURE, THEN STUDIED DURING THE INTERIM PERIOD BETWEEN THE REGULAR SESSION OF 1979 AND THE REGULAR SESSION OF 1980", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 412 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 413), entitled: "SENATE RESOLUTION REQUESTING THAT AN INTERIM STUDY BE CONDUCTED ON THE COORDINATION BETWEEN THE SUB-UNITS OF THE STATE CRIMINAL JUSTICE SYSTEM", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 413 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 414), entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 414 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 415), entitled: "SENATE RESOLUTION REQUESTING INTERIM STUDY AND INTERIM PUBLIC

HEARINGS ON CONSTITUTIONAL AMENDMENTS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 415 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 416), entitled: "SENATE RESOLUTION RELATING TO TOUR BUSES ON NUUANU PALI DRIVE", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 416 was referred jointly to the Committee on Judiciary and the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 417), entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 417 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 418), entitled: "SENATE RESOLUTION RELATING TO RESIDENTIAL TREATMENT FACILITIES FOR MENTAL HEALTH AND/OR SUBSTANCE ABUSE PATIENTS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 418 was referred to the Committee on Health.

A resolution (S.R. No. 419), entitled: "SENATE RESOLUTION REQUESTING THE STATE DIRECTOR OF TRANSPORTATION TO CONDUCT A STUDY ON INTER-ISLAND SEA TRANSPORTATION", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 419 was referred to the Committee on Transportation.

A resolution (S.R. No. 420), entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON A PROPOSAL TO AMEND THE DISCRIMINATORY PRACTICES PORTION OF THE EMPLOYMENT PRACTICES LAW", was offered by Senator Chong.

By unanimous consent, S.R. No. 420 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 421), entitled: "SENATE RESOLUTION REQUESTING HOSPITALS AND OTHER MEDICAL FACILITIES IN HAWAII TO RETAIN MEDICAL RECORDS PENDING A STUDY BY THE LEGISLATIVE REFERENCE BUREAU ON MEDICAL RECORDS RETENTION POLICY", was jointly offered

by Senators Chong and Carpenter.

By unanimous consent, S.R. No. 421 was referred to the Committee on Health, then to the Committee on Legislative Management.

A resolution (S.R. No. 422), entitled: "SENATE RESOLUTION REQUESTING THE CITY COUNCIL OF HONOLULU TO RETAIN ORDINANCE 78-73 RELATING TO THE COMPREHENSIVE ZONING CODE IN ITS PRESENT FORM AND NOT TO REDUCE ITS IMPACT BY PASSING BILL 84 NOW BEFORE IT", was jointly offered by Senators Chong and Carpenter.

By unanimous consent, S.R. No. 422 was referred jointly to the Committee on Intergovernmental Relations and the Committee on Economic Development.

A resolution (S.R. No. 423), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND FAVORABLE ACTION BY THE GOVERNOR TOWARD THE ECONOMIC DEVELOPMENT MERITS OF THE HILO BAYFRONT DEVELOPMENT PLAN", was jointly offered by Senators Hara and Carpenter.

By unanimous consent, S.R. No. 423 was referred to the Committee on Economic Development.

A resolution (S.R. No. 424), entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO UNDERTAKE A STUDY TO DETERMINE THE EXTENT TO WHICH THE PUBLIC UTILITIES MAY USE ALTERNATE SOURCE OF ENERGY PRODUCING PRODUCTS AND THE INCENTIVES THAT MAY BE AVAILABLE TO THEM FOR THEIR USE", was offered by Senator Chong.

By unanimous consent, S.R. No. 424 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 425), entitled: "SENATE RESOLUTION REQUESTING THE PUBLIC UTILITIES COMMISSION TO UNDERTAKE A STUDY ON THE ECONOMIC IMPACT THAT THE STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS WILL HAVE ON THE GENERAL PUBLIC", was offered by Senator Chong.

By unanimous consent, S.R. No. 425 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 426), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON PUBLIC UTILITIES TO CONDUCT AN INTERIM STUDY ON THE PUBLIC UTILITIES PROGRAM", was offered by Senator Chong.

By unanimous consent, S.R. No. 426 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 427), entitled: "SENATE RESOLUTION SUBMITTING TO THE SENATE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON EXCHANGES", was offered by Senator Yim.

By unanimous consent, S.R. No. 427 was referred to the Committee on Economic Development.

A resolution (S.R. No. 428), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE REVISION OF THE HAWAII REVISED STATUTES", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 428 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A resolution (S.R. No. 429), entitled: "SENATE RESOLUTION REQUESTING THE MAYOR AND COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO SUPPORT RECOGNITION OF THE BLAISDELL HOTEL AS A HISTORIC PROPERTY", was jointly offered by Senators Carroll, Saiki, Takitani, Carpenter, Yamasaki, Hara, Campbell, Chong and Ajifu.

By unanimous consent, S.R. No. 429 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 430), entitled: "SENATE RESOLUTION REQUESTING THE OFFICE OF CONSUMER PROTECTION TO CONDUCT AN INVESTIGATION INTO THE SALES PRACTICES USED IN THE MARKETING OF TIME-SHARE OFFERINGS", was jointly offered by Senators Carroll, Takitani, Toyofuku, Carpenter, Yamasaki and Chong.

By unanimous consent, S.R. No. 430 was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Legislative Management.

A resolution (S.R. No. 431), entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON THE CONCEPT OF TRANSFER OF DEVELOPMENT RIGHTS", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 431 was referred jointly to the Committee on Judiciary, the Committee on Economic Development and the Committee on Intergovernmental Relations, then to the Committee on Legislative Management.

A resolution (S.R. No. 432), entitled:

"SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO RECOGNIZE THE EXCEPTIONAL ACCOMPLISHMENTS OF THE ENVIRONMENTAL STUDIES PROGRAM", was offered by Senator Abercrombie.

By unanimous consent, action on S.R. No. 432 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 433), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE APPROPRIATE ORGANIZATIONAL ASSIGNMENT OF ENVIRONMENTAL FUNCTIONS", was jointly offered by Senators Hara, Abercrombie, Yim, O'Connor, Saiki, Takitani, Ajifu, Chong, Mizuguchi, Soares, Kawasaki, Cayetano, Yamasaki, Campbell, Carpenter, Cobb, Yee, Young and Toyofuku.

By unanimous consent, action on S.R. No. 433 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 434), entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO RECONSIDER THE LIMITATION IMPOSED ON JROTC PROGRAMS IN PUBLIC HIGH SCHOOLS", was jointly offered by Senators Kuroda, Campbell, Carpenter, Carroll, Toyofuku, Soares, Yee, Ushijima, Saiki, Cobb, Anderson, Kawasaki, Hara, Wong, O'Connor, George, Cayetano, Young and Mizuguchi.

By unanimous consent, action on S.R. No. 434 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 435), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE PROPOSED STATE TOURISM FUNCTIONAL PLAN", was jointly offered by Senators Kuroda, Takitani, Cobb and Kawasaki.

By unanimous consent, action on S.R. No. 435 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 436), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW THE PARKING FACILITIES, POLICIES AND RATES OF ALL STATE AND COUNTY AGENCIES AND THEIR IMPACT ON TRAFFIC CONGESTION IN HAWAII", was jointly offered by Senators Mizuguchi, Kuroda, Chong, O'Connor, Yamasaki, Kawasaki, Hara, Ajifu, Toyofuku, Cobb, Campbell, Carroll, Takitani, Carpenter and Yim.

By unanimous consent, action on S.R. No. 436 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 437), entitled: "SENATE RESOLUTION RELATING TO THE CONTINUATION, PROMOTION AND

EXPANSION OF THE VAN GO HAWAII PROGRAM", was jointly offered by Senators Mizuguchi, Kuroda, Chong, O'Connor, Yamasaki, Kawasaki, Ajifu, Carroll, Toyofuku, Cobb, Takitani, Carpenter and Yim.

By unanimous consent, action on S.R. No. 437 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 438), entitled: "SENATE RESOLUTION RELATING TO MEMBERSHIP OF THE STATE OF HAWAII IN VARIOUS LOCAL, NATIONAL, AND INTERNATIONAL ORGANIZATIONS", was jointly offered by Senators Kuroda, Kawasaki, Carpenter and Chong.

By unanimous consent, action on S.R. No. 438 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 439), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO REVIEW COMPENSATION PLANS FOR ALL THIRTEEN COLLECTIVE BARGAINING UNITS", was offered by Senator Wong.

By unanimous consent, action on S.R. No. 439 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 440), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF SALARY SCHEDULES FOR STATE AND COUNTY EMPLOYEES IN COLLECTIVE BARGAINING UNIT NOS. 1 AND 2", was offered by Senator Wong.

By unanimous consent, action on S.R. No. 440 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 441), entitled: "SENATE RESOLUTION RELATING TO A GENERAL AVIATION AIRPORT ON OAHU", was offered by Senator Mizuguchi.

By unanimous consent, action on S.R. No. 441 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 442), entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF CERTIFIED PUBLIC ACCOUNTANCY REQUIREMENTS IN HAWAII", was jointly offered by Senators Cobb, Saiki, Ajifu, Soares, Yim, O'Connor, Campbell, Carroll, Yee, Chong and Young.

By unanimous consent, action on S.R. No. 442 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 443), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO UPGRADE THE POSITION OF NUTRITION CURRICULUM

SPECIALIST", was jointly offered by Senators Carpenter and Young.

By unanimous consent, action on S.R. No. 443 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 444), entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES TO CONDUCT AN INTERIM STUDY ON THE STATE HOUSING PLAN", was jointly offered by Senators Young, Soares, Cayetano, Yim, Carpenter, Hara, Takitani and Ajifu.

By unanimous consent, action on S.R. No. 444 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 445), entitled: "SENATE RESOLUTION URGING PASSAGE OF FEDERAL LEGISLATION TO PROVIDE TAX CREDIT TO EMPLOYERS HIRING DISPLACED HOMEMAKERS AND REQUESTING DEVELOPMENT OF SIMILAR LEGISLATION FOR HAWAII", was jointly offered by Senators Young, Carpenter, Takitani, Cayetano, Kawasaki, Cobb, Soares, Toyofuku, Chong, Ajifu and Yim.

By unanimous consent, action on S.R. No. 445 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 446), entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE APPLICABILITY OF THE CONCEPT OF LAND READJUSTMENT FOR THE KAKAAKO AREA", was jointly offered by Senators Young, Soares, Cayetano, Yim, Carpenter, Hara, Takitani and Ajifu.

By unanimous consent, action on S.R. No. 446 was deferred until Tuesday, April 10, 1979.

A resolution (S.R. No. 447), entitled: "SENATE RESOLUTION REQUESTING AN INVESTIGATION OF CERTAIN TOURIST ACTIVITIES", was offered by Senator Wong.

By unanimous consent, action on S.R. No. 447 was deferred until Tuesday, April 10, 1979.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 982) informing the Senate that Senate Resolution Nos. 365 to 369 and Standing Committee Report No. 981 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator Yee and carried, the report

of the Committee was adopted.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 983) recommending that Senate Concurrent Resolution No. 68, as amended in S.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.C.R. No. 68, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING ESTABLISHMENT OF A SEPARATE PAY PLAN FOR EXCLUDED PUBLIC EMPLOYEES", was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie).
Excused, 3 (Anderson, George and Ushijima).

Senators Takitani and Yim, for the Committees on Agriculture and Economic Development, presented a joint report (Stand. Com. Rep. No. 984) recommending that Senate Resolution No. 255 be adopted.

On motion by Senator Takitani, seconded by Senator Yim and carried, the joint report of the Committees was adopted and S.R. No. 255, entitled: "SENATE RESOLUTION REQUESTING IMPROVEMENTS AND EXPANSION OF THE STATE OPERATED LALAMILO IRRIGATION SYSTEM IN HAWAII COUNTY", was adopted.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 985) recommending that Senate Resolution No. 290 be referred to the Committee on Legislative Management.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 290, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON AGRICULTURE TO REVIEW THE STATE'S COORDINATING MECHANISM AS IT RELATES TO DIVERSIFIED AGRICULTURE", was referred to the Committee on Legislative Management.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 986) recommending that Senate Resolution No. 291 be referred to the Committee on Legislative Management.

On motion by Senator Takitani, seconded by Senator Hara and carried, the report of the Committee was adopted and S.R. No. 291, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON AGRICULTURE TO REVIEW PROBLEMS RELATING TO THE CLASSIFICATION OF LANDS FOR AGRICULTURAL PURPOSES", was referred to the Committee on Legislative Management.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 987) recommending that House Bill No. 1659 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT PERSONNEL".

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 988) recommending that Senate Concurrent Resolution No. 43, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.C.R. No. 43, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 989) recommending that Senate Resolution No. 217, as amended in S.D. 1, be adopted.

Senator Mizuguchi moved that the report of the Committee be adopted and S.R. No. 217 be adopted, seconded by Senator Young.

At this time, Senator Abercrombie rose to speak in favor of the motion and stated as follows:

"Mr. President, I realize that the S.C.R. and S.R. are just to combine it. Unless something is seriously done in this area, I, for one, want to make this clear, that I appreciate the Transportation Committee coming out with this resolution because I, for one, would like to see what we can do to end flights if we can't solve this problem.

"The disruption of our daily affairs, especially in a corridor that takes us over the Punchbowl area through Makiki over St. Louis and out over the mountains, is such that it becomes literally unbearable at certain times.

"Within the last two weeks alone whenever the points are raised about this, they seem to back off for a little while and then once the cries of despair pass a little bit why they go right back to it.

"Within the last two weeks in the Makiki area, it's been almost a situation in which we felt we're being dive-bombed by these airplanes taking advantage. If

necessary, I want to put people on, those in respect of the so-called small airport or whatever this other airport is supposed to be, second airport or third airport. But if this is not stopped, I want on record now that I'm going to vote against any airport of any kind of that nature and that means grounding every single plane like that and that's alright with me. So they have their choice as far as I'm concerned.

"They can either get this noise abatement situation worked out or have no planes in the air then we don't have to worry about any noise abatement."

Senator Carroll then added as follows:

"Mr. President, I too rise to speak in favor of this measure, but I think that it's very clear to anybody in the aviation industry, and particularly with the concern expressed by my learned colleague from Manoa, that when we have southerly winds there's no other place for these aircrafts to go except up over the town; and the noise which we've been hearing in the Makiki-Manoa-Moiliili-McCully area and downtown, largely, is the general aviation aircraft.

"I know that it's a problem that we've been trying to address here, but general aviation problems are not limited solely to the areas where we've looked to for sites.

"I think that it would be virtually impossible for us to try to shut down aviation and I think that it's very clear that what we have to do is to set up that separate field so that we can completely remove this type of traffic.

"The jet aviation traffic which has been ongoing during this south wind circulation does not go up into that area. That noise is all being generated by general aviation. They are landing on the reef runway or on their parallel two-six which is slightly inside of there and they come in over downtown but they do not create that kind of a noise problem. So I think to that extent we certainly should do this and I think the FAA will cooperate with it when they get the message."

The motion was put by the Chair and the report of the Committee was adopted and S.R. No. 217, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL AVIATION ADMINISTRATION TO ADOPT A REGULATION GOVERNING THE PROMULGATION OF AIRPORT NOISE ABATEMENT PLANS", was adopted.

Senators Campbell and Young, for the majority of the Committees on Education and Housing and Hawaiian Homes, presented a

joint report (Stand. Com. Rep. No. 990) recommending that Senate Resolution No. 30 be adopted.

Senator Campbell moved that the report of the majority of the Committees be adopted and S.R. No. 30 be adopted, seconded by Senator Young.

At this time, Senator O'Connor rose to state as follows:

"Mr. President, just a slight technical matter.

"Let the record show that although the resolution states in its first 'whereas' paragraph that the Constitutional Convention amended the State Constitution, in fact, it was the voters that amended the State Constitution in the November election, although I think sometimes that the Constitutional Convention felt that they were, in fact, doing that."

The motion was put by the Chair and the joint report of the Committees was adopted and, Roll Call vote having been requested, S.R. No. 30, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A HAWAIIAN EDUCATION PROGRAM IN THE PUBLIC SCHOOLS", was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Cobb and Kawasaki).
Excused, 3 (Anderson, George and Ushijima).

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 6, 1979

House Bill No. 38, H.D. 2, S.D. 3:

By unanimous consent, action on H.B. No. 38, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", was deferred until Tuesday, April 10, 1979.

House Bill No. 48, H.D. 2, S.D. 2:

By unanimous consent, action on H.B. No. 48, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", was deferred until Tuesday, April 10, 1979.

House Bill No. 544, S.D. 1:

By unanimous consent, action on H.B. No. 544, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", was deferred until Tuesday, April 10, 1979.

House Bill No. 1252, H.D. 2, S.D. 1:

By unanimous consent, action on H.B.

No. 1252, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", was deferred until Tuesday, April 10, 1979.

House Bill No. 1322, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 1322, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", was deferred until Tuesday, April 10, 1979.

House Bill No. 1686, H.D. 2, S.D. 3:

By unanimous consent, action on H.B. No. 1686, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Tuesday, April 10, 1979.

Standing Committee Report No. 977 (H.B. No. 498, H.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 977 was adopted and H.B. No. 498, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", passed Second Reading and was placed on the calendar for Third Reading on Wednesday, April 11, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 498, H.D. 1.

Senate Bill No. 9, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 9, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Kuroda, Mizuguchi, George and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 11, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 11, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Kuroda, Mizuguchi, George and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 42, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 42, S.D. 1, and the request for a conference on the subject matter thereof, the President

appointed Senators O'Connor, Chairman, Campbell and George as Managers on the part of the Senate at such conference.

Senate Bill No. 77, S.D. 3, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 77, S.D. 3, and the request for a conference on the subject matter thereof, the President appointed Senators Takitani, Chairman, Cayetano, Hara, Yim and Ajifu as Managers on the part of the Senate at such conference.

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

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 86, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Kuroda and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 181, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 181, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 182, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 182, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 393, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 393, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 581, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 581, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ushijima, Chairman, Abercrombie, Cobb, Kuroda, O'Connor, Yamasaki, Ajifu and George as Managers on the part of the Senate at such conference.

Senate Bill No. 599, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 599, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 664, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 664, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Ushijima, Chairman, Abercrombie, Kuroda, O'Connor, Yamasaki, Ajifu and George as Managers on the part of the Senate at such conference.

Senate Bill No. 692, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 692, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Campbell and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 694, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 694, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Yim and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 695, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 695, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cobb, Chairman, Chong and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 870, S.D. 2, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 870, S.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Mizuguchi, Chairman, Chong and George as Managers on the part of the Senate at such conference.

Senate Bill No. 919, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed

by the House to S.B. No. 919, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1043, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1043, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Ushijima and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1049, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1049, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Takitani and George as Managers on the part of the Senate at such conference.

Senate Bill No. 1091, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1091, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Mizuguchi, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1230, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1230, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 1238, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1238, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators O'Connor, Chairman, Takitani and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 1373, S.D. 1, H.D. 1:

By unanimous consent, action on S.B.

No. 1373, S.D. 1, H.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
THE DEPARTMENT OF EDUCATION:
MAKING SUPPLEMENTARY APPROPRIATIONS
OUT OF GENERAL REVENUES TO COVER
CERTAIN DEFICIENCIES FOR THE FISCAL
YEAR ENDING JUNE 30, 1979", was
deferred until Tuesday, April 10, 1979.

Senate Bill No. 1634, S.D. 2, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1634, S.D.
2, and the request for a conference on
the subject matter thereof, the President
appointed Senators Carpenter, Chairman,
Campbell, Cobb and Yee as Managers
on the part of the Senate at such conference.

Senate Bill No. 1657, S.D. 2, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1657, S.D.
2, and the request for a conference
on the subject matter thereof, the President
appointed Senators Takitani, Chairman,
Cayetano, Hara, Yim and Ajifu as Managers
on the part of the Senate at such conference.

Senate Bill No. 1680, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1680, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators O'Connor, Chairman,
Ushijima and George as Managers on
the part of the Senate at such conference.

Senate Bill No. 1682, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1682, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators O'Connor, Chairman,
Chong and Saiki as Managers on the
part of the Senate at such conference.

Senate Bill No. 168, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 168, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators O'Connor, Chairman,
Ushijima and Carroll as Managers on
the part of the Senate at such conference.

Senate Bill No. 1703, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1703, S.D.
1, and the request for a conference on
the subject matter thereof, the President

appointed Senators O'Connor, Chairman,
Campbell and George as Managers on
the part of the Senate at such conference.

Senate Bill No. 1727, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1727, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators O'Connor, Chairman,
Chong and George as Managers on the
part of the Senate at such conference.

Senate Bill No. 1752, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1752, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators Cobb, Chairman,
Carpenter and Saiki as Managers on
the part of the Senate at such conference.

Senate Bill No. 1415, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1415, and
the request for a conference on the subject
matter thereof, the President appointed
Senators O'Connor, Chairman, Cobb
and Saiki as Managers on the part of
the Senate at such conference.

Senate Bill No. 1516, S.D. 1, H.D. 1;

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1516, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators Cobb, Chairman,
Carpenter and Yee as Managers on the
part of the Senate at such conference.

Senate Bill No. 1539, S.D. 1, H.D. 1:

In accordance with the disagreement
of the Senate to the amendments proposed
by the House to S.B. No. 1539, S.D.
1, and the request for a conference on
the subject matter thereof, the President
appointed Senators Carpenter, Chairman,
O'Connor and Saiki as Managers on the
part of the Senate at such conference.

At this time, Senator Soares introduced
to the members of the Senate Dr. George
Mills, a former Senator, a close friend of
the medical profession and medical doctor
at Kamehameha Schools, who was sitting
in the gallery.

Senator Soares also introduced Senator
John Carroll's family, daughter Nami
Wolfson; sons, Joseph and Kirk; grandson
Caleb, and granddaughter Erica.

At 12:38 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.

FINAL READING

Senate Bill No. 15, S.D. 1, H.D. 1:

Senator O'Connor moved that S.B. No. 15, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cobb.

At this time, Senator Abercrombie inquired if the Chairman of the Judiciary Committee would yield to a question and Senator O'Connor replied in the affirmative.

Senator Abercrombie then queried as follows:

"On page 2 of the Standing Committee Report, it indicates, 'the commission shall reapportion the members of each House of the Legislature among the basic island units, etc.' Has there not been a deletion of the provision requiring the commission to hold public hearings within 40 days after initial publication to propose reapportionment?"

"I'd like to know where the public hearing... what the situation is with the public hearings."

Senator O'Connor then replied:

"Mr. President, I cannot answer that question as I stand here because it would require going back over the entire law. I would ask that if the Senator desires an answer at this time, I would ask for a recess."

At 12:41 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.

The motion was put by the Chair and carried, and S.B. No. 15, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, George and Ushijima).

Senate Bill No. 45, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B.

No. 45, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, none. Excused, 3 (Anderson, George and Ushijima).

Senate Bill No. 46, S.D. 2, H.D. 2:

Senator Toyofuku moved that S.B. No. 46, S.D. 2, H.D. 2, having been read throughout, pass Final Reading, seconded by Senator O'Connor.

At this time, Senator Abercrombie rose to speak against the measure and stated as follows:

"Mr. President, I object to the bill on the grounds that I believe that it's unconstitutional.

"I believe that people have the right to elect those whom they wish to public office and where people present themselves to the public asking for their votes, that the public should be entitled to vote for them."

The motion was put by the Chair and carried, and S.B. No. 46, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 3 (Abercrombie, Carpenter and Chong). Excused, 4 (Anderson, Carroll, George and Ushijima).

Senate Bill No. 50, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 50, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, Carroll, George and Ushijima).

Senate Bill No. 87, S.D. 1, H.D. 1:

On motion by Senator Kawasaki, seconded by Senator Yamasaki and carried, S.B. No. 87, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Anderson, Carroll, George and Ushijima).

Senate Bill No. 615, S.D. 1, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Cayetano and carried, S.B. No. 615, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Anderson, Carroll, George and Ushijima).

Senate Bill No. 666, S.D. 2, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Cayetano and carried, S.B. No. 666, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Anderson, Carroll, George and Ushijima).

Senate Bill No. 670, H.D. 1:

Senator Mizuguchi moved that S.B. No. 670, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Kawasaki.

At this time, Senator Abercrombie rose to speak against the measure and stated as follows:

"Mr. President, I'm speaking against the bill for the following reasons.

"As I read this bill, it allows the Governor and mayors to waive public hearings required by the Administrative Procedure Act when the state or counties are required by federal provisions to put forth those rules as a condition to receiving federal funds and the agency is allowed no discretion in interpreting such federal provisions as to the rules required. This will deny the public an official and formal forum, I believe, for expressing their disagreement with the rules being proposed.

"There could well be cases where many people would prefer to have the federal funds cut-off rather than adopting the rules. I've come to more and more, during the session, to share that kind of a feeling. There might be other cases in which our citizens would demand more stringent rules than the federal proposals. This might be in the case, for example, of water or in air pollution.

"An example of the former situation

occurred very recently in the discussion in which we may find ourselves in this state accused of segregation in our schools because we are not busing children as they might in Los Angeles or in Detroit.

"This bill implies that when the federal government demands that this state follow a particular course of action, our citizens' opinions are no longer relevant and would impose a burden upon the agencies which put forth the rules in question. I believe this is an elitist notion and does damage to the principles of participatory government.

"The best place for the decision of what rules and regulations we should adopt for the State of Hawaii is here in Hawaii and not in Washington, D.C., and I think that our experience is indicating that this particular proposition is more and more true with every passing day."

The motion was put by the Chair and carried, and S.B. No. 670, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 691, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 691, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 697, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 697, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOXING COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused,
4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1282, H.D. 1:

Senator Toyofuku moved that S.B. No. 1282, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator O'Connor.

At this time, Senator Abercrombie rose to speak against the measure and stated as follows:

"Mr. President, I spoke against this bill at some length when it was put forward. I can only hope that some of the arguments made at that time made a sufficient impression on the other members.

"To refresh the memory on this, this is where we put a Class C felony into a situation where false statements ostensibly are made in obtaining unemployment compensation benefits. I recall, if the members will recall, I indicated that I thought that it would be very easy to find people being charged with felonies who had made mistakes, honest mistakes, and even if those felony charges were subsequently dropped, that this would follow them all their lives long. I think this is totally out of line when we're speaking of the situation here of the \$200 benefit.

"It would be very, very easy to find circumstances, I think, for any prosecutor in the unemployment compensation program, where a statement can turn out to have been false, a single statement, because this is what the bill says, yet, that falsity was inadvertent.

"I do not think that when we're writing laws that we can count on the goodwill, the good judgment or the good sense of people in interpreting the laws. We should write the laws with care. We should pass the laws with care and not subject our people to capricious prosecution and most especially when a felony is involved.

"I'm asking all of you, please, to consider what will happen if this should take place and I ask you once again. In conclusion, put yourself in the shoes of the person who might face such a charge. For many of us, believe me, but for the grace of God you would be on that line, and but for the grace of God you might find yourself making a statement which you will later regret making because you were being charged with a felony even if it was subsequently not followed through on. It would follow you all your life long."

Senator Chong added as follows:

"Mr. President, I think all of us here agree that we are against people who are trying to deliberately cheat the unemployment system. We don't like malingerers. We want people who are able and willing to work. I'm sure the previous speaker agrees with that too.

"In the case of this particular bill, it's like the United States going to war

against Uganda and obliterating the county with an H-bomb.

"The punishment should be commensurate with the problem involved and this really goes too far.

"I really urge everybody to vote 'no' on this one."

The motion was put by the Chair and carried, and S.B. No. 1282, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 6 (Abercrombie, Carpenter, Cayetano, Chong, Kawasaki and Yim). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1284, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1284, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1303, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1303, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION OF CHILDREN", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1315, H.D. 1:

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.B. No. 1315, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

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

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1540, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EQUIPMENT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1591, H.D. 2:

On motion by Senator Hara, seconded by Senator O'Connor and carried, S.B. No. 1591, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1611, S.D. 2, H.D. 1:

By unanimous consent, S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred until Tuesday, April 17, 1979.

Senate Bill No. 1650, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1650, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1737, S.D. 2, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Cayetano and carried, S.B. No. 1737, S.D. 2, H.D. 1, 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, 20. Noes, 1 (Abercrombie). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1753, H.D. 1:

Senator Chong moved that S.B. No. 1753, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Mizuguchi.

At this time, Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, speaking against the bill, once again if I can call to mind the remarks I made previously and reiterate them very briefly.

"This lowers the fines for failure to file financial reports on time. The present fine is \$100 for each offense and not more than \$50 per day. This bill would make the fine one-sixteenth of one percent of annual gross, but not more than \$50 per month. Just to give the members a perspective on that, an annual gross of \$200,000 would find the fine at \$125 per month; \$400,000 annual gross, \$250; and \$800,000 annual gross at \$500. The old fines are not mandatory.

"Why take away judges discretion to impose high fines in cases that deserve such sanction. This is the essence of the argument. If we pass this bill, I think we are encouraging people to make or to consider the filing of the financial statements in a light vein and, in turn, then encouraging them to regard the factors especially surrounding safety and their expenditures forth in the same vein. I think we will pay a heavy price one day if we pass this bill, and it can be directly related, should it occur, to the encouragement that we have given with its passage."

Senator Chong then spoke for the measure as follows:

"Mr. President, with regard to this administration bill, the previous speaker's points are well taken. However, I'd like to point out that with regard to the safety aspects, every motor carrier in the State of Hawaii has to get the special safety, no matter what they do, they have to have a safety test conducted by the Department of Health and they can't be on the roads without it.

"With regard to some accidents that we have had in the past with people wilfully not getting their safety test adequately, that can be settled in a court of law. The fact remains that safety is not a factor.

"With regard to the other comments on the actual fining if a company does not turn in its financial statement in time...at the hearing it was pointed out that of the several hundred small companies, mama-papa-san type companies, and with the existing law, these...and they simply forget, these are husband-wife teams, and if they forget to turn in their fines and they turn-up a few months later, the fine structure is such that it would just drive them right out of business.

"So what has been happening in the

previous year, year and a half, is that the PUC has been taking a lot of what they call mitigation action and simply reducing the fines to fit the size of the company and giving them fair warning.

"As an example, a small company, and these are the ones we are really concerned with, earning \$25,000 gross, one-sixteenth of one percent of that is \$15.63, which, as you know, would lower the fee, that would be the daily charge to them if they don't do it versus the \$50 each day now. It's a reasonable amount. It's primarily to take care of the small mama-papa-san truckers and, in any case, the big truckers always turn in their financial plans on time. I urge we vote for this administration bill."

Senator Abercrombie then stated as follows:

"Mr. President, may I remind the members that scarcely three minutes ago we passed by two votes; a bill which will make a Class C felony for someone who makes a false statement. No matter how it comes down there's no mitigation ... or mitigation involved in the bill for someone on an unemployment line and we are now about to pass a bill because we bemoan the fate of somebody in small business or so-called small business.

"Three minutes ago we made a Class C felony and now we're turning right around where business is concerned. What we're saying is 'oh, let's just see what we can do to make it easier for people.' So if you're a wage earner, if you're somebody that hasn't been able to necessarily keep all the records that may be include that financial statement from that trucking company because they haven't turned their financial records in on time or haven't done it correctly or paid the proper attention, what we're doing is encouraging them not to pay proper attention, so that maybe one of these guys ends up down there putting down a so-called false statement gets to have a Class C felony.

"Because some of these small companies or maybe some of the very people that are most likely to hire the people and then lay off the people that are likely to have to go down to the unemployment line, where they're going to become Class C felons, I think, we should show a little consistency. Maybe an amendment should be in here to make these people who don't turn in their financial reports, Class C felons.

"So I put it to you. You can go on record today, it seems to me, as to where our empathy lies in respect of the people

of this State."

The motion was put by the Chair and carried, and S.B. No. 1753, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIERS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 2 (Abercrombie and Kawasaki). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1771, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Cayetano and carried, S.B. No. 1771, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1389, S.D. 1, H.D. 1:

On motion by Senator Yim, seconded by Senator Cayetano and carried, S.B. No. 1389, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING AND DEVELOPMENT OF KAUAI", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1409, S.D. 1, H.D. 2:

On motion by Senator Takitani, seconded by Senator Hara and carried, S.B. No. 1409, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GOVERNOR'S AGRICULTURE COORDINATING COMMITTEE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1430, S.D. 1, H.D. 1:

Senator Kawasaki moved that S.B. No. 1430, S.D. 1, H.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yim.

At this time, Senator Carroll rose to speak in favor of the measure and

stated as follows:

"Mr. President, earlier this year I voted against this and I believe I made some remarks against it. After that period of time, people in the fishing industry came to my office and they explained to me their purpose in asking that this bill be introduced, so I'm really not sure whose foresight is involved here.

"My original concern and, it's a concern that's been expressed by a number of the House members including Representative Minoru Inaba for whom I have great respect, and that is, that the family fisherman who goes out to get table fish may be forced out of his grounds or may go there and find nothing and be forced to go home empty-handed. I thought about it and it has emotional appeal, but when you think of it logically, a person who is in the business of doing commercial fishing is not going to be doing it with his spear on the near shore reefs, simply because the assets there are so grossly depleted.

"The purpose for this bill is so that the fishermen who are setting water or deep water traps and traps, say from sixty up to several number of fathoms, even as deep, say, as 180 feet, are able to dive on the trap, select the fish which are in their trap with a spear and take them out. So if they find, say, a snapper, ulua or something like that, they can take them out of the trap with a spear and bring them back up to the boat without having to go through the process of raising the trap, thereby potentially killing some of the fish which are in the trap and then having to throw those away.

"It makes really eminent good sense from a practical fishing point of view. It makes good sense from a conservation point of view and I think at this time we can, without fear, pass this measure."

The motion was put by the Chair and carried, and S.B. No. 1430, S.D. 1, H.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, 20. Noes, 1 (Toyofuku). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1438, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1438, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Final Reading on the following showing of

Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Anderson, George, Soares, Ushijima and Yee).

Senate Bill No. 1439, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1439, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Anderson, George, Soares, Ushijima and Yee).

Senate Bill No. 1451, S.D. 1, H.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 1451, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1483, S.D. 1, H.D. 2:

On motion by Senator Young, seconded by Senator Toyofuku and carried, S.B. No. 1483, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Ajifu). Excused, 4 (Anderson, George, Soares and Ushijima).

Senate Bill No. 1492, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1492, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Anderson, George, Soares, Ushijima and Yee).

ADJOURNMENT.

At 1:17 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 11:00 o'clock a.m., Tuesday, April 10, 1979.

FIFTY-THIRD DAY

Tuesday, April 10, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Sandy Valentine of the Christ Church Uniting Disciples Presbyterian, after which the Roll was called showing all Senators present with the exception of Senators Anderson, Ushijima and Yee, who were excused.

The President announced that he had read and approved the Journal of the Fifty-Second Day.

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

Senator Toyofuku introduced three students from Waimea High School, Kauai, as follows: Gregg Kimoto, Clyde Cox and Reid Hirano.

Senator Kuroda introduced Mrs. Ruby Shigemura Eyke from Gainesville, Florida, who is a school classmate of his.

Senator George introduced a group of Kailua Senior Citizens.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Legislative Auditor, (Dept. Com. No. 13), transmitting the final report entitled, "Hawaii Medicaid Claims Administration", conducted by Arthur Young and Company, was read by the Clerk and was referred to the Committee on Human Resources.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 434 to 517) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 434), informing the Senate that the House had requested a conference on House Bill No. 38, H.D. 2, in consequence of which on April 9, 1979 the Speaker had appointed Representatives Lunasco, Chairman, Say, Segawa, D. Yamada and Anderson as Managers on the part of the House for the consideration of said amendments was placed on file.

In accordance therewith, the President appointed Senators Campbell, Chairman, Cayetano, O'Connor, Young and Ajifu as Managers on the part of the Senate

at such conference.

A communication from the House (Hse. Com. No. 435), informing the Senate that the House had requested a conference on House Bill No. 82, H.D. 1, in consequence of which on April 9, 1979, the Speaker had appointed Representatives Blair, Chairman, Honda, Larsen, Masutani, D. Yamada and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 436), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 86, S.D. 1 and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Baker, Dods, Honda and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 437), informing the Senate that the House had requested a conference on House Bill No. 166, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Kobayashi, Segawa, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 438), informing the Senate that the House had requested a conference on House Bill No. 173, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Baker, Honda, Masutani, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 439), informing the Senate that the House had requested a conference on House Bill No. 181, H.D. 1, in consequence of which on April 9, 1979, the Speaker

appointed Representatives Blair, Chairman, Dods, Garcia, Masutani, Nakamura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 440), informing the Senate that the House had requested a conference on House Bill No. 479, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Garcia, Honda, Larsen, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 441), informing the Senate that the House had requested a conference on House Bill No. 531, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Baker, Honda, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 442), informing the Senate that the House had requested a conference on House Bill No. 556, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Baker, Larsen, Nakamura, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cobb, Chong and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 443), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 581, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman,

Aki, Honda, Lee, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 444), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 692 and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Garcia, Lee, Masutani, Nakamura and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 445), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 694 and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Baker, Larsen, Nakamura, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 446), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 695, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Dods, Honda, Nakamura, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 447), informing the Senate that the House had requested a conference on House Bill No. 748, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Baker, Lee, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 448), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 870, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Garcia, Larsen, Masutani, Nakamura and Ikeda

as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 449), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1091, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Suwa, Chairman, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Morioka, Sakamoto, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 450), informing the Senate that the House had requested a conference on House Bill No. 1143, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Dods, Chairman, Kiyabu, Kunimura, Masutani, Stanley and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 451), informing the Senate that the House had requested a conference on House Bill No. 1215, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Kawakami, Chairman, Holt, Segawa, Shito and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Hara, Chairman, Yim and Yee as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 452), informing the Senate that the House had requested a conference on House Bill No. 1216, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Garcia, Lee, Nakamura, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 453), informing the Senate that the House had requested a conference on House Bill No. 1232, in consequence of which on April 9, 1979, the Speaker appointed Representatives Kiyabu, Chairman, Kawakami, Machida, Stanley and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 454), informing the Senate that the House had requested a conference on House Bill No. 1322, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Segawa, Chairman, Ige, Kobayashi, Lee and Lacy as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 455), informing the Senate that the House had requested a conference on House Bill No. 1341, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Baker, Lee, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 456), informing the Senate that the House had requested a conference on House Bill No. 1432, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, de Heer, Dods, Honda and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 457), informing the Senate that the House had requested a conference on House Bill No. 1459, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Baker, Dods, Lee, Masutani and Ikeda

as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 458), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1516, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Larsen, Masutani, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 459), informing the Senate that the House had requested a conference on House Bill No. 1588, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Garcia, Machida, Ushijima and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 460), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1634, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Aki, Baker, Honda, Uechi and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 461), informing the Senate that the House had requested a conference on House Bill No. 1647, H.D. 2, in consequence of which on April 9, 1979, the Speaker appointed Representatives Ushijima, Chairman, Kawakami, Machida, Say, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Kawasaki and Ajifu as Managers on the part of the Senate at

such conference.

A communication from the House (Hse. Com. No. 462), informing the Senate that the House had requested a conference on House Bill No. 1667, in consequence of which on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Dods, Larsen, Nakamura, Say and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 463), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1752, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives Blair, Chairman, Garcia, Honda, Lee, Masutani and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 464), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 22, H.D. 1, and H.B. No. 22, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 465), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 23, H.D. 1, and H.B. No. 23, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 466), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 738 and H.B. No. 738, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 467), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 866 and H.B. No. 866, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 468), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1200, H.D. 1, and H.B. No. 1200, H.D. 1, S.D. 2, passed Final Reading

in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 469), informing the Senate that the House had agreed to the amendments proposed by the Senate to H.B. No. 1649, and H.B. No. 1649, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 470), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1673, and H.B. No. 1673, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 471), informing the Senate that the House had agreed to the amendments proposed by the Senate to House Bill No. 1687 and H.B. No. 1687, S.D. 1, passed Final Reading in the House of Representatives on April 9, 1979, was placed on file.

A communication from the House (Hse. Com. No. 472), informing the Senate that on April 9, 1979, the House had reconsidered its action taken on April 6, 1979 in disagreeing to the amendments made by the Senate to House Bill No. 583, H.D. 2, was placed on file.

A communication from the House (Hse. Com. No. 473), informing the Senate that the House had requested a conference on House Bill No. 80, H.D. 2, in consequence of which on April 9, 1979, the Speaker appointed Representatives Aki, Chairman, Ige, Segawa, Shito and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Toyofuku, Chairman, Hara and Anderson as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 474), informing the Senate that the House had requested a conference on House Bill No. 92, H.D. 2, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Blair, Honda, Sakamoto, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Takitani and Carroll as

Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 475), informing the Senate that the House had requested a conference on House Bill No. 95, H.D. 2, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Garcia, Honda, Masutani, Uechi and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Ushijima and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 476), informing the Senate that the House had requested a conference on House Bill No. 98, H.D. 2, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Masutani, Morioka, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Ushijima and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 477), informing the Senate that the House had requested a conference on House Bill No. 99, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Hashimoto, Honda, Masutani, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Ushijima and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 478), informing the Senate that the House had requested a conference on House Bill No. 102, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Honda, Larsen, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 479), informing the Senate that the House had requested a conference on House Bill No. 282, H.D. 1, in consequence

of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Holt, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Ushijima and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 480), informing the Senate that the House had requested a conference on House Bill No. 421, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Ushijima and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 481), informing the Senate that the House had requested a conference on House Bill No. 424, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Garcia, Honda, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cobb and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 482), informing the Senate that the House had requested a conference on House Bill No. 438, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Garcia, Honda, Larsen, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 483), informing the Senate that the House had requested a conference on House Bill No. 451, in consequence of which on April 9, 1979, the Speaker appointed Repre-

sentatives D. Yamada, Chairman, Aki, Honda, Larsen, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Mizuguchi and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 484), informing the Senate that the House had requested a conference on House Bill No. 520, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives Aki, Chairman, Kobayashi, Segawa, Shito and Ikeda as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Carpenter, Chairman, Chong, O'Connor and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 485), informing the Senate that the House had requested a conference on House Bill No. 643, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Kuroda, Mizuguchi, George and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 486), informing the Senate that the House had requested a conference on House Bill No. 723, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Garcia, Honda, Larsen, Masutani and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Chong and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 487), informing the Senate that the House had requested a conference on House Bill No. 921, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Lee, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Chong and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 488), informing the Senate that the House had requested a conference on House Bill No. 923, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Dods, Garcia, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Campbell, Chairman, O'Connor, Young and Ajifu on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 489), informing the Senate that the House had requested a conference on House Bill No. 1004, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Dods, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 490), informing the Senate that the House had requested a conference on House Bill No. 1140, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Blair, Honda, Lee, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Campbell and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 491), informing the Senate that the House had requested a conference on House Bill No. 1386, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Masutani, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman,

Ushijima and Carroll as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 492), informing the Senate that the House had requested a conference on House Bill No. 1557, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Garcia, Honda, Lee, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Ushijima, Chairman, Abercrombie, Kuroda, O'Connor, Yamasaki, Ajifu and George as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 493), informing the Senate that the House had requested a conference on House Bill No. 1627, in consequence of which on April 9, 1979, the Speaker appointed Representatives Aki, Chairman, Ige, Segawa, Shito and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

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

A communication from the House (Hse. Com. No. 494), informing the Senate that the House had requested a conference on House Bill No. 1634, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani, Ushijima, Carroll and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 495), informing the Senate that the House had requested a conference on House Bill No. 1646, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Blair, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators Mizuguchi, Chairman, O'Connor, Ushijima and Soares as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 496), informing the Senate that

the House had requested a conference on House Bill No. 1671, H.D. 1, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Baker, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Cayetano, Kuroda, Mizuguchi, George and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 497), informing the Senate that the House had requested a conference on House Bill No. 1716, in consequence of which on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

In accordance therewith, the President appointed Senators O'Connor, Chairman, Takitani and Saiki as Managers on the part of the Senate at such conference.

A communication from the House (Hse. Com. No. 498), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 9, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 499), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 11 and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Honda, Masutani, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 500), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 42, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Blair, Honda, Larsen and Medeiros as Managers on the part

of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 501), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 168, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Garcia, Honda, Masutani, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 502), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 181, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Garcia, Honda, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 503), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 182, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Blair, Dods, Honda, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 504), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 393, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Nakamura, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 505), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 599, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda, Lee and Medeiros as Managers on the part of the House for the consideration of said amendments,

was placed on file.

A communication from the House (Hse. Com. No. 506), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 664, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Masutani, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 507), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 919, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 508), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1043, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Blair, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 509), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1049, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Blair, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 510), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1230, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Aki, Honda, Larsen, Shito and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 511), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1238, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 512), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1415, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Dods, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 513), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1539, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Honda, Lee, Masutani, Uechi and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 514), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1680, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Blair, Dods, Honda and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 515), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1682, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Garcia, Honda, Larsen and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 516), informing the Senate that pursuant to the disagreement of the

Senate to the amendments proposed by the House to Senate Bill No. 1703, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Dods, Honda, Larsen, Masutani and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 517), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1727, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 9, 1979, the Speaker appointed Representatives D. Yamada, Chairman, Baker, Honda, Masutani, Nakamura and Medeiros as Managers on the part of the House for the consideration of said amendments, was placed on file.

At 11:15 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.

SENATE RESOLUTION

A resolution (S.R. No. 448), entitled: "SENATE RESOLUTION CONGRATULATING THE KALANI HIGH SCHOOL GIRLS' TENNIS TEAM FOR WINNING THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE TENNIS CHAMPIONSHIP", was jointly offered by Senators Saiki, Soares, O'Connor, Cobb, Chong, Young, Cayetano, Yamasaki, George, Ajifu, Campbell, Hara, Abercrombie, Toyofuku, Carpenter, Mizuguchi, Kuroda, Carroll, Yee, Yim and Anderson and was read by the Clerk.

On motion by Senator Saiki, seconded by Senator Soares and carried, S.R. No. 448 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 991), informing the Senate that Senate Concurrent Resolution Nos. 87 to 119, Senate Resolution Nos. 370 to 447 and Standing Committee Report Nos. 983 to 990 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 992), recommending that Senate Concurrent

Resolution No. 60 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.C.R. No. 60, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A TEMPORARY FEDERAL INTERGOVERNMENTAL PLANNING COMMISSION FOR HAWAII", was adopted.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 993), recommending that Senate Concurrent Resolution No. 23 be referred to the Committee on Legislative Management.

On motion by Senator Campbell, seconded by Senator Young and carried, and Roll Call vote having been requested, the report of the majority of the Committee was adopted and S.C.R. No. 23, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A COMPREHENSIVE EXAMINATION OF THE SCHOOL ATHLETIC ACTIVITIES OF THE DEPARTMENT OF EDUCATION", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kuroda). Excused, 3 (Anderson, Ushijima and Yee).

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 994), recommending that Senate Resolution No. 72 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 72, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE COSTS RELATING TO LAST ILLNESSES AND DEATH", 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. 995), recommending that Senate Resolution No. 86 be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 86, entitled: "SENATE RESOLUTION REQUESTING THE CONSIDERATION OF ESTABLISHING A SYSTEM FOR IDENTIFYING AND MONITORING FACTORS WHICH CONTRIBUTE TO THE HIGH COST OF DOING BUSINESS", 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. 996),

recommending that Senate Resolution No. 202, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 202, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE CONGRESS OF THE UNITED STATES EXCLUDE HAWAII'S STATE-CHARTERED BANKS FROM THE RESERVE REQUIREMENTS OF ANY FEDERAL RESERVE MEMBERSHIP LEGISLATION UNDER CONSIDERATION", was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 997), recommending that House Concurrent Resolution No. 22, H.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, and Roll Call vote having been requested, the report of the Committee was adopted and H.C.R. No. 22, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO EXEMPT HAWAII'S BANKS FROM THE RESERVE REQUIREMENT PROVISION OF ANY FEDERAL RESERVE MEMBERSHIP LEGISLATION WHICH IT SHOULD PASS", was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Abercrombie). Excused, 3 (Anderson, Ushijima and Yee).

ORDER OF THE DAY

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President then made the following committee assignments of Senate Concurrent Resolutions which had been offered on Monday, April 9, 1979:

Senate Concurrent Resolution	Referred to:
No. 112	Committee on Judiciary
No. 113	Committee on Tourism
No. 114	Committee on Transportation
No. 115	Committee on Intergovernmental Relations, then to the Committee on Legislative Management
No. 116	Committee on Transportation
No. 117	Committee on Consumer Protection and Commerce
No. 118	Jointly to the Committee

on Education and the Committee on Health

No. 119 Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management

REFERRAL OF SENATE RESOLUTIONS

The President then made the following committee assignments of Senate Resolutions which had been offered on Monday, April 9, 1979:

Senate Resolution	Referred to:
No. 432	Committee on Higher Education
No. 433	Committee on Ecology, Environment and Recreation, then to the Committee on Legislative Management
No. 434	Committee on Education
No. 435	Committee on Tourism
No. 436	Committee on Transportation
No. 437	Committee on Transportation
No. 438	Committee on Intergovernmental Relations, then to the Committee on Legislative Management
No. 439	Committee on Human Resources, then to the Committee on Ways and Means
No. 440	Committee on Human Resources, then to the Committee on Ways and Means
No. 441	Committee on Transportation, then to the Committee on Legislative Management
No. 442	Committee on Consumer Protection and Commerce
No. 443	Jointly to the Committee on Education and the Committee on Health
No. 444	Committee on Housing and Hawaiian Homes, then to the Committee on Legislative Management
No. 445	Committee on Human Resources, then to the Committee on Ways and Means
No. 446	Committee on Housing and Hawaiian Homes
No. 447	Committee on Tourism

RE-REFERRAL OF A SENATE CONCURRENT RESOLUTION

The President made the following

re-referral of a Senate Concurrent Resolution which had been offered on Monday, April 9, 1979:

Senate
Concurrent
Resolution

Referred to:

No. 108 Committee on Judiciary

RE-REFERRAL OF A
SENATE RESOLUTION

The President made the following re-referral of a Senate Resolution which had been offered on Monday, April 9, 1979:

Senate
Resolution

Referred to:

No. 379 Committee on Ecology,
Environment and Recreation

MATTERS DEFERRED
FROM APRIL 9, 1979

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

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

House Bill No. 2, H.D. 1, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 2, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Chong, Kawasaki, O'Connor, Anderson and Soares as Managers on the part of the Senate at such conference.

House Bill No. 14, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 14, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Carpenter, Kawasaki, O'Connor, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

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

In accordance with the disagreement of the House to the amendments proposed

by the Senate to H.B. No. 20, H.D.

1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Chong, Kawasaki, O'Connor, Toyofuku, Yim, Ajifu and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 1473, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1473, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Mizuguchi, Chairman, Cayetano, Yim and Soares as Managers on the part of the Senate at such conference.

House Bill No. 1639, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1639, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

House Bill No. 48, H.D. 2, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 48, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Cayetano, Chairman, Abercrombie, Hara, Toyofuku, Young, Ajifu and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 544, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 544, and the request for a conference on the subject matter thereof, the President appointed Senators Toyofuku, Chairman, Yamasaki and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 1686, H.D. 2, S.D. 3:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1686, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Young, Chairman, Carpenter, Cayetano, Hara, O'Connor and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 417, H.D. 2, S.D. 1:

In accordance with the disagreement

of the House to the amendments proposed by the Senate to H.B. No. 417, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Hara, Chairman, Abercrombie, Cobb, Toyofuku and Yee as Managers on the part of the Senate at such conference.

House Bill No. 732, S.D. 2:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 732, and the request for a conference on the subject matter thereof, the President appointed Senators Yim, Chairman, Cayetano and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 890, H.D. 1, S.D. 3:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 890, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Young, Chairman, Carpenter, Cayetano, O'Connor, Yim, Ajifu and Anderson as Managers on the part of the Senate at such conference.

House Bill No. 1642, H.D. 1, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1642, H.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Hara, Chairman, Abercrombie, Takitani, Toyofuku and Yee as Managers on the part of the Senate at such conference.

House Bill No. 1252, H.D. 2, S.D. 1:

In accordance with the disagreement of the House to the amendments proposed by the Senate to H.B. No. 1252, H.D. 2, and the request for a conference on the subject matter thereof, the President appointed Senators Takitani, Chairman, Cayetano, Hara, Yim and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 1373, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1373, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", was deferred until Wednesday, April 11, 1979.

At 11:41 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.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communications (Misc. Com. Nos. 31 to 36) were read by the Clerk and were disposed of as follows:

A communication from Mr. Robert S. Strauss, Special Representative for Trade Negotiations, Washington, D.C. (Misc. Com. No. 31), written on behalf of the President concerning the Resolution recently enacted by the Senate of the State of Hawaii opposing United States tariff reductions on fresh and processed pineapple in the present round of Multilateral Trade Negotiations (MTN), was referred to the Committee on Agriculture.

A communication from Ms. C. Matano, Administrative Assistant to U.S. Senator Spark Matsunaga (Misc. Com. No. 32), acknowledging receipt of Senate Resolution No. 134 (1979), which requested Congress to raise social security lump-sum death benefits, was placed on file.

A communication from Ms. C. Matano, Administrative Assistant to U.S. Senator Spark Matsunaga (Misc. Com. No. 33), acknowledging receipt of Senate Resolution No. 135 (1979), which requested Congress to provide financial assistance to states disproportionately affected by immigration, was placed on file.

A communication from the Honorable Peter W. Rodino, Jr., Congressman from New Jersey, Chairman, Committee on Judiciary, (Misc. Com. No. 34), acknowledging receipt of Senate Resolution No. 135 (1979), which requested Congress to provide financial assistance to states disproportionately affected by immigration, was placed on file.

A communication from Mr. George S. Moriguchi, Chief Planning Officer, Department of General Planning, City and County of Honolulu, (Misc. Com. No. 35), transmitting the "Notification" from the U.S. Department of Housing and Urban Development of their intent to provide Rental Subsidy for the Pualani Manor project, was referred to the Committee on Housing and Hawaiian Homes.

A communication from Mrs. Ruth M. Ono, Vice-President, Queen's Medical Center, (Misc. Com. No. 36), acknowledging

receipt of Senate Resolution No. 312 (1979), which extended congratulations to the Queen's Medical Center on its 120th anniversary, was placed on file.

At this time, the President stated as follows:

"The Chair would like to make just two very brief announcements. Because of the time pressures in scheduling conference meetings, it will not be feasible to give full public notice on these meetings. In order that these meetings are open to the public to the fullest extent possible, conference chairmen are urged to notify all the interested members of

the public who are aware of the pending legislation to let them know when the conferences on the bill will be held.

"The second thing is that since we will be going into conference over the next several days, I would like to urge all Senators to keep their schedules open and to be around the Capitol. Thank you."

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator George and carried, the Senate adjourned until 11:00 o'clock a.m., Wednesday, April 11, 1979.

FIFTY-FOURTH DAY

Wednesday, April 11, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Charles Hasegawa, Honpa Hongwanji Mission, Hawaii Betsuin, after which the Roll was called showing all Senators present with the exception of Senators Abercrombie, Anderson, Carroll, Yim and Young, who were excused.

The President announced that he had read and approved the Journal of the Fifty-Third Day.

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

Senator Toyofuku introduced a group from the Immigrant Services Department of the Susannah Wesley Community Center, accompanied by their director Mr. Roy Austria.

Senator Carpenter introduced Lee-Ann Nishiguchi and Debra Rychener students from Ka'u High School of the Big Island, accompanied by their Vice Principal Mr. John Sosa.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 117 and 118) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 117), transmitting his statement of objections to House Bill No. 402 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

April 10, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 402

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 17, Article III of the Hawaii State Constitution, I am returning herewith without my approval, House Bill No. 402 entitled, 'A Bill for an Act Relating to Firearms and Ammunition.'

The purpose of this Bill is to clarify the penalty provisions of Sections 134-8 and -9, Hawaii Revised Statutes, by

specifying that the penalty provisions contained therein take precedence over the Hawaii Penal Code.

While I appreciate the fact that the legislative power, vested in the Legislature, extends to all rightful subjects of legislation not inconsistent with the Constitutions of the State of Hawaii and the United States, I am nevertheless constrained to return the Bill without my approval.

Under Section 701-107 (7), Hawaii Revised Statutes, all penal statutes, other than those provided in the Hawaii Penal Code, must be governed by the Penal Code. Therefore, but for House Bill No. 402, Sections 134-8 and -9 constitute Class 'C' felonies. I recognize that the Legislature has the prerogative to specify different penalties than that which is required under the Hawaii Penal Code.

However, it is incumbent upon the Legislature, in rendering its intent, to make it absolutely clear and consistent with other similar statutes.

The existing Section 134-10, Hawaii Revised Statutes, provides a similar penalty as that which exists in Sections 134-8 and -9. However, the Legislature did not deal with Section 134-10 in House Bill No. 402. Are we to construe Section 134-10 as providing a Class 'C' felony? The fact that the Legislature saw fit to clarify its intent with respect to Sections 134-8 and -9, we must assume that it intended Section 134-10 would be construed as a Class 'C' felony.

Rather than enact House Bill No. 402 into law and thereby confuse the interpretation of Sections 134-8 through 134-10, I am returning the Bill to the Legislature without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii",

was placed on file.

A message from the Governor (Gov. Msg. No. 118), transmitting a report prepared by the Department of Health in response to Senate Resolution No. 23 (1978), which requested a review of the Department of Health dental services, was referred to the Committee on Health.

DEPARTMENTAL COMMUNICATION

A communication from the Honorable Jean King, Lieutenant Governor of the State of Hawaii, (Dept. Com. No. 14), acknowledging receipt of Senate Resolution No. 357 (1979) which expressed support for a state-wide observation of Earth Day for Friday, April 27, 1979, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 518 to 526) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 518), informing the Senate that the House had requested a conference on House Bill No. 417, H.D. 2, in consequence of which on April 10, 1979, the Speaker appointed Representatives Larsen, Chairman, Blair, Fukunaga, Kawakami, Toguchi and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 519), informing the Senate that the House had requested a conference on House Bill No. 732, in consequence of which on April 10, 1979, the Speaker appointed Representatives Kawakami, Chairman, Hashimoto, Holt, Morioka and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 520), informing the Senate that the House had requested a conference on House Bill No. 890, H.D. 1, in consequence of which on April 10, 1979, the Speaker appointed Representatives Kawakami, Chairman, Fukunaga, Holt, Stanley, D. Yamada and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 521), informing the Senate that the House had requested a conference on House Bill No. 1252, H.D. 2, in consequence of which on April 10, 1979, the Speaker appointed Representatives Uechi, Chairman, Holt, Morioka, Suwa, Toguchi, Uwaine and Narvaes as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 522), informing the Senate that the House had requested a conference on House Bill No. 1642, H.D. 1, in consequence of which on April 10, 1979, the Speaker appointed Representatives Larsen, Chairman, Kawakami, Toguchi, Sakamoto and Anderson as Managers on the part of the House

for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 523), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 77, S.D. 3, and the request for a conference on the subject matter of said amendments, on April 10, 1979, the Speaker appointed Representatives Uechi, Chairman, Inaba, Kawakami, Sakamoto, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 524), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1373, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 10, 1979, the Speaker appointed Representatives Lunasco and Suwa, Co-Chairmen, Inaba, Morioka, Say and Marumoto as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 525), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1657, S.D. 2, and the request for a conference on the subject matter of said amendments, on April 10, 1979, the Speaker appointed Representatives Uechi, Chairman, Crozier, Inaba, Sakamoto, Suwa, Takitani and Anderson as Managers on the part of the House for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 526), informing the Senate that pursuant to the disagreement of the Senate to the amendments proposed by the House to Senate Bill No. 1742, S.D. 1, and the request for a conference on the subject matter of said amendments, on April 10, 1979, the Speaker appointed Representatives Suwa, Chairman, Morioka, Crozier, de Heer, Fukunaga, Hashimoto, Holt, Ige, Inaba, Kobayashi, Kunimura, Sakamoto, Takitani, Lacy, Narvaes and Sutton as Managers on the part of the House for the consideration of said amendments, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 120), entitled: "SENATE CONCURRENT RESOLUTION COMMENDING DEAN SHOSUKE GOTO FOR HIS LONGSTANDING DEDICATION AND EFFORT IN PROMOTING DIVERSIFIED AGRICULTURE THROUGH THE TRAINING OF UNDERGRADUATE STUDENTS AT THE UNIVERSITY OF HAWAII PEARL

CITY INSTRUCTIONAL FACILITY", was jointly offered by Senators Kuroda, Young, Mizuguchi, Kawasaki, Wong, Yamasaki, Ushijima, Carroll, Soares, Cobb, George, Hara, Chong, Ajifu, Campbell, Yim, Cayetano, Carpenter, Saiki, Toyofuku, Takitani, Abercrombie and O'Connor, was read by the Clerk.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, S.C.R. No. 120 was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 449 to 454) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 449), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING PROFESSIONAL FOOTBALL PLAYERS FROM HAWAII", was jointly offered by Senators Yee, Young, Chong, Toyofuku, Cobb, Yim, Takitani, George, Campbell, Carpenter, Kuroda, Yamasaki, Anderson, Soares, Mizuguchi and Cayetano.

Senator Yee moved that S.R. No. 449 be adopted, seconded by Senator Hara.

At this time, Senator Yee rose to comment as follows:

"Mr. President, I would like to say that we think our professional football athletes from Hawaii do a tremendous service for the state because football is a most watched game on television. Every time a professional game is played, invariably the announcer mentions someone from the State of Hawaii. I think this builds tremendous public relations for the state and I know that we in Hawaii are very proud to have our boys playing on professional teams.

"Senate Resolution No. 449 is congratulating and extending our appreciation to all the local football players on professional teams. Senate Resolution No. 450 is for Russ Francis because he has agreed to be roasted on the evening of April 14th at the Sheraton Waikiki Hotel and he's doing it in behalf of the Boys' Club of Honolulu. All proceeds from this event will go to the Boys' Club."

The motion was put by the Chair and carried and S.R. No. 449 was adopted.

A resolution (S.R. No. 450), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING RUSS FRANCIS FOR HIS ACCOMPLISHMENTS AS A PROFESSIONAL FOOTBALL PLAYER AND HAWAII'S GOODWILL AMBASSADOR", was jointly offered by Senators Yee, Hara, Young, Chong, Toyofuku, Cobb, Yim, Takitani, George, Campbell, Carpenter, Kuroda, Yamasaki,

Anderson, Soares, Mizuguchi and Cayetano.

On motion by Senator Yee, seconded by Senator Hara and carried, S.R. No. 450 was adopted.

At this time, Senator Yee introduced to the members of the Senate "the most esteemed player from Hawaii, with the New England Patriots, Russ Francis"; an alumnus from Punahou School and with the Kansas City Chiefs, Kale Ane; and from St. Louis High School, with the San Diego Chargers, Hal Stringert. Senator Yee presented certified copies of the resolution to the honorees and Senators Saiki and George presented leis to Kale Ane and Hal Stringert, respectively, while Ms. Carol Zachary was requested to present a lei to Russ Francis.

At 11:16 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

A resolution (S.R. No. 451), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO CITY BANK ON ITS 20TH ANNIVERSARY", was jointly offered by Senators Kawasaki, Anderson, Yim, Soares, Yamasaki, Saiki, George, Campbell, Yee, Ushijima, Cayetano, Takitani, Young, Ajifu, Wong, Hara, Chong, Toyofuku, Cobb, Carroll, O'Connor, Abercrombie, Carpenter, Kuroda and Mizuguchi.

On motion by Senator Kawasaki, seconded by Senator Yee and carried, S.R. No. 451 was adopted.

At this time, Senator Kawasaki stated as follows:

"Mr. President, I just want to briefly inform the members of this Body about Mr. Morita's background. You, of course, know of his very illustrious public service career. He was the chief attorney or the 'head man' in the attorney's office, what is now comparable to the corporation council of the City and County. He was appointed by the legendary Mayor Wilson some three decades ago and he was head of that agency for many years.

"Mr. Morita took reigns as chief executive officer of City Bank and has, with his imagination, his vigorous energy, made it into one of the top banks of this state, I think, the fifth out of eight banks that we have here.

"What you don't know is that, while

he may be an outstanding banker, I've had the occasion to go fishing with this gentleman, and do you know that he doesn't even know how to tie a hook on a fishline and after he's caught a few fishes, he doesn't even know how to take it off the hook; but, that's because of his great devotion to his banking duties.

"I just want to let you know that there are some other facts to this gentleman's career, his personality, and his character that are not quite known to the public. He is, otherwise, a good banker."

Senator Kawasaki then introduced to the members of the Senate Mr. Richard Okinaka, President and Chief Operating Officer of City Bank, and Mr. James Morita, Chief Executive Officer and Chairman of the Board of City Bank, and presented them with certified copies of the resolution.

At 11:21 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.

A resolution (S.R. No. 452), entitled: "SENATE RESOLUTION COMMENDING CAROL ZACHARY ON THE OCCASION OF HER RETIREMENT AS EXECUTIVE DIRECTOR OF COMMON CAUSE/HAWAII", was jointly offered by Senators George, O'Connor, Cobb, Chong, Yee, Anderson, Young, Toyofuku, Campbell, Hara, Kuroda, Ushijima, Carroll, Yamasaki, Saiki, Ajifu, Kawasaki, Yim, Cayetano, Soares, Takitani, Mizuguchi, Carpenter and Abercrombie.

On motion by Senator George, seconded by Senator O'Connor and carried, S.R. No. 452 was adopted.

Senator George, before introducing the honoree, stated as follows:

"Mr. President, I didn't make a moving speech in behalf of soliciting votes for this resolution because, as I hope our honoree will notice, it was signed by every member of this Senate. It's a real delight to be able to present to the members of the Senate today Carol Zachary who is the honoree of this resolution.

"Carol, to me, is the epitome of citizen participation in government. As a matter of fact, she participated to such an extent during the last four years while she has been the voice of Common Cause in the legislature that at times it seems she was a member of the committee. We asked her advice often, we followed it often. As all of us know, we didn't always agree with her, we didn't always follow the advice, but we all admired

her and I think, probably, she set for us an example of tireless enthusiasm which all of us would do well to emulate."

Senator George then introduced Ms. Zachary and presented her with a certified copy of the resolution, while Senator O'Connor presented her with a lei.

Also introduced were the parents of Ms. Zachary who were sitting in the gallery.

At 11:25 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.

A resolution (S.R. No. 453), entitled: "SENATE RESOLUTION WELCOMING AND EXTENDING A WARM ALOHA TO FRANK NORDY HOFFMAN, SERGEANT-AT-ARMS OF THE UNITED STATES SENATE", was jointly offered by Senators Wong, Kawasaki, Cayetano, Ushijima, Takitani, Toyofuku, Young, Yamasaki, Yim, Mizuguchi, Anderson, Campbell, Carpenter, Chong, O'Connor, Kuroda, Cobb, Hara, George, Yee, Abercrombie, Carroll, Soares, Ajifu and Saiki.

On motion by Senator Kawasaki, seconded by Senator Cayetano and carried, S.R. No. 453 was adopted.

At this time, Senator Kawasaki introduced to the members of the Senate the honoree, Mr. Frank Nordy Hoffman, his wife Joanne, and daughter Eileen, who were accompanied by Mr. David Peters of Senator Dan Inouye's staff and Mr. Tucker Gratz. Senator Kawasaki then presented a certified copy of the resolution to Mr. Hoffman and Senators Saiki, Carpenter and Cayetano presented leis to Mr. Hoffman, Mrs. Hoffman and their daughter Eileen, respectively.

At 11:29 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.

A resolution (S.R. No. 454), entitled: "SENATE RESOLUTION COMMENDING DEAN SHOSUKE GOTO FOR HIS LONGSTANDING DEDICATION AND EFFORT IN PROMOTING DIVERSIFIED AGRICULTURE THROUGH THE TRAINING OF UNDERGRADUATE STUDENTS AT THE UNIVERSITY OF HAWAII PEARL CITY INSTRUCTIONAL FACILITY", was jointly offered by Senators Kuroda, Young, Mizuguchi, Kawasaki, Wong, Yamasaki, Ushijima, Carroll, Soares, Cobb, George, Hara, Campbell, Chong, Ajifu, Yim, Cayetano, Carpenter, Toyofuku, Saiki, Takitani, Abercrombie

and O'Connor.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, S.R. No. 454 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 998) informing the Senate that Senate Resolution No. 448 and Standing Committee Report Nos. 992 to 997 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 999) recommending that House Concurrent Resolution No. 42 be adopted.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and H.C.R. No. 42, entitled: "HOUSE CONCURRENT RESOLUTION COMMENDING THE STATE BOARD OF LAND AND NATURAL RESOURCES FOR THEIR EFFORTS TO STRENGTHEN AGRICULTURAL WATER RESOURCE PROGRAMS IN WAIMANALO, OAHU, AND URGING THE BOARD TO INTENSIFY ACTIVITIES TO UPGRADE THE AGRICULTURAL WATER SYSTEMS IN WAIMANALO", was adopted.

Senators Carpenter and Chong, for the Committees on Health and Public Utilities, presented a joint report (Stand. Com. Rep. No. 1000) recommending that Senate Resolution No. 44, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Chong and carried, the joint report of the Committees was adopted and S.R. No. 44, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO A FEASIBILITY STUDY OF INCLUSION OF A SURVIVAL GUIDE IN THE PHONE DIRECTORY ON ALL ISLANDS", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1001) recommending that House Concurrent Resolution No. 7, H.D. 1, be adopted.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.C.R. No. 7, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES

CONGRESS TO INCREASE FUNDS AVAILABLE UNDER VOCATIONAL REHABILITATION ACT, AS AMENDED, AND TITLE XX OF THE SOCIAL SECURITY ACT, SO THAT THE VOCATIONAL/SOCIAL REHABILITATION SERVICES IN HAWAII MAY RECEIVE ADEQUATE FUNDING", was adopted.

ORDER OF THE DAY

MATTER DEFERRED
FROM APRIL 10, 1979

Senate Bill No. 1373, S.D. 1, H.D. 1:

In accordance with the disagreement of the Senate to the amendments proposed by the House to S.B. No. 1373, S.D. 1, and the request for a conference on the subject matter thereof, the President appointed Senators Campbell and Cayetano, Co-Chairmen, and Ajifu, as Managers on the part of the Senate at such conference.

THIRD READING

Standing Committee Report No. 987 (H.B. No. 1659):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 987 was adopted and H.B. No. 1659, entitled: "A BILL FOR AN ACT RELATING TO WASTEWATER TREATMENT PERSONNEL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Anderson, Carroll, Yim and Young).

House Bill No. 498, H.D. 1:

Senator Cobb moved that H.B. No. 498, H.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

At this time, Senator O'Connor rose to speak on the measure and stated as follows:

"Mr. President, I direct the members' attention to the second sentence of the first section of this bill which would seem to allow one individual, if the articles or the charter were so amended, to perform all of the duties of the board of directors, and, of course, that individual could perform all the duties of the entire corporation.

"There is a technical problem with this particular sentence and this is the reason that I signed this committee report 'I do not concur.' However, I'm going to vote in favor of this bill because the balance of the bill contains provisions

which have long been needed in the Hawaii Corporate Law. I bring this matter to the attention of the members and place it on the records so that when this section of corporate law is again considered, the second sentence or the last sentence of this first section can be appropriately amended to indicate changes which we have made earlier this year in numbers of directors for certain kinds of corporations and their powers.

"It is rather ridiculous to have a large body of corporate law that have to do with directors of corporations, their responsibilities and duties, and simultaneously have one part of one sentence which allows the corporations of our state to subvert that entire section of corporate law. Thank you."

Senator Yee added as follows:

"Mr. President, I rise to speak in favor of the bill and I concur with the statements made by Senator O'Connor. I would appreciate that an appropriate amendment be made and introduced next year to correct this deficiency."

Senator Cobb then stated as follows:

"Mr. President, I would expect such an amendment to be forthcoming and received at an expeditious hearing in the committee."

The motion was put by the Chair and carried, and H.B. No. 498, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWERS OF BOARDS OF DIRECTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, none. Excused, 5 (Abercrombie, Anderson, Carroll, Yim and Young).

At 11:42 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.

CHANGE OF CONFERENCE COMMITTEE CHAIRMEN

Senate Bill No. 77, S.D. 3, H.D. 1:

The President appointed Senator Cayetano in place of Senator Takitani as Chairman, with Senator Takitani remaining as a Manager on the part of the Senate, at the conference to be held to consider the amendments proposed by the House to S.B. No. 77, S.D. 3.

Senate Bill No. 1657, S.D. 2, H.D. 1:

The President appointed Senator Cayetano in place of Senator Takitani as Chairman, with Senator Takitani remaining as a Manager on the part of the Senate, at the conference to be held to consider the amendments proposed by the House to S.B. No. 1657, S.D. 2.

House Bill No. 1252, H.D. 2, S.D. 1:

The President appointed Senator Cayetano in place of Senator Takitani as Chairman, with Senator Takitani remaining as a Manager on the part of the Senate, at the conference to be held to consider the amendments proposed by the Senate to H.B. No. 1252, H.D. 2.

ADJOURNMENT

At 11:50 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Yee and carried, the Senate adjourned until 9:30 o'clock a.m., Thursday, April 11, 1979.

FIFTY-FIFTH DAY

Thursday, April 12, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 9:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Bruce Edwards of the Makakilo Baptist Church, after which the Roll was called showing all Senators present with the exception of Senator Abercrombie, who was excused.

The President announced that he had read and approved the Journal of the Fifty-Fourth Day.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 527 to 544) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 527), transmitting House Concurrent Resolution No. 10, H.D. 1, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 10, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW EXISTING FISH AND GAME REGULATIONS", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 528), transmitting House Concurrent Resolution No. 13, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 13, entitled, "HOUSE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO RETURN BELLOWS FIELD TO THE STATE OF HAWAII", was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 529), transmitting House Concurrent Resolution No. 36, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 36, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION REVIEW THE POTENTIAL BENEFITS OF A HIGHWAY LOAD CONDITION ADVISORY SYSTEM",

was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 530), transmitting House Concurrent Resolution No. 48, H.D. 1, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 48, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON MANPOWER AND FULL EMPLOYMENT TO DEVELOP AN EMPLOYMENT FUNCTIONAL PLAN FOR HAWAII", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 531), transmitting House Concurrent Resolution No. 62, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO WORK TOWARDS ESTABLISHING DIRECT INEXPENSIVE DATA INFORMATION AND COMMUNICATION LINKS WITH WASHINGTON, D.C.", was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 532), transmitting House Concurrent Resolution No. 76, H.D. 2, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 76, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE SYSTEM", was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 533), transmitting House Concurrent Resolution No. 85, H.D. 2, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 85, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CODIFYING THE RULES OF EVIDENCE", was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 534), transmitting House Concurrent Resolution No. 86, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION A RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO SUPPORT

STATE-FEDERAL DATA SHARING WITH THE NATIONAL CONFERENCE OF STATE LEGISLATURES", was referred to the Committee on Intergovernmental Relations.

A communication from the House (Hse. Com. No. 535), transmitting House Concurrent Resolution No. 88, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII DELEGATION TO THE UNITED STATES CONGRESS TO SUPPORT LEGISLATION THAT WILL ALLOW THE MANGANESE NODULE INDUSTRY TO PROCEED WITH SEABED MINING OPERATIONS", was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 536), transmitting House Concurrent Resolution No. 92, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A MARINE LIFE CONSERVATION DISTRICT IN HAWAII COUNTY", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 537), transmitting House Concurrent Resolution No. 98, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR OCEAN FAIR WEEK, APRIL 9-13, 1979, AT THE UNIVERSITY OF HAWAII, MANOA CAMPUS", was adopted.

A communication from the House (Hse. Com. No. 538), transmitting House Concurrent Resolution No. 107, H.D. 2, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 107, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 539), transmitting

House Concurrent Resolution No. 125, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FURTHER UPGRADING AND INCREASED MAINTENANCE OF THE ALA WAI GOLF COURSE", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 540), transmitting House Concurrent Resolution No. 134, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION PROVIDING FOR AN INTERIM COMMITTEE TO STUDY STATE MANDATED PROGRAMS AND SERVICES", was referred to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 541), transmitting House Concurrent Resolution No. 135, H.D. 1, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 135, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO AIRCRAFT NOISE ABATEMENT", was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 542), transmitting House Concurrent Resolution No. 149, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADOPTING THE FEDERAL METHOD OF COMPUTING THE STANDARD DEDUCTION THROUGH ZERO BRACKET AMOUNTS", was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 543), transmitting House Concurrent Resolution No. 159, H.D. 1, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

By unanimous consent, H.C.R. No. 159, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CERTAIN WAIVERS OF LIMITATIONS UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT, THE RELEASE OF FUNDS, AND OTHER LEGISLATIVE AND ADMINISTRATIVE ACTION", was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 544), transmitting House Concur-

rent Resolution No. 180, which was adopted by the House of Representatives on April 11, 1979, was placed on file.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION EXTENDING BEST WISHES TO THE DELEGATES OF THE HAWAII STATE STUDENT CONFERENCE", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. No. 455 to 460) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 455), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE MANANA ELEMENTARY SCHOOL CHORUS OF PEARL CITY FOR ITS OUTSTANDING PERFORMANCES AND COMMUNITY SERVICES", was jointly offered by Senators Kuroda, Cayetano, Young, Mizuguchi, Carpenter, Toyofuku, Campbell, Abercrombie, Soares, O'Connor, Carroll, Yamasaki, Wong, Hara, Chong, Kawasaki, Cobb, Yee, Ushijima, George, Ajifu, Yim, Saiki and Takitani.

On motion by Senator Kuroda, seconded by Senator Cayetano and carried, S.R. No. 455 was adopted.

Senator Kuroda then introduced to the members of the Senate the following: Mrs. Carroll Robinson, the chorus director; Mrs. Minnie Morgan, accompanist; Mrs. Barbara Oshita, a parent and coordinator; Mr. John Rabanal, the Principal of Manana Elementary School and parents who accompanied the group this morning. Senators Young, Mizuguchi, Cayetano and Kuroda were presented with leis by members of the Chorus. In turn, Senators Mizuguchi and Cayetano then presented leis and certified copies of the resolution to Mrs. Robinson and Mrs. Morgan.

At 9:45 o'clock a.m., the Senate stood in recess subject to the call of the Chair to allow the Manana Elementary School Chorus to render several selections.

The Senate reconvened at 10:00 o'clock a.m.

A resolution (S.R. No. 456), entitled: "SENATE RESOLUTION RECOGNIZING THE OBSERVANCE OF NATIONAL SECRETARIES WEEK, APRIL 22 TO 28, 1979", was jointly offered by Senators Saiki, George, Kawasaki, Young, Chong, Cobb, Ajifu, Ushijima, Hara, Yamasaki, Takitani, O'Connor, Toyofuku, Carpenter, Cayetano, Yee, Abercrombie, Campbell, Carroll, Mizuguchi, Soares, Kuroda, Yim, Wong and Anderson.

On motion by Senator Saiki, seconded by Senator George and carried, S.R. No. 456 was adopted.

A resolution (S.R. No. 457), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO DR. JOHN McHALE AND SYMPATHY TO MRS. MAGDA CORDELL McHALE", was jointly offered by Senators Chong, Cobb, Hara, Ajifu, Young, Saiki, Takitani, Yamasaki, Campbell, Cayetano, Yim, Soares, Kuroda, Mizuguchi, Wong, Yee, O'Connor, Abercrombie, Carpenter, Toyofuku and Kawasaki.

On motion by Senator Chong, seconded by Senator Cobb and carried, S.R. No. 457 was adopted.

A resolution (S.R. No. 458), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO MR. GERALD A. SUMIDA, CHAIRMAN OF THE HAWAII STATE COMMISSION ON THE YEAR 2000", was jointly offered by Senators Chong, Hara, Carpenter, Yim, Saiki, Takitani, O'Connor, Young, Yamasaki, Cobb, Kuroda, Campbell, Soares, Cayetano, Ajifu, Mizuguchi, Wong, Yee, Toyofuku and Kawasaki.

On motion by Senator Chong, seconded by Senator Hara and carried, S.R. No. 458 was adopted.

A resolution (S.R. No. 459), entitled: "SENATE RESOLUTION CONGRATULATING RICHARD DUMANCAS ON RECEIPT OF THE INTERNATIONAL GUIDING EYES AWARD FOR OUTSTANDING COMMUNITY SERVICE", was jointly offered by Senators Wong, Takitani, Mizuguchi, Abercrombie, O'Connor, Yim, Campbell, Toyofuku, Chong, Saiki, Yee, George, Carroll, Anderson, Ajifu, Soares, Ushijima, Hara, Cayetano, Yamasaki, Kuroda, Cobb, Carpenter, Young and Kawasaki.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.R. No. 459 was adopted.

Senator Cayetano, in making the introduction, stated as follows:

"Mr. President, Richard Dumancas is the president of Local 293, International Association of Sheet Metal Workers Union, AFL-CIO and he was recently elevated to the position of International Vice-President of his international union. He is a man who has been very active in the local community and also the Filipino community. I might add that among the Filipino community, he is very, very highly respected. He is also an outstanding leader, certainly one of the foremost in our state.

"I have a personal interest in this man, Mr. President, for when I began in politics in 1974, there were very

few people who supported me, very few people who knew me, frankly. Richard Dumancas was one of them who supported me and Richard Dumancas has never asked me for anything. This is what I like about this man and this is why it gives me great pleasure to introduce him to you today. Mr. Richard Dumancas."

Senator Cayetano then introduced Mr. Van Horn Diamond, the Executive Secretary-Treasurer of the State AFL-CIO, who accompanied Mr. Dumancas. Senator Cayetano then presented a certified copy of the resolution to Mr. Dumancas.

At 10:04 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:07 o'clock a.m.

A resolution (S.R. No. 460), entitled: "SENATE RESOLUTION COMMENDING MRS. STANLEY C. KENNEDY, OUTSTANDING RED CROSS VOLUNTEER", was jointly offered by Senators George, Hara, Young, Ushijima, Carpenter, Kuroda, Yamasaki, Takitani, Campbell, Cobb, Ajifu, Yee, Chong, Anderson, Saiki, Soares, Toyofuku, Kawasaki, Cayetano and Carroll.

On motion by Senator George, seconded by Senator Hara and carried, S.R. No. 460 was adopted.

CONFERENCE COMMITTEE REPORT

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 393, S.D. 1, presented a report (Conf. Com. Rep. No. 1), recommending that S.B. No. 393, 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, the 48-hour notice was given on S.B. No. 393, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA".

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1002), informing the Senate that Senate Concurrent Resolution No. 120, Senate Resolution Nos. 449 to 454 and Standing Committee Report Nos. 999 to 1001 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded

by Senator George and carried, the report of the Committee was adopted.

At 10:08 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Carpenter, Chairman of various Conference Committees, requested a waiver of the 48-hour notice of a Public Hearing on the following:

S.B. No. 1539, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY";

S.B. No. 1634, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT";

H.B. No. 166, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS"; and

H.B. No. 1322, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLANNING AND DEVELOPMENT AGENCY";

and the President granted the waiver.

Senator Young, Chairman of a Conference Committee, requested a waiver of the 48-hour notice of a Public Hearing on the following bill:

H.B. No. 1341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD";

and the President granted the waiver.

Senator Cayetano, Chairman of various Conference Committees, requested a waiver of the 48-hour notice of a Public Hearing on the following bills:

S.B. No. 1091, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS";

S.B. No. 1096, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1097, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1098, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1099, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1100, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1101, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1102, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1103, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1104, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1105, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1106, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1108, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING";

S.B. No. 1657, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS";

S.B. No. 1742, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES";

H.B. No. 2, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET";

H.B. No. 14, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION";

H.B. No. 20, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGETARY PROCESS";

H.B. No. 1252, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS"; and

H.B. No. 1639, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ADJUSTMENT AUTHORIZED BY CHAPTER 89C, HAWAII REVISED STATUTES";

and the President granted the waiver.

APPOINTMENT OF CONFEREES

Senate Bill No. 581, S.D. 1, H.D. 1:

The President appointed Senator Yee as a Manager and discharged Senator Ajifu as 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. 581, S.D. 1.

Senate Bill No. 664, S.D. 1, H.D. 1:

The President appointed Senator Yee as a Manager and discharged Senator Ajifu 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. 664, S.D. 1.

House Bill No. 95, H.D. 2, S.D. 2:

The President appointed Senator Takitani as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 95, H.D. 2.

House Bill No. 98, H.D. 2, S.D. 2:

The President appointed Senator Takitani as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 98, H.D. 2.

House Bill No. 99, H.D. 1, S.D. 2:

The President appointed Senator Takitani as an additional Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 99, H.D. 1.

House Bill No. 890, H.D. 1, S.D. 3:

The President appointed Senator Soares as a Manager and discharged Senators Anderson and Ajifu as Managers on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 890, H.D. 1.

House Bill No. 1215, H.D. 1, S.D. 3:

The President appointed Senator George as a Manager and discharged Senator Yee

as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1215, H.D. 1.

House Bill No. 1557, H.D. 1, S.D. 1:

The President appointed Senator Yee as a Manager and discharged Senator Ajifu as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1557, H.D. 1.

House Bill No. 1642, H.D. 1, S.D. 1:

The President discharged Senator Takitani as a Manager on the part of the Senate at the conference to be held for the consideration of amendments made by the Senate to H.B. No. 1642, H.D. 1.

At 10:16 o'clock a.m., the Senate

stood in recess subject to the call of the Chair.

The Senate reconvened at 10:21 o'clock a.m.,

The President then stated as follows:

"This is the time for the conference committees to meet. The Chair would like to urge that all Senators make themselves available for conference committee meetings and to be available in proximity of the Capitol over the weekend so that the chairmen of the respective conference committees can consult and conduct the business of the Senate. Thank you."

ADJOURNMENT

At 10:22 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 9:30 o'clock a.m., on Monday, April 16, 1979.

FIFTY-SIXTH DAY

Monday, April 16, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 9:55 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Charles C. Luttrell, Palolo Valley Church of Christ, after which the Roll was called showing all Senators present.

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

Senator Anderson then introduced to the members of the Senate 20 members from the Hui Lea Lea O'Hawaii Kai Seniors Citizens Club, visiting the Capitol today.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 119 to 475) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 119), submitting for consideration and confirmation to the Board of Agriculture, the nomination of Richard I.C. Caldito, term to expire December 31, 1979, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 120), submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of Barry M. Brennan, Ph.D., term to expire December 31, 1982, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 121), submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of Katsumi Higa, term to expire December 31, 1982, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 122), submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of George M. Nakasato, term to expire December 31, 1982, was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 123), submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Efrain Andrews, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 124), submitting for consideration

and confirmation to the Board of Public Accountancy, the nomination of Jerome H. Ongies, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 125), submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Phyllis N. T. Shea, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 126), submitting for consideration and confirmation to the Board of Public Accountancy, the nomination of Larry S. Tamanaha, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 127), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of John T. Nakajima, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 128), submitting for consideration and confirmation to the Board of Acupuncture, the nomination of Lily Siou, Ph.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 129), submitting for consideration and confirmation to the Board of Barbers, the nomination of Clinton K. Akana, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 130), submitting for consideration and confirmation to the Board of Barbers, the nomination of Virginia M. Lau, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 131), submitting for consideration and confirmation to the Board of Barbers, the nomination of Patsy Yorimoto, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 132), submitting for consideration and confirmation to the Boxing Commission, the nomination of Seiji Naya, Ph.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 133), submitting for consideration and confirmation to the CATV Advisory Committee, the nomination of Richard A. Sanderson, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 134), submitting for consideration and confirmation to the CATV Advisory Committee, the nomination of Jack C. Wada, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 135), submitting for consideration and confirmation to the Cemetery and Mortuary Board, the nomination of Patrick V. Caires, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 136), submitting for consideration and confirmation to the Cemetery and Mortuary Board, the nomination of Clifford H. Dodo, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 137), submitting for consideration and confirmation to the Cemetery and Mortuary Board, the nomination of Alice K. Hahn, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 138), submitting for consideration and confirmation to the Cemetery and Mortuary Board, the nomination of Mervyn E. Masumura, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 139), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Mavelyn Kim, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 140), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Francisco V. Mariano, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 141), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Brian M. O'Brien, D.C., term to expire December 31, 1982, was referred to the Committee

on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 142), submitting for consideration and confirmation to the Board of Chiropractic Examiners, the nomination of Roy H. Tanaka, D.C., term to expire December 31, 1979, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 143), submitting for consideration and confirmation to the Contractors License Board, the nomination of Alan G. Meyers, Sr., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 144), submitting for consideration and confirmation to the Contractors License Board, the nomination of Kenneth S. Shioi, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 145), submitting for consideration and confirmation to the Contractors License Board, the nomination of Harry M. Ushijima, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 146), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Derl W. Green, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 147), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Warren J. Makalii, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 148), submitting for consideration and confirmation to the Board of Cosmetology, the nomination of Louise K. McKee, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 149), submitting for consideration and confirmation to the Credit Union Review Board, the nomination of Betty Kernaghan, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 150), submitting for consideration and confirmation to the Credit Union Review Board, the nomination of Masao

Nakashima, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 151), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Dan W. Andersen, Ph.D., term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 152), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Philip J. Bossert, Ph.D., term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 153), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Robert L. Cushing, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 154), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Jeanne N. Michael, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 155), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Rev. David H. Schuyler, S.M., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 156), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Lionel Y. Tokioka, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 157), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the nomination of Chatt G. Wright, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 158), submitting for consideration and confirmation to the Advisory Committee on Degree Granting Institutions, the

nomination of Christ P. Zivalich, Jr., term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 159), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Edward T. K. Au, D.D.S., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 160), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Ben H. Hirano, D.D. S., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 161), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Naomi R. Correa, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 162), submitting for consideration and confirmation to the Board of Dental Examiners, the nomination of Thomas J. Jelf, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 163), submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of George K. Hall, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 164), submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of Pedro E. Racelis, Jr., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 165), submitting for consideration and confirmation to the Board of Electricians and Plumbers, the nomination of George R. Rodrigues, Jr., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 166), submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of Robert Y. Mito, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 167), submitting for consideration

and confirmation to the Elevator Mechanics Licensing Board, the nomination of Alfred S. L. Yuen, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 168), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, and Surveyors, the nomination of John Primacio, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 169), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, and Surveyors, the nomination of Walter K. Tagawa, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 170), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, and Surveyors, the nomination of Aileen S. Tokujo, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 171), submitting for consideration and confirmation to the Board of Registration of Professional Engineers, Architects, and Surveyors, the nomination of Robert S. Torigoe, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 172), submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nomination of Alan T. Doi, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 173), submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nomination of Russell M. Solomon, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 174), submitting for consideration and confirmation to the Board of Massage, the nomination of Richard W. Melton, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 175), submitting for consideration and confirmation to the Board of Massage, the nomination of Kenneth Nakamatsu,

term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 176), submitting for consideration and confirmation to the Board of Massage, the nomination of Sharon M. Young, term to December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 177), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Reginald S. Carvalho, M.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 178), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of Malcolm K. Crosby, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 179), submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of John H. C. Kim, M.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 180), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Edwin I. Cleveland, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 181), submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of David S. DeLuz, Sr., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 182), submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nomination of Clarence H. Oka, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 183), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Randall D. Souza, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 184), submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nomination of Allan S. Totoki, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 185), submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of Pacita A. Aguila, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 186), submitting for consideration and confirmation to the Board of Examiners in Naturopathy, the nomination of Edward J. Madison, N.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 187), submitting for consideration and confirmation to the State Board of Nursing, the nomination of Roxeanne C. Clark, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 188), submitting for consideration and confirmation to the State Board of Nursing, the nomination of Ralph J. King, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 189), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Virginia S. K. Kam, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 190), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Rev. Robert F. Meyer, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 191), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Ronald H. Nagano, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 192), submitting for consideration and confirmation to the Board of Dispensing Opticians, the nomination of Glenn T. Shigemura, term to expire December 31, 1982, was referred to the Committee

on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 193), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of David R. DeCosta, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 194), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Stanley M. Kuriyama, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 195), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Ronald R. Reynolds, O.D., term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 196), submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of Stanley J. Yamane, O.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 197), submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Alan R. Becker, D.O., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 198), submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Douglas H. Kaya, Jr., term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 199), submitting for consideration and confirmation to the Board of Osteopathic Examiners, the nomination of Stella Satake, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 200), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of James E. DeMello, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 201), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of William G. Joor, Jr.,

term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 202), submitting for consideration and confirmation to the Board of Pharmacy, the nomination of Walter W. Oshima, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 203), submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of Finn Anonsen, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 204), submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of James K. Dowling, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 205), submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of David B. K. Lyman, III, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 206), submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of Thomas J. McCabe, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 207), submitting for consideration and confirmation to the Board of Pilot Commissioners, the nomination of Meredith C. Riddle, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 208), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Jack S. Annon, Ph.D., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 209), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Janet S. Ishikawa, Ph.D., term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov.

Msg. No. 210), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Patricia N. Reile, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 211), submitting for consideration and confirmation to the Board of Certification for Practicing Psychologists, the nomination of Ramon M. Tanaka, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 212), submitting for consideration and confirmation to the Real Estate Commission, the nomination of Francis N. Kauhane, Jr., term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 213), submitting for consideration and confirmation to the Real Estate Commission, the nomination of George A. Morris, term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 214), submitting for consideration and confirmation to the Real Estate Commission, the nomination of Gregg T. Yamanaka, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 215), submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Gladys Park, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 216), submitting for consideration and confirmation to the Board of Speech Pathology and Audiology, the nomination of Gaile A. Sykes, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 217), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Lester G. Naito, D.V.M., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 218), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Joyce L. Oblow, term to expire December 31, 1981, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 219), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Al K. Takayama, D.V.M., term to expire December 31, 1982, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 220), submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of Letitia N. Uyehara, term to expire December 31, 1980, was referred to the Committee on Consumer Protection and Commerce.

A message from the Governor (Gov. Msg. No. 221), submitting for consideration and confirmation to the Environmental Council, the nomination of Noboru Iwami, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 222), submitting for consideration and confirmation to the Environmental Council, the nomination of Eugene S. Kaneshiro, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 223), submitting for consideration and confirmation to the Environmental Council, the nomination of Eugene M. Kawaguchi, M.D., term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 224), submitting for consideration and confirmation to the Environmental Council, the nomination of Mohammad A. Khan, Ph.D., term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 225), submitting for consideration and confirmation to the Environmental Council, the nomination of Carol H. Maehara, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 226), submitting for consideration and confirmation to the Environmental Quality Commission, the nomination of Dorothy R. Babineau, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 227), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, City and County of Honolulu, the nomination of Cornelius Choy, term to expire December 31, 1980,

was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 228), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, City and County of Honolulu, the nomination of Marvin T. Miura, Ph.D., term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 229), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, City and County of Honolulu, the nomination of Tom H. Takano, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 230), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Allan K. Ikawa, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 231), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Wayne S. Ogata, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 232), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Hawaii, the nomination of Jose E. Soriano, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 233), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Kauai, the nomination of Larry K. K. Saito, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 234), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Kauai, the nomination of Jeffrey G. Bryant, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 235), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Kauai, the nomination of Goro Sadaoka, term

to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 236), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Maui, the nomination of Ronald E. Kula, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 237), submitting for consideration and confirmation to the Fish and Wildlife Advisory Committee, County of Maui, the nomination of Christy Mamiya, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 238), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Masaichi Chinen, term to expire December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 239), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of James D. Gonsalves, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 240), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Brian L. Gray, term to expire December 31, 1981, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 241), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Charles M. Saiki, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 242), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Paul L. Seitz, term to expire December 31, 1980, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 243), submitting for consideration and confirmation to the Board of Certification

of Operating Personnel in Wastewater Treatment Plants, the nomination of Frank G. Stone, Jr., term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 244), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Raymond Y. Sugita, term to expire December 31, 1979, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 245), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Dennis Tulang, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 246), submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nomination of Reginald H. F. Young, D.Sc., term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 247), submitting for consideration and confirmation to the Pacific War Memorial Commission, the nomination of Dennis A. Daugherty, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 248), submitting for consideration and confirmation to the Pacific War Memorial Commission, the nomination of Gail T. Kiri, term to expire December 31, 1982, was referred to the Committee on Ecology, Environment and Recreation.

A message from the Governor (Gov. Msg. No. 249), submitting for consideration and confirmation to the Land Use Commission, the nomination of Charles W. Duke, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 250), submitting for consideration and confirmation to the Land Use Commission, the nomination of William W. L. Yuen, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 251), submitting for consideration and confirmation to the Commission on Population and the Hawaiian Future,

the nomination of William H. Hindle, M.D., term to expire December 31, 1981, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 252), submitting for consideration and confirmation to the Commission on Population and the Hawaiian Future, the nomination of Harvey N. Kai, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 253), submitting for consideration and confirmation to the Commission on the Year 2000, the nomination of Mutsuo Hashimoto, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 254), submitting for consideration and confirmation to the Commission on the Year 2000, the nomination of Keith P. Hudson, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 255), submitting for consideration and confirmation to the Commission on the Year 2000, the nomination of Lehua F. Salling, term to expire December 31, 1982, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 256), submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Ramona H. Hao, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 257), submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Edward K. Hasegawa, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 258), submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Leatrice T. Kakesako, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 259), submitting for consideration and confirmation to the Hawaii Education Council, the nomination of Stephen A. Werbel, Ph.D., term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 260), submitting for consideration and confirmation to the Filipino 75th

Anniversary Commission, the nomination of Brian T. Tamamoto, term to expire December 31, 1981, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 261), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Candace K. Lee, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 262), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Sidney K. E. Leong, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 263), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Naomi R. N. Losch, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 264), submitting for consideration and confirmation to the King Kamehameha Celebration Commission, the nomination of Nalani O. Napoleon, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 265), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nomination of Nancy L. Kemp, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 266), submitting for consideration and confirmation to the Library Advisory Commission, City and County of Honolulu, the nomination of Lillian A. Lum, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 267), submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nomination of Katherine S. Hanley, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 268), submitting for consideration and confirmation to the Library Advisory Commission, County of Hawaii, the nomination of Sandra G. Shiroma, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 269), submitting for consideration

and confirmation to the Library Advisory Commission, County of Kauai, the nomination of Barton H. Nagata, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 270), submitting for consideration and confirmation to the Library Advisory Commission, County of Kauai, the nomination of Marina Pascua, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 271), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Elizabeth Ann Aulsebrook, term to expire December 31, 1981, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 272) submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Barbara F. Kusuda, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 273), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Jitsuo Matsubara, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 274), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Kenichi Nakata, term to expire December 31, 1981, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 275), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Mildred Okuda, term to expire December 31, 1982, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 276), submitting for consideration and confirmation to the Library Advisory Commission, County of Maui, the nomination of Mikio Sato, term to expire December 31, 1980, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 277), submitting for consideration and confirmation to the Hawaii Public Broadcasting Authority, the nomination of Karen L. Ah Mai, term to expire December 31, 1984, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 278), submitting for consideration

and confirmation to the Hawaii Public Broadcasting Authority, the nomination of Luann S. Dawson, term to expire December 31, 1984, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 279), submitting for consideration and confirmation to the Hawaii Public Broadcasting Authority, the nomination of Myra H. Meatoga, term to expire December 31, 1984, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 280), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nomination of Junedale U. Hashimoto, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 281), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nomination of Elizabeth D. Menor, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 282), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nomination of James T. Miyahara, Ph.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 283), submitting for consideration and confirmation to the Advisory Commission on Drug Abuse and Controlled Substances, the nomination of John R. Penebacker, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 284), submitting for consideration and confirmation to the Board of Health, the nomination of Robert M. Gibson, D.D.S., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 285), submitting for consideration and confirmation to the Board of Health, the nomination of Amelia R. Jacang, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 286), submitting for consideration and confirmation to the Board of Health, the nomination of Thomas Y. Kobara, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 287), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Cayetano Gerardo, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 288), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Jerrold M. Michael, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 289), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Ronald I. Taketa, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 290), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Ira Vanterpool, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 291), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of Pauline W. Yim, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 292), submitting for consideration and confirmation to the Statewide Health Coordinating Council, the nomination of George A. L. Yuen, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 293), submitting for consideration and confirmation as Administrator, State Health Planning and Development Agency, the nomination of James L. Swenson, term to expire December 6, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 294), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Leland K. W. Chang, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 295), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Donald I. Dunn, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 296), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Faith Lee, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 297), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Winifred S. Thompson, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 298), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Mary D. Vergara, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 299), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Gerald H. B. Wong, D.D.S., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 300), submitting for consideration and confirmation to the East Honolulu Subarea Health Planning Council, the nomination of Carolyn K. Yamada, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 301), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Ted Adres, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 302), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Sandra L. Chung, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 303), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Judith A. Hartner, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 304), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Angeline Heffner, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 305), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Lynn K. Murakami, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 306), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of J. Abraham R. Pasadaba, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 307), submitting for consideration and confirmation to the West Honolulu Subarea Health Planning Council, the nomination of Janice L. Rios, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 308), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Ralph Elikan, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 309), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Wallace T. Hirai, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 310), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Karen S. Isobe, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 311), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Haulani Croft Leal, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 312), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Reginald S. Lee, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 313), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Shirley B. Matutino, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 314), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Theodore A. Remaly, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 315), submitting for consideration and confirmation to the Central Oahu Subarea Health Planning Council, the nomination of Ira Vanterpool, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 316), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Mary Jane Amundson, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 317), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Carl T. Hamada, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 318), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Ronald T. Hayashi, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 319), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Nancy T. Higa, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 320), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Kuhio Mahaulu, Sr., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 321), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Clifford E. Miller, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 322), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Mary K. Salter, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 323), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Myron L. Tong, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 324), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of Rebecca L. Uu, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 325), submitting for consideration and confirmation to the Windward Oahu Subarea Health Planning Council, the nomination of John H. Wooley, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 326), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nomination of Marion A. Metz, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 327), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nomination of Barbara E. Miguel, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 328), submitting for consideration and confirmation to the Waianae Coast Subarea Health Planning Council, the nomination of Gregory Solomon, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 329), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Mary Evangelista, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 330), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Mildred M. Guerrero, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 331), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Gennie L. Kinney, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 332), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Ellen I. Kusano, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 333), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Nellie Metcalf, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 334), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Reynold Mishina, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 335), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Steven L. Raiser, D.V.M., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 336), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Harland R. Reed, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 337), submitting for consideration and confirmation to the Hawaii County Subarea Health Planning Council, the nomination of Mimi B. Warsh, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 338), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Virginia Beck, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 339), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Josephine C. Duvauchelle, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 340), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Cayetano Gerardo, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 341), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Hilda H. Inouye, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 342), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Gilbert N. Fernandes, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 343), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Malcolm Fernandez, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 344), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Saturnino Medrano, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 345), submitting for consideration and confirmation to the Kauai County Subarea Health Planning Council, the nomination of Virginia A. Rapozo, term to expire December 31, 1981, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 346), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Virgilio R. Agcolicol, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 347), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Sidney B. Clark, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 348), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Kathleen R. Johnson, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 349), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Corazon E. Masicampo, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 350), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Masaichi Ono, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 351), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Jo-Ann T. Ridao, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 352), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Dorothy Romson, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 353), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Laureen Tanaka-Sanders, term to expire December 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 354), submitting for consideration and confirmation to the Maui County Subarea Health Planning Council, the nomination of Pauline Torreecer, term to expire December 31, 1979, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 355), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu, the nomination of Maurice L. Brodsky, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 356), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, City and County of Honolulu, the nomination of Rachel S. Chang, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 357), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, County of Hawaii, the nomination of Charles H. Hustace, Jr., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 358), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, County

of Hawaii, the nomination of Moon Soo Park, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 359), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, County of Kauai, the nomination of Donna M. Schulze, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 360), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, County of Maui, the nomination of Joseph E. Andrews, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 361), submitting for consideration and confirmation to the County Hospital Management Advisory Committee, County of Maui, the nomination of Norman H. Muranaka, term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 362), submitting for consideration and confirmation to the Board of Radiologic Technologists, the nomination of Paul A. DeMare, M.D., term to expire December 31, 1982, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 363), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Edith LaRae Clements, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 364), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Kathleen E. Gartrell, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 365), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of George H. Green, D.D.S., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 366), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Nellie T. Hiyane, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 367), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Clifford M. Horita, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 368), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Roy F. Kuboyama, M.D., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 369), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Carol Matsuzaki, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 370), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Ralph M. Murakami, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 371), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Gay M. Okada, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 372), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Patricia K. Osgood, R.N., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 373), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Dean J. Tajima, O.D., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 374), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Gilfred Tanabe, Ph.D., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 375), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Stephanie A. Terlep, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 376), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of Henry K. Tominaga, Ed.D., term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 377), submitting for consideration and confirmation to the School Health Services Advisory Committee, the nomination of William Y. Yamada, term to expire May 31, 1980, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 378), submitting for consideration and confirmation to the Board of Directors, the Research Corporation, University of Hawaii, the nomination of Paul DeDomenico, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 379), submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of Herman J. Gerber, S.M., term to expire December 31, 1981, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 380), submitting for consideration and confirmation to the State Post-Secondary Education Commission, the nomination of Robin F. Loomis, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 381), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Carl A. Carlson, Jr., term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 382), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Robert M. Fujimoto, term to expire December 31, 1981, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 383), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Gerard A. Jervis, term to expire December 31, 1980, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 384), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Michael J. Moriarty, term to expire December 31, 1980, was referred to

the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 385), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Stanley I. Mukai, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 386), submitting for consideration and confirmation to the Board of Regents, University of Hawaii, the nomination of Ambrose J. Rosehill, term to expire December 31, 1982, was referred to the Committee on Higher Education.

A message from the Governor (Gov. Msg. No. 387), submitting for consideration and confirmation to the Factory-Built Housing Advisory Board, the nomination of Robert McFarlane, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 388), submitting for consideration and confirmation to the Factory-Built Housing Advisory Board, the nomination of Tom T. Nekota, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 389), submitting for consideration and confirmation to the Factory-Built Housing Advisory Board, the nomination of Gary K.S. Siu, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 390), submitting for consideration and confirmation to the Factory-Built Housing Advisory Board, the nomination of Maurice H. Yamasato, term to expire December 31, 1981, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 391), submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of Helen K. Griffin, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 392), submitting for consideration and confirmation to the Hawaii Community Development Authority, the nomination of Yoshio Yanagawa, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 393), submitting for consideration

and confirmation to the Hawaiian Homes Commission, the nomination of Hazel K. Kauahikaua, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 394), submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of Colette Y. Machado, term to expire December 31, 1980, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 395), submitting for consideration and confirmation to the Hawaiian Homes Commission, the nomination of Jubilee M. Moikeha, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 396), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Chew Hoy Lee, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 397), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Richard S. Matsunaga, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 398), submitting for consideration and confirmation to the Advisory Council for Housing and Construction Industry, the nomination of Nancy T. Taylor, term to expire December 31, 1982, was referred to the Committee on Housing and Hawaiian Homes.

A message from the Governor (Gov. Msg. No. 399), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the nomination of Edward K. Fujimoto, Ph.D., term to expire December 31, 1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 400), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the nomination of Roger K. Katsutani, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 401), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the nomination of Karen Anne Oshiro, term

to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 402), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the nomination of Geraldine Y.O. Ung, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 403), submitting for consideration and confirmation to the State Advisory Council for Children and Youth, the nomination of Morgan B. White, term to expire December 31, 1980, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 404), submitting for consideration and confirmation to the Civil Service Commission, the nomination of Thomas K. Sing, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 405), submitting for consideration and confirmation to the Civil Service Commission, the nomination of Kenneth Tanaka, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 406), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Rosalina S. Domondon, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 407), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Merl W. Hawthorne, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 408), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Rose Horner, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 409), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Theodore D. Hussey, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 410), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination

of Shimeji Kanazawa, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 411), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Harry K. Takara, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 412), submitting for consideration and confirmation to the Policy Advisory Board for Elderly Affairs, the nomination of Masaichi Tasaka, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 413), submitting for consideration and confirmation to the Hawaii Employment Relations Board, the nomination of Lorna Kakesako, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 414), submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Dennis K.S. Chun, term to expire December 31, 1980, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 415), submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Judith Doktor, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 416), submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Susan Floyd, Ph.D., term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 417), submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Georgia E. Morikawa, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 418), submitting for consideration and confirmation to the Commission on the Handicapped, the nomination of Wayne K. Miyamoto, term to expire December 31, 1980, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 419), submitting for consideration and confirmation to the Labor and Industrial

Relations Appeals Board, the nomination of E. John McConnell, for a ten-year term, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 420), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nomination of Robert H. Kessner, Ph.D., term to expire December 31, 1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 421), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nomination of Cheryl K. Logan, term to expire December 31, 1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 422), submitting for consideration and confirmation to the Advisory Commission on Manpower and Full Employment, the nomination of Guy R. Tateishi, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 423), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of James Brown, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 424), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of Michael L. Joy, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 425), submitting for consideration and confirmation to the Board of Trustees, Hawaii Public Employees Health Fund, the nomination of James D. Williams, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 426), submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nomination of Ruth M. Ono, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 427), submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nomination of Paul Pladera, term to expire December 31, 1979, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 428), submitting for consideration and confirmation to the Board of Vocational Rehabilitation, the nomination of Terrance W.H. Tom, term to expire December 31, 1982, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 429), submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Robert H. Ishimoto, term to expire December 31, 1982, was referred to the Committee on Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 430), submitting for consideration and confirmation to the Civil Defense Advisory Council, the nomination of Roland D. Sagum, term to expire December 31, 1982, was referred to the Committee on Intergovernmental Relations.

A message from the Governor (Gov. Msg. No. 431), submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nomination of James A. King, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 432), submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of Sophie K. Sheather, term to expire December 31, 1980, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 433), submitting for consideration and confirmation to the Criminal Injuries Compensation Commission, the nomination of Daniel S. Ukishima, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 434), submitting for consideration and confirmation to the Hawaii Crime Commission, the nomination of Neil K. Okabayashi, term to expire June 30, 1980, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 435), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Elizabeth M. Adams, M.D., term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 436), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of John J. Blaylock, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 437), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Paul M. DeSilva, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 438), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Harold J. Falk, Jr., term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 439), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Yoshimi Hayashi, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 440), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Halo Hirose, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 441), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Michael M. Kakesako, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 442), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Lawrence K. Koseki, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 443), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Gerald S. Matsunaga, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 444), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Togo Nakagawa, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 445), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Robert T. Omura, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 446), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Theodore I. Sakai, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 447), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of Robert J. Stillwell, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 448), submitting for consideration and confirmation to the Intake Service Center Advisory Board, the nomination of George W.Y. Tom, term to expire December 6, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 449), submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of George J. Chouljian, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 450), submitting for consideration and confirmation to the Board of Registration, Island of Oahu, the nomination of Shota Sakai, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 451), submitting for consideration and confirmation to the Board of Registration, Kauai and Niihau, the nomination of Yuriko N. Tasaka, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 452), submitting for consideration and confirmation to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, the nomination of Miriam K. Kahalekai, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 453), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Norma Jean China, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 454), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Ruth Fujimoto, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 455), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Priscilla Hayashi, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 456), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Althea Momi Kamau, term to expire December 31, 1981, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 457), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of William G.S. Mau, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 458), submitting for consideration and confirmation to the Commission on the Status of Women, the nomination of Judy T. Makinodan, term to expire December 31, 1982, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 459), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Alan D. Beldin, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 460), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of James J. Fujita, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 461), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Isamu Kaneda, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 462), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Yuzuru Kanno, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 463), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Elizabeth H. Rossall, term to expire December 31, 1982; was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 464), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Samuel S. Suzuki, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 465), submitting for consideration and confirmation to the State Highway Safety Council, the nomination of Wayne K. Tsukiyama, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 466), submitting for consideration and confirmation to the Medical Advisory Board, the nomination of James E. Oda, M.D., term to expire December 31, 1980, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 467), submitting for consideration and confirmation to the Commission on Transportation, the nomination of Dorothy Wells Lum, term to expire December 31, 1981, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 468), submitting for consideration and confirmation to the Commission on Transportation, the nomination of Mark K. Tanaka, term to expire December 31, 1982, was referred to the Committee on Transportation.

A message from the Governor (Gov. Msg. No. 469), submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District - Oahu, the nomination of Dennis L. Lau, term to expire December 31, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 470), submitting for consideration and confirmation to the Board of Taxation Review, First Taxation District - Oahu, the nomination of Charles J. Leland, term to expire December 31, 1981, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 471), submitting for consideration and confirmation to the Board of Taxation Review, Third Taxation District - Hawaii, the nomination of Barry K. Taniguchi, term to expire December 31, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 472), submitting for consideration and confirmation to the Board of Taxation Review, Fourth Taxation District - Kauai, the nomination of Atsushi Hirano, term

to expire December 31, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 473), submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District - Maui, the nomination of George E. Luppold, term to expire December 31, 1982, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 474), submitting for consideration and confirmation to the Board of Taxation Review, Second Taxation District - Maui, the nomination of Kanji Wakamatsu, term to expire December 31, 1979, was referred to the Committee on Ways and Means.

A message from the Governor (Gov. Msg. No. 475), informing the Senate that on April 10, 1979, he signed the following bills into law:

H.B. No. 340 as Act 2, entitled: "RELATING TO FACILITIES FOR THE ELDERLY"; and

H.B. No. 585 as Act 3, entitled: "RELATING TO THE HAWAII PENAL CODE",

was placed on file.

DEPARTMENTAL COMMUNICATION

A communication from Acting Chancellor Howard P. McKaughan, University of Hawaii at Manoa (Dept. Com. No. 15), acknowledging receipt of S.R. No. 317, Extending Congratulations to Pi Sigma Epsilon, Upsilon Chapter, Inc., Associated Students of the University of Hawaii, and Dr. H. Roy McArdle for Their Lengthy Sponsorship of Career Day, which was adopted in the Senate, Regular Session of 1979, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communication from the House (Hse. Com. Nos. 545 to 554) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 545), returning Senate Concurrent Resolution No. 34, which was adopted by the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 546), returning Senate Concurrent Resolution No. 46, which was adopted by the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse.

Com. No. 547), returning Senate Concurrent Resolution No. 120, which was adopted by the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 548), informing the Senate that the amendments proposed by the Senate to House Bill No. 57, H.D. 1, were agreed to by the House; and H.B. No. 57, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 549), informing the Senate that the amendments proposed by the Senate to House Bill No. 187, H.D. 1, were agreed to by the House; and H.B. No. 187, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 550), informing the Senate that the amendments proposed by the Senate to House Bill No. 581 were agreed to by the House; and H.B. No. 581, S.D. 1, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 551), informing the Senate that the amendments proposed by the Senate to House Bill No. 583, H.D. 2, were agreed to by the House; and H.B. No. 583, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 552), informing the Senate that the amendments proposed by the Senate to House Bill No. 588 were agreed to by the House; and H.B. No. 588, S.D. 1, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 553), informing the Senate that the amendments proposed by the Senate to House Bill No. 1449 were agreed to by the House; and H.B. No. 1449, S.D. 1, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

A communication from the House (Hse. Com. No. 554), informing the Senate that the amendments proposed by the Senate to House Bill No. 1680, H.D. 2, were agreed to by the House; and H.B. No. 1680, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 12, 1979, was placed on file.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No.

121), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING THE POLYNESIAN SOCIETY OF LOS ANGELES ON ITS 32ND ANNIVERSARY", was jointly offered by Senators Yamasaki, Chong, Saiki, Campbell, George, Abercrombie, Kawasaki, Cayetano, Ajifu, Mizuguchi, Kuroda, Anderson, Takitani, Ushijima, Yim, Hara, Young, Carpenter, Toyofuku, Cobb, Carroll, Yee, Soares, O'Connor and Wong, and was read by the Clerk.

On motion by Senator Yamasaki, seconded by Senator Chong and carried, S.C.R. No. 121 was adopted.

SENATE RESOLUTION

A resolution (S.R. No. 461), entitled: "SENATE RESOLUTION COMMENDING THE BISHOP ESTATE FOR THEIR CONTINUED DEDICATION OF HUNAKAI PARK AS PUBLIC RECREATIONAL OPEN SPACE", was jointly offered by Senators Saiki, Cobb, Soares, Hara, Mizuguchi, Ajifu, George, Young, Kuroda, Chong, Carpenter, Takitani, Yamasaki, Yim, Ushijima, O'Connor, Abercrombie, Carroll, Cayetano, Toyofuku, Kawasaki and Campbell, and was read by the Clerk.

On motion by Senator Saiki, seconded by Senator Cobb and carried, S.R. No. 461 was adopted.

CONFERENCE COMMITTEE REPORT

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 86, S.D. 1, presented a report (Conf. Com. Rep. No. 2) recommending that S.B. No. 86, 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, the 48-hour notice was given on the Final Reading of S.B. No. 86, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1003) informing the Senate that Senate Resolution Nos. 445 to 460 and Conference Committee Report No. 1 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1004) recommending that Senate Resolution

No. 252 be adopted.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 252, entitled: "SENATE RESOLUTION REQUESTING THE CONSTRUCTION OF A WATER RESERVOIR AT WAIAKEA-UKA, HAWAII FOR DOMESTIC, AGRICULTURAL, AND OTHER PURPOSES", was adopted.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1005) recommending that Senate Resolution No. 287 be referred to the Committee on Legislative Management.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 287, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS TO STUDY AND REVIEW THE PROPOSED UNIFORM CODE OF MILITARY JUSTICE", was referred to the Committee on Legislative Management.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1006) recommending that Senate Resolution No. 321 be referred to the Committee on Legislative Management.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 321, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON INTERGOVERNMENTAL RELATIONS TO STUDY THE PROBLEMS CREATED BY HAVING LOCAL LAWS IN THE STATUTES", was referred to the Committee on Legislative Management.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1007) recommending that Senate Resolution No. 322 be referred to the Committee on Legislative Management.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 322, entitled: "SENATE RESOLUTION REQUESTING THE SENATE INTERGOVERNMENTAL RELATIONS COMMITTEE TO STUDY THE ISSUES RELATIVE TO RETAINING THE REAL PROPERTY TAX MAP FUNCTION AS A RESPONSIBILITY OF THE STATE GOVERNMENT", was referred to the Committee on Legislative Management.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1008)

recommending that Senate Resolution No. 326 be referred to the Committee on Legislative Management.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and S.R. No. 326, entitled: "SENATE RESOLUTION REQUESTING A STUDY AND REVIEW OF THE EFFECTIVE IMPLEMENTATION OF THE TRANSFER TO THE COUNTIES OF THE FUNCTIONS, POWERS, AND DUTIES RELATING TO THE TAXATION OF REAL PROPERTY", was referred to the Committee on Legislative Management.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1009) recommending that House Concurrent Resolution No. 23 be adopted.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the report of the Committee was adopted and H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESSIONAL ACTION TO ESTABLISH REEMPLOYMENT RIGHTS FOR FEDERAL EMPLOYEES WHO ARE ORDERED TO NATIONAL GUARD DUTY BY THEIR STATE GOVERNOR", was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1010) recommending that Senate Resolution No. 50, as amended in S.D. 1, be adopted.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 50, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO REVIEW ITS EDUCATION AND PUBLIC INFORMATION PROGRAM", was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1011) recommending that the Senate advise and consent to the nomination of Georgiana K. Padeken, to the position of Chairperson of the Hawaiian Homes Commission, in accordance with Governor's Message No. 46.

By unanimous consent, action on Stand. Com. Rep. No. 1011 and Gov. Msg. No. 46 was deferred until Tuesday, April 17, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1012) recommending that the Senate advise and consent to the nomination of Joshua C. Agsalud to the position of Director of Labor and Industrial Relations, in accordance with Governor's Message No. 48.

By unanimous consent, action on Stand. Com. Rep. No. 1012 and Gov. Msg. No. 48 was deferred until Tuesday, April 17, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1013) recommending that the Senate advise and consent to the nomination of Donald A. Botelho to the position of Director of Personnel Services, in accordance with Governor's Message No. 50.

By unanimous consent, action on Stand. Com. Rep. No. 1013 and Gov. Msg. No. 50 was deferred until Tuesday, April 17, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1014) recommending that the Senate advise and consent to the nomination of Andrew I. T. Chang to the position of Director of Social Services, in accordance with Governor's Message No. 53.

By unanimous consent, action on Stand. Com. Rep. No. 1014 and Gov. Msg. No. 53 was deferred until Tuesday, April 17, 1979.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1015) recommending that Senate Resolution No. 194, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1015 and S.R. No. 194, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE 'NUCLEAR ARMS: CONSCIENCE, LAW AND SURVIVAL' FORUM FOR ITS OUTSTANDING EFFORTS TO ALERT HAWAII'S PUBLIC TO THE POTENTIAL DANGERS OF NUCLEAR WEAPON STORAGE NEAR POPULATION CENTERS AND FOR PRESENTING ISSUES RELATING TO THE NUCLEAR ARMS RACE AND THE DISARMAMENT QUESTION", was deferred until Tuesday, April 17, 1979.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1016) recommending that the Senate advise and consent to the nomination of Tany S. Hong to the position of Director of Regulatory Agencies, in accordance with Gov. Msg. No. 52.

By unanimous consent, action on Stand. Com. Rep. No. 1016 and Gov. Msg. No. 52 was deferred until Tuesday, April 17, 1979.

At 10:00 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:25 o'clock a.m.

ORDER OF THE DAY

FINAL READING

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

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 1 was adopted and S.B. No. 393, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:27 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:35 o'clock a.m.

At this time, the Chairmen of the various committees to which Governor's Message Nos. 119 to 474 had been referred requested a waiver of the 48-hour notice of Public Hearing on said Governor's Messages and the President granted the waiver.

Senator Anderson then rose on a point of information and stated as follows:

"Mr. President, in the movement of all the waivers and the amendments thus far, I've heard no announcements for public hearings to be called as mandated, very specifically on Rule 34, for Mr. Sus Ono and Mr. Hideto Kono. No hearings have been scheduled for those two gentlemen and while we have had a hearing for Mr. George Yuen, there has been no decision-making hearing scheduled and we would not like to see these three people get caught up in referrals and waivers and last minute politics in the dying days of the session."

The President replied as follows:

"To answer the Minority Floor Leader, my understanding is that the anticipated hearings for several of the people that you mentioned will be held."

"I want to state, for the record, that the nominations of all the Governor's Messages have been placed in committees. It is up to the determination of the chairmen of the committees and the members of the committees to convince everyone that hearing should be held. Is that the particular point that you raised?"

Senator Anderson then answered as follows:

"Mr. President, I think that's fair and I look forward to the chairmen asking the committee members this week. Thank you."

At 10:40 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:43 o'clock a.m.

The President then stated as follows:

"The Chair would like to take this opportunity to apologize to the members of this Body and the people in the audience

for starting the session late. We were in discussion with our Congressional Delegation and it's very seldom that we get our Congressional Delegation to sit down and listen to some of the complaints we have.

"On that basis, I wish to apologize to the members of the Senate and the people in the audience who waited about half-an-hour to start the session. Thank you."

ADJOURNMENT

At 10:43 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 9:30 o'clock a.m., Tuesday, April 17, 1979.

FIFTY-SEVENTH DAY

Tuesday, April 17, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 9:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by the Reverend Marlene Younger of the Community Church of the Islands, after which the Roll was called showing all Senators present with the exception of Senators Ushijima and Yee who were excused.

The President announced that he had read and approved the Journal of the Fifty-Sixth Day.

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

Senator Carpenter introduced Doctor Jim Wang, Professor of Political Science at Hilo Community College, and Miss Melody Parker, a member of Senator Carpenter's staff, who accompanied him.

Senator Anderson then introduced a group of fifty members of the Golden Age Senior Citizens Club.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 555 to 562) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 555), returning Senate Bill No. 5, which passed Third Reading in the House of Representatives on April 16, 1979, was placed on file.

A communication from the House (Hse. Com. No. 556), returning Senate Bill No. 6, which passed Third Reading in the House of Representatives on April 16, 1979, was placed on file.

A communication from the House (Hse. Com. No. 557), returning Senate Bill No. 176, S.D. 1, which passed Third Reading in the House of Representatives on April 16, 1979, was placed on file.

A communication from the House (Hse. Com. No. 558), returning Senate Bill No. 481, S.D. 2, which passed Third Reading in the House of Representatives on April 16, 1979, was placed on file.

A communication from the House (Hse. Com. No. 559), returning Senate Bill No. 578, which passed Third

Reading in the House of Representatives on April 16, 1979 by not less than two-thirds vote of all the members to which the House is entitled, was placed on file.

A communication from the House (Hse. Com. No. 560), returning Senate Bill No. 1118, which passed Third Reading in the House of Representatives on April 16, 1979, was placed on file.

A communication from the House (Hse. Com. No. 561), transmitting House Concurrent Resolution No. 150, H.D. 1, which was adopted by the House of Representatives on April 16, 1979, was placed on file.

By unanimous consent, H.C.R. No. 150, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO CONVENE THE JUVENILE JUSTICE INTERAGENCY BOARD", was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 562), transmitting House Concurrent Resolution No. 181, which was adopted by the House of Representatives on April 16, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION CONGRATULATING THE HAWAII CRIME COMMISSION FOR SPONSORING A TWO-DAY SEMINAR FOR POTENTIAL VICTIMS OF TERRORISM AND EXTORTION", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 462 to 467) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 462), entitled: "SENATE RESOLUTION CONGRATULATING WILLIAM 'THE KNEE' PACHECO ON BECOMING A 'BELIEVE-IT-OR-NOT' CELEBRITY", was jointly offered by Senators Carroll, Carpenter, Yamasaki, Takitani, Soares, Chong, Kuroda, Campbell, Ajifu, Saiki, Toyofuku, Ushijima, Mizuguchi, Anderson, Hara, Cobb, Yee, George, Cayetano, Abercrombie, Kawasaki, Yim, Young and O'Connor.

On motion by Senator Carroll, seconded by Senator Carpenter and carried, S.R. No. 462 was adopted.

Senator Carroll then introduced to the members of the Senate Mr. William "The Knee" Pacheco. Senator George presented a lei to Mr. Pacheco and Senator Carroll presented the certified copy of the resolution to him.

At 9: 45 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9: 47 o'clock a.m.

A resolution (S.R. No. 463), entitled: "SENATE RESOLUTION COMMENDING MARION HO, KA LUNG TAN, AND MCKINLEY HIGH SCHOOL ON THEIR PERFORMANCE IN THE 1979 HAWAIIAN SCIENCE AND ENGINEERING FAIR", was jointly offered by Senators Yee, Saiki, Cayetano, Takitani, Ushijima, Yamasaki, Toyofuku, Cobb, Carpenter, Mizuguchi, Soares, Anderson, Chong, Young, O'Connor, Campbell, Hara, Carroll, Ajifu and Kawasaki.

On motion by Senator Anderson, seconded by Senator Saiki and carried, S.R. No. 463 was adopted.

Senator Carroll then introduced to the members of the Senate the following from McKinley High School: Miss Marion Ho and Mr. Ka Lung Tan, the Hawaiian Science and Engineering Fair Winners; Miss Carol Aoki, the Hawaiian Science and Engineering Fair Poster Winner; Mrs. Yun Soong Jim, the Hawaii State Science Teacher of the Year; and Mr. Richard Sakamoto, the Principal of the School. Also, in the gallery was Miss Aoki's mother, who was then introduced.

Senators Young, Chong, Anderson, Carroll and Saiki presented leis and resolutions to the honorees.

At 9: 50 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9: 52 o'clock a.m.

A resolution (S.R. No. 464), entitled: "SENATE RESOLUTION CONGRATULATING DARRYL GABRIEL ON HIS SELECTION TO THE 1979 NATIONAL HIGH SCHOOL ATHLETIC COACHES' ASSOCIATION PREP ALL-AMERICA BASKETBALL TEAM", was jointly offered by Senators Wong, Campbell, Kawasaki, Yim, Toyofuku, Young, Cayetano, Ushijima, Yamasaki, Mizuguchi, Soares, Takitani, Anderson, Cobb, Chong, Carpenter, Hara, Saiki, Kuroda, Ajifu, George, Carroll, Abercrombie, O'Connor and Yee.

On motion by Senator Campbell, seconded by Senator Kawasaki and carried, S.R. No. 464 was adopted.

A resolution (S.R. No. 465), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING JOHN TSUKANO AND WILBERT HOLCK FOR THEIR

VALUED CONTRIBUTIONS IN FOSTERING FRIENDSHIP BETWEEN THE PEOPLE OF BRUYERES, FRANCE AND HAWAII", was jointly offered by Senators Kuroda, Ushijima, Yamasaki, Cobb, Carpenter, Abercrombie, Soares, Mizuguchi, Kawasaki, Hara, Yee, Saiki, Chong, O'Connor, Carroll, Young, Toyofuku, Yim, Campbell, George, Ajifu, Anderson, Cayetano, Takitani and Wong.

On motion by Senator Kuroda, seconded by Senator Yamasaki and carried, S.R. No. 465 was adopted.

Senator Kuroda then introduced to the members of the Senate Mr. John Tsukano and Mr. Wilbert Holck. Accompanying them was Ms. Mary Bitterman of Hawaii Public Television who recently covered the 1978 reunion of the veterans of the 442nd Regimental Combat Team and the 100th Battalion in Bruyeres, with a documentary program, "ALOHA, BRUYERES".

Senator Kuroda then noted that two members of the Senate, namely, Senator John Ushijima and Senator Henry Takitani, and the Clerk of the Senate, Seichi "Shadow" Hirai are former members of the 442nd Regimental Combat Team.

Senators Saiki and Young then presented leis and certified copies of the resolution to Mr. Tsukano and Mr. Holck, while Senate Clerk Seichi Hirai was asked to present a lei and a certified copy of the resolution to Ms. Bitterman.

At 9: 59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10: 01 o'clock a.m.

A resolution (S.R. No. 466), entitled: "SENATE RESOLUTION COMMENDING THE CHAMBER OF COMMERCE OF HAWAII FOR ITS PUBLICATION, 'WHO'S WHO IN GOVERNMENT' ", was jointly offered by Senators Wong, Yamasaki, Mizuguchi, Ushijima, Cobb, Campbell, George, Hara, Chong, Young, Yim, Takitani, Toyofuku, Carpenter, O'Connor, Carroll, Saiki, Yee, Soares, Anderson, Abercrombie, Kawasaki, Kuroda, Cayetano and Ajifu.

On motion by Senator Kawasaki, seconded by Senator Mizuguchi and carried, S.R. No. 466 was adopted.

Senator Kawasaki introduced to the members of the Senate Mr. Lawrence Nakatsuka, the Vice President of the Chamber of Commerce in charge of Government Affairs.

Senator Kawasaki then presented a certified copy of the resolution to Mr. Nakatsuka.

At 10: 03 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10: 04 o'clock a.m.

A resolution (S.R. No. 467), entitled: "SENATE RESOLUTION EXTENDING SINCERE ALOHA AND BEST WISHES TO MAYOR DENNIS J. KUCINICH", was jointly offered by Senators Abercrombie, Kuroda, Takitani, Carpenter, Wong, George, Hara, Yamasaki, O'Connor, Campbell, Saiki, Yim, Toyofuku, Mizuguchi, Carroll, Cobb, Anderson and Soares.

On motion by Senator Abercrombie, seconded by Senator Kuroda and carried, S.R. No. 467 was adopted.

Senator Kawasaki then stated as follows:

"Mr. President, I want to express a few sentiments I have had. I think we're deeply honored this session in having two very notable people in our country visit us. First, of course, was Dr. Linus Pauling, the Nobel Prize winner and today, the mayor of Cleveland, whom I've admired ever since I've been reading about him.

"I think the posture he has assumed in the matter of fiscal responsibility, the courage that he has displayed in a strong stance against unreasonable demands by certain segments of our population--somewhat emulated by my very good friend and the Chairman of the Committee on Ways and Means on my right here--I think deserves recognition.

"I know that you have read very intensively about what the mayor of Cleveland has accomplished. I want to express to you, Mr. Mayor, in behalf of this Body that we have great admiration for you."

Senator Abercrombie then remarked as follows:

"Mr. President, I'm a little disappointed myself that Senator Kawasaki didn't include me along with the Chairman of the Ways and Means Committee in his reference earlier.

"I'm sure Mayor Kucinich and his wife understand that we are in fact passing legislation here despite what they see here this morning. This is merely Hawaiian time operating where resolutions are concerned, and I thought it would be a good opportunity for us here in the state to have someone

like Mayor Kucinich who has in the past year survived a recall election and has been involved in controversial appointments. I know Senator Yim is happy to see that someone else has to deal with that kind of a situation.

"Mayor Kucinich has received opposition from city council members--former Councilman Wilbert 'Sandy' Holck is here to attest to how that works for the mayor. This has all been set up for you, Mayor.

"On the other hand, Senator Kawasaki will be delighted to acknowledge in turn that within the past year Mayor Kucinich has defeated the city's banks, utilities and newspapers who have all almost uniformly opposed what he wanted to do. Apparently the only people that were with him were the voters, and I think everyone on this floor can understand what a pleasure it is to have those people with you.

"His most recent triumph is over winter in Cleveland and as a result of that triumph, he has been awarded a few days here in the State of Hawaii and we're delighted to have him here.

"May I present, Mayor Dennis Kucinich and his wife, Christy."

Senator Abercrombie then presented a certified copy of the resolution to Mayor Kucinich.

At 10: 08 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

The President then stated as follows:

"I would like to echo and amplify the words of praise for this courageous young man who has shown definite leadership which I think is sorely lacking today in America. With the indulgence of the Senators and the people in the audience, I would like to ask the Honorable Mayor of Cleveland, Dennis Kucinich, to address the members of the Senate. Mayor Kucinich..."

"Thank you, Mr. President. Senator Wong, Senator Kawasaki, Senator Abercrombie, to members of the Senate, my wife and I are very pleased to be visiting your beautiful state. We're very honored to have been invited to attend this session of the Senate of the State of Hawaii. And it is a particular pleasure to me to be able to attend a legislative session without being 'horse-whipped' and I thank you very much for this recognition.

"I bring you the greetings of the people of Cleveland who are very envious of your climate by about 80° in the winter. Cleveland is one of America's great cities,

and the people of Cleveland, the poor and working people of the city of Cleveland, are working very hard to establish an economic democracy where we bring about economic justice and issues such as a cleaner environment, working for low utility rates, fighting against discrimination, lending financial institutions and insurance institutions, working for equity in taxation.

"People in Cleveland are very involved in a fight for social and economic justice. We know that Cleveland has its problems, but you know that no place is perfect, otherwise there wouldn't be any need for even this esteemed Body.

"Those of us who are in public life, as I've been for twelve years, know what a great challenge it is. We have to meet the unique needs of our people. Public service is a great responsibility and it's a great privilege. But as long as we try our best, despite our own limitations, to make progress at the present moment and to prepare for a better tomorrow where justice triumphs, we shall never fail those who have given us the sacred trust of public service in this democratic society.

"Thank you very much, members of the Senate, and I wish you well as you continue your deliberations. Thank you."

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

The Senate reconvened at 10:36 o'clock a.m.

Senator O'Connor introduced to the members of the Senate Mr. Alvin Shim, a Honolulu attorney.

Senator Cobb introduced to the members of the Senate a group of twenty-eight students from the third and fourth grades at Kamiloiki Elementary School, with their teachers, Mrs. Lynn Chun and Ms. Donna Dunn.

CONFERENCE COMMITTEE REPORTS

Senator Toyofuku, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 544, presented a report (Conf. Com. Rep. No. 3) recommending that H.B. No. 544, 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, the 48-hour notice was given on the Final Reading of H.B. No. 544, S.D. 1, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS".

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. 1627, presented a report (Conf. Com. Rep. No. 4) recommending that H.B. No. 1627, 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, the 48-hour notice was given on the Final Reading of H.B. No. 1627, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1140, H.D. 1, presented a report (Conf. Com. Rep. No. 5) recommending that H.B. No. 1140, 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, the 48-hour notice was given on the Final Reading of H.B. No. 1140, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS".

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 748, presented a report (Conf. Com. Rep. No. 6) recommending that H.B. No. 748, 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, the 48-hour notice was given on the Final Reading of H.B. No. 748, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES".

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1341, presented a report (Conf. Com. Rep. No. 7) recommending that H.B. No. 1341, 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, the 48-hour notice was given on the Final Reading of H.B. No. 1341,

S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 9, S.D. 1, presented a report (Conf. Com. Rep. No. 8) recommending that S.B. No. 9, 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, the 48-hour notice was given on the Final Reading of S.B. No. 9, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 11, presented a report (Conf. Com. Rep. No. 9) recommending that S.B. No. 11, 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, the 48-hour notice was given on the Final Reading of S.B. No. 11, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 42, S.D. 1, presented a report (Conf. Com. Rep. No. 10) recommending that S.B. No. 42, 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, the 48-hour notice was given on the Final Reading of S.B. No. 42, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 182, S.D. 1, presented a report (Conf. Com. Rep. No. 11) recommending that S.B. No. 182, 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, the 48-hour notice was given on the Final Reading of S.B. No. 182, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 919, S.D. 1, presented a report (Conf. Com. Rep. No. 12) recommending that S.B. No. 919, 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, the 48-hour notice was given on the Final Reading of S.B. No. 919, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL INJURIES COMPENSATION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1238, S.D. 1, presented a report (Conf. Com. Rep. No. 13) recommending that S.B. No. 1238, 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, the 48-hour notice was given on the Final Reading of S.B. No. 1238, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1727, S.D. 1, presented a report (Conf. Com. Rep. No. 14) recommending that S.B. No. 1727, 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, the 48-hour notice was given on the Final Reading of S.B. No. 1727, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 438, presented a report (Conf. Com. Rep. No. 15) recommending that H.B. No. 438, 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, the 48-hour notice was given on the Final Reading of H.B. No. 438, S.D. 1, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO SEXUAL OFFENSES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 424, H.D. 1, presented a report (Conf. Com. Rep. No. 16) recommending that H.B. No. 424, 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, the 48-hour notice was given on the Final Reading of H.B. No. 424, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 921, H.D. 1, presented a report (Conf. Com. Rep. No. 17) recommending that H.B. No. 921, 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, the 48-hour notice was given on the Final Reading of H.B. No. 921, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE".

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1017), informing the Senate that Senate Concurrent Resolution No. 121, Senate Resolution No. 461, Standing Committee Report Nos. 1004 to 1016, Governor's Message Nos. 119 to 474 and Conference Committee Report No. 2 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1018), recommending that Senate Resolution No. 163, as amended in S.D. 1, be adopted.

On motion by Senator Young, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 163, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO SUBMIT SUGGESTIONS AS

TO METHODS FOR GENERATING INCOME", was adopted.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1019), recommending that House Bill No. 589 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 589, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading and was placed on the calendar for Third Reading on Thursday, April 19, 1979.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 589.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1020), recommending that Senate Concurrent Resolution No. 72, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and S.C.R. No. 72, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE PROBLEMS OF VOCATIONAL REHABILITATION WORKSHOPS WITH THEIR WORKERS' COMPENSATION INSURANCE POLICIES", was referred to the Committee on Legislative Management.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1021), recommending that Senate Concurrent Resolution No. 54, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee was adopted and S.C.R. No. 54, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN AUDIT OF THE DENTAL HEALTH DIVISION OF THE STATE DEPARTMENT OF HEALTH", was referred to the Committee on Legislative Management.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1022), recommending that Senate Resolution No. 267, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the majority of the Committee

was adopted and S.R. No. 267, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING AN AUDIT OF THE DENTAL HEALTH DIVISION OF THE STATE DEPARTMENT OF HEALTH", was referred to the Committee on Legislative Management.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1023), recommending that Senate Resolution No. 34 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 34, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO SUBMIT A STATUS REPORT ON ITS PROGRAM FOR THE GIFTED AND TALENTED", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1024), recommending that Senate Resolution No. 67, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 67, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONTINUE TO DEVELOP A PROGRAM FOR STUDENT INVOLVEMENT ON EVERY SCHOOL CAMPUS IN ITS EFFORTS TO CURB SCHOOL VIOLENCE AND VANDALISM", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1025), recommending that Senate Resolution No. 245 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 245, entitled: "SENATE RESOLUTION REQUESTING THE DEVELOPMENT OF A TIMETABLE FOR QUALITY EDUCATION", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1026), recommending that House Concurrent Resolution No. 120 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ACQUISITION OF FEDERAL GRANTS FOR BICYCLE PROJECTS UNDER THE FEDERAL-AID HIGHWAY ACT OF 1978", was adopted.

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 1027), recommending that Senate Resolution No. 59, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 59, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO POTENTIAL IMPACT OF AIRLINE DEREGULATION ON DEMANDS FOR AIRLINE FACILITIES", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1028), recommending that Senate Resolution No. 60, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 60, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE REVIEW OF DELINEATION OF ROAD MAINTENANCE RESPONSIBILITIES AND THE REVIEW OF ROAD DAMAGE CAUSED BY RECENT WEATHER CONDITIONS", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1029), recommending that Senate Resolution No. 63, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 63, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE CONCEPT OF SPECIAL FUNDING FOR VARIOUS MODES OF TRANSPORTATION", was referred to the Committee on Legislative Management.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1030), recommending that Senate Resolution No. 338, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 338, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REPORT FROM THE DEPARTMENT OF TRANSPORTATION ON THE COMMERCIAL USE OF STATE HARBORS AND ITS REVIEW BY THE SENATE COMMITTEE ON TRANSPORTATION", was referred to the Committee on Legislative Management.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1031), recommending that Senate Resolution No. 98 be referred to the Committee on

Economic Development.

At 10:44 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:46 o'clock a.m.

Senator Mizuguchi moved that Stand. Com. Rep. No. 1031 be received and placed on file, seconded by Senator Yim and carried.

By unanimous consent, the referral of S.R. No. 98 to the Committee on Economic Development was waived.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.R. No. 98, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ESTABLISHING HAWAIIAN HOMESTEADS ON LANDS PRESENTLY NOT WITHIN THE JURISDICTION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS", was adopted.

Senators Campbell and Abercrombie, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1032), recommending that Senate Resolution No. 27 be adopted.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was adopted.

ORDER OF THE DAY

MATTER DEFERRED FROM APRIL 2, 1979

Standing Committee Report No. 797 (H.B. No. 4):

By unanimous consent, action on Stand. Com. Rep. No. 797 and H.B. No. 4, 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 19, 1979.

MATTER DEFERRED FROM APRIL 9, 1979:

Senate Bill No. 1611, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

PREMARITAL EXAMINATIONS", was deferred until Thursday, April 19, 1979.

MATTERS DEFERRED FROM APRIL 16, 1979

Standing Committee Report No. 1015 (S.R. No. 194, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1015 and S.R. No. 194, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE 'NUCLEAR ARMS: CONSCIENCE, LAW AND SURVIVAL' FORUM FOR ITS OUTSTANDING EFFORTS TO ALERT HAWAII'S PUBLIC TO THE POTENTIAL DANGERS OF NUCLEAR WEAPON STORAGE NEAR POPULATION CENTERS AND FOR PRESENTING ISSUES RELATING TO THE NUCLEAR ARMS RACE AND THE DISARMAMENT QUESTION", was deferred until Wednesday, April 18, 1979.

Standing Committee Report No. 1011 (Gov. Msg. No. 46):

Senator Young moved that Stand. Com. Rep. No. 1011 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nomination of Georgiana K. Padeken as Chairperson of the Hawaiian Homes Commission, term to expire December 31, 1982, seconded by Senator Cayetano.

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

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Ushijima and Yee).

Standing Committee Report No. 1012 (Gov. Msg. No. 48):

Senator Toyofuku moved that Stand. Com. Rep. No. 1012 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Joshua C. Aagsalud as Director of the Department of Labor and Industrial Relations, term to expire December 6, 1982, seconded by Senator Yamasaki.

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

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Ushijima and Yee).

Standing Committee Report No. 1013 (Gov. Msg. No. 50):

Senator Toyofuku moved that Stand. Com. Rep. No. 1013 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Donald A. Botelho as Director of the Department of Personnel Services, term to expire December 6, 1982, seconded by Senator Yamasaki.

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

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Ushijima and Yee).

Standing Committee Report No. 1014 (Gov. Msg. No. 53):

By unanimous consent, action on Stand. Com. Rep. No. 1014 and Gov. Msg. No. 53 was deferred to the end of the morning calendar.

Standing Committee Report No. 1016 (Gov. Msg. No. 52):

Senator Cobb moved that Stand. Com. Rep. No. 1016 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Tany S. Hong as Director of the Department of Regulatory Agencies, term to expire December 6, 1982, seconded by Senator Chong.

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

Ayes, 22. Noes, none. Excused, 3 (Abercrombie, Ushijima and Yee).

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

The Senate reconvened at 10:52 o'clock a.m., and the President directed the Clerk to note the presence of Senators Ushijima and Yee.

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 37 to 39) were read by the Clerk and were disposed of as follows:

A communication from Ms. C. Matano, Administrative Assistant to the Honorable Spark Matsunaga, United States Senator, (Misc. Com. No. 37), acknowledging receipt of Senate Resolution No. 133

(1979) which requested 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 placed on file.

A communication from Mr. David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, (Misc. Com. No. 38), acknowledging receipt of Senate Resolution No. 110 (1979), which requested Hawaii's Congressional delegation to take whatever action possible at the Federal level to assist the sugar industry of Hawaii, was placed on file.

A communication from the Honorable Spark Matsunaga, United States Senator, (Misc. Com. No. 39), advising the Senate that the U.S. Special Trade Representative has agreed to reopen negotiations with the Philippine government in order to retain present levels of tariff on pineapple juice and adding that representatives of the pineapple industry met with Ambassador McDonald and it appears now that there will be no reduction in the tariff on pineapple juice, with a minimum of reduction in tariff on processed pineapple, was referred to the Committee on Agriculture.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1014 (Gov. Msg. No. 53):

Senator Toyofuku moved that Stand. Com. Rep. No. 1014 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Andrew I.T. Chang as Director of the Department of Social Services and Housing, term to expire December 6, 1982, seconded by Senator Yamasaki.

Senator Soares then stated as follows:

"Mr. President, I'd like to clarify the reason why I made a request earlier for deferment of this matter to the end of the calendar. I wanted to be absolutely sure that we had twenty-five Senators present to make our voices known on our votes for the man I consider to be one of the most outstanding department heads I have seen here in my thirteen years in the State House of Representatives and the Senate. I didn't want to cause anyone any grievance or cause anyone in the gallery to have a heart attack, but I did want to make sure that we would have twenty-five strong for an outstanding department head as 'Andy' Chang. Thank you."

Roll Call having been ordered, the motion was put by the Chair and carried

on the following showing of Ayes and Noes:

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

At this time, Senator Yim, Chairman of the Committee on Economic Development, requested a waiver of the 48-hour notice of a Public Hearing on the following measures:

Gov. Msg. No. 49, submitting for consideration and confirmation of Susumu Ono as Chairman of the Board of Land and Natural Resources; and

Gov. Msg. No. 51, submitting for consideration and confirmation of Hideto Kono as Director of the Department of Planning and Economic Development,

and the President granted the waiver.

Senator Kawasaki then rose on a point of personal privilege and stated as follows:

"Mr. President, I rise on a point of personal privilege to express a concern that I have relative to the good Chairman of the Committee on Ways and Means being singled out to be on the receiving end of epitaphs and insults of sorts, primarily because he has expressed a concern for us to maintain some fiscally responsible position relative to COLA (cost of living allowance).

"I think it is important for us to notify elements, minority elements, in the community who are concerned about this problem, that we on the Ways and Means Committee--unless other members of the Committee take exception to my remark and they may so record it--that we are in full support of the Chairman's posture relative to his concern about the state's inability to include COLA payments in the collective bargaining agreements.

"I just wanted to express my wholehearted support of the Chairman's position and I don't think that he should be singled out to be on the receiving end of all of these insults and epitaphs."

Senator Cayetano then responded:

"Mr. President, I want to thank the Vice-Chairman of the Committee on Ways and Means for those remarks. I'm not certain that all of the members of this Honorable Body share those sentiments. However, I'd like to inform the members of this Body that I'm perfectly capable of defending myself and I want to thank you."

Senator Anderson then remarked:

"Mr. President, I'd like the remarks of Senator Kawasaki attributed to him and him only, rather than the members of the Ways and Means Committee. I for one would like to hold judgment until I see the package on the table. Right now, all I've done is had a chance to read it in the press and I would like to see the document before me for discussion before I'm committed."

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

"Mr. President, I rise on a point of personal privilege regarding certain reporting particularly in an editorial in this morning's Honolulu Advertiser.

"It's rather shocking that the newspaper makes certain accusations in the editorial section that is so wrong. The editorial with the title 'Hawaii's Energy Research' gives the impression that all of the energy activity in the state was the result of the efforts of DPED. That's not true. It's just the opposite. Whether it be geothermal, ocean thermal energy conversion (OTEC) in particular, that was the result of the University's effort.

"Let me say very clearly that major differences that the Chairman of the Senate Economic Development Committee has with Hideto Kono are in three areas.

"One in the area of the legislative power versus the executive, in that where we passed a bill, or budget, on energy, the Governor does not veto it but the department does not implement it because they disagree with the program and then that program does not move.

"The other is the violation of legislative intent, where we clearly indicate certain activities should be going, say without federal support, such as the rum plant, a program we passed last year to convert sugar molasses into ethanol on Maui.

"The DPED's position would be no release of funds until we get the federal match, even though it was so clearly stated at the hearing, a floor speech and so on that energy is of such high priority for the state that we should move in certain areas even without federal support, and that was one of it.

"The third difference which I consider rather significant between myself and Hideto Kono, is in the area of energy research, whether it be at the University or at DPED.

"Last session we made it very clear

that research energy be at the University of Hawaii and we held extensive hearings. This year we find that at the beginning of the session, other than the funding for OTEC, practically everything we did last year was not funded. In addition to that, minimum funds were released for the operation of the Research Office at the University. In addition to that, in the Governor's budget this year, we find no research money for the University and the research money for energy was in DPED--a violation of the legislative intent last session and for several years past.

"The research amount...the DPED, CIP and the executive budget was \$500,000. What we did this session in the budget that was agreed to by the House, was to include an item of \$5,000,000 for energy research.

"So, this is the last difference between Hideto and myself as to how rapid the energy activity should be moving in this state. These are the areas of differences.

"It has nothing to do with personalities. I have high regards for Hideto, a classmate of mine at the University. I've known him for years. When he first came aboard in 1975, I told him that, other than Andrew Chang, that he is one of the best I have seen appointed to a directorship. But after four sessions and now this year, we end up with those major differences.

"I made my intentions known to the Governor when I met him two weeks ago, and I told him of my concern and what I'll be doing and it was nothing personal; that I would commit myself to the Governor, that if he can, if we do not confirm Hideto, that I'll be in favor of whatever position he may wish to assign Hideto.

"Now in this morning's paper, there is a picture of the Mini-OTEC barge. Let me give you briefly the background how that came about.

"In January, 1978, I was called to a meeting at the University campus--a meeting which was called by the University professors. There were over fifteen of them doing research for the prior two years on the ocean thermal activities on Keahole. The purpose of the meeting was to hear out the idea to be presented to the group about a Mini-OTEC at Keahole by the Lockheed representatives. So in addition to the professors, we had the Lockheed people, the Dillingham people and myself. I went there as an observer.

"Upon hearing the presentation that Hawaii move fast even though the

Mini-OTEC would generate no more than 50 kilowatt hours of electricity, a small amount...but it would be symbolic to the world--the first of its kind...and we're telling the federal people and the Department of Energy that Hawaii ought to be looked upon as the center of OTEC research; and that the State and the University, Lockheed and Dillingham ought to go into a partnership to accomplish this effort, and all of this can be done within twelve months.

"It seems to be going well and hopefully this event will take place in June of this year. But what was missing was the need for an additional \$2,000,000 for that project.

"At that meeting, I committed my support to that project that I would try to include a \$2,000,000 item for the Mini-OTEC, but I did not promise that it would get the support of all legislators. Of course, all of you know by now, that we were able to do just that. So this article with the picture of the Mini-OTEC implies that DPED has the major input. It's not correct.

"In the other part of the editorial, it mentions that 'Yim can call the shots at the University.'

"The major program of the energy research of the state was developed in the summer of 1977 by a task force of over a hundred people including just everyone you can think of. It was an open-end deal; no one was closed out. They in turn formed several sub-task forces on wind, solar, geothermal and so on. It is their effort, not mine, that came up with those ideas and with all the legislation that we passed last session.

"I did not dictate. I did not originate. I did not call the shots. All I did was to participate and I thought the best way to get good results here was to get grass root, public input. That is what I did.

"At no time did I control the University research. I went through the whole area of reading, interviewing, visiting, holding public hearings and from that we developed a legislative program on energy.

"I am calling in all the University professors to meet some of you today, if they're available, to testify to the role that I play on energy--whether or not I dictate and call the shots and that is exactly what I want to do. That is not right.

"Now the issue between myself and Hideto is again not personal. I cannot accept that there's only one person in this whole state who can be director of DPED. I think on this matter, contrary to other newspaper reporting, I have a large number of

Senators in this chamber supporting my stand. I am not alone on this.

"At the same time, I cannot accept that Senator Yim is the only Senator who can be Chairman of the Economic Development Committee. Now if this Body wishes to accept Hideto, I can say at this time I'd be more than happy to resign the Chairmanship.

"I can say publicly now, it's not personal. It's on all other areas as I have stated earlier, and if Hideto Kono is the choice and we'll find it out soon, so be it. Good luck to him, but I would like to resign from the Economic Development Committee, because it's no big thing.

"If I continue to be Chairman of the Economic Development Committee and Hideto is Director of DPED, it would not work. I would prefer that a new Chairman be designated.

"I wasn't prepared to make any statement at this time, but it is so unusual for the press to play up about the confirmation of Hideto Kono.

"I wonder when can a legislator sincerely differ with the Governor's appointment without all of this kind of publicity, with all these accusations.

"So, Mr. President, I want to make very clear my feelings about this whole matter. It doesn't matter one bit whether I am Chairman of the Economic Development Committee or not.

"Thank you very much."

Senator Abercrombie then stated, "Mr. President, I rise on a point of personal privilege. It matters a great deal to me as to whether or not Senator Yim is Chairman of the Economic Development Committee and I want to assure him of that."

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.

RECONSIDERATION OF ACTION TAKEN

Senator Ushijima moved that the Senate reconsider its action on S.B. No. 664, S.D. 1, H.D. 1, seconded by Senator Kuroda.

Senator Ushijima then stated as follows:

"Mr. President, the reason for this request for reconsideration is that this

matter has been in conference. The measure relates to assignment of wages in child support cases.

"Now originally when the bill came into the Senate, it was the understanding that the request from the Family Court was to make certain situations insofar as assignment of wages and custody matters 'mandatory', and the House made it 'discretionary'--'shall' to 'may'.

"Now the conference committee met yesterday and in view of a letter which we received from the Family Court stating that they have no opposition to the 'discretionary' amendment made by the House, we decided that we're going to agree with the amendments made by the House.

"Mr. President, in other words, this is purely a change from 'shall' to 'may'. We made it 'mandatory' and the House made it 'discretionary'. Since the Family Court is happy with it, we have presented this motion now to reconsider our action."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 664, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 664, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

Senator Cobb then moved that the Senate reconsider its action on S.B. No. 1752, S.D. 1, H.D. 1, seconded by Senator Chong.

Senator Cobb then explained as follows:

"Mr. President, when this bill was sent over, there was a drafting error; the original bill from the administration was missing several lines. I communicated that information to the House of Representatives and they corrected the problem.

"They further amended the bill to provide that a student may sit for an accounting exam within 120 days of graduation and further provided that the Board of Accountancy has the authority to grant by waiver any amount of time necessary for a student to finish the additional 30 hours required for the CPA certificate, which was a change from the Senate position, but one that we found acceptable.

"We had disagreed originally to insure that most of these concerns had been taken care of in the drafting problem as well and I had so indicated at the time of the disagreeing vote being carried.

"Furthermore, Mr. President, the areas of differences with respect to the effective date and other provisions within the bill are so narrow as to leave very little room for discussion in conference. It's after having ample time to receive input from students and others both from the neighbor islands, as well as locally in accounting fields, I feel now that a motion to reconsider is in order on this bill."

The motion to reconsider the action was put by the Chair and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1752, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

At 11:17 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.

Senator Kawasaki then rose on a point of personal privilege and stated as follows:

"Mr. President, I again rise on a point of personal privilege to express a concern that I have on the statements made by the Chairman of the Committee on Economic Development.

"I consider the resignation of Senator Yim from that committee to be a great loss to this state, in view of his great concern and the energy and the imagination he has expended in the area of energy, aquaculture, etc. And if I were left with the choice of either supporting him..."

Senator Anderson then rose on a point of order and stated, "Mr. President, the Chairman of the Committee on Economic Development has called for a public hearing tomorrow on the appointments of Hideto Kono and Susumu Ono. I really believe that remarks should be made

at that public hearing; that any remarks that might prejudice that decision be held in abeyance until the public hearing is held and the committee members have made their choice as to whether they will 'kill' it there or pass it out."

Senator Kawasaki then continued, "Mr. President, expressing a concern about the state of unresolve in the mind of Senator Yim is perfectly in order and I think it is perfectly in keeping with the question of personal privilege.

"As I said...as I started to say, if I had the choice of either supporting him or losing his chairmanship by supporting the confirmation of one person, I'd most certainly, in behalf of the State of Hawaii, support Senator Yim."

At 11:25 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 7:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 7:35 o'clock p.m., with all Senators present with the exception of Senator Abercrombie, Chong and Ushijima, who were excused.

HOUSE COMMUNICATION

A communication from the House (Hse. Com. No. 563), returning Senate Concurrent Resolution No. 121 which was adopted by the House of Representatives on April 17, 1979, was read by the Clerk and was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 468 to 470) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 468), entitled: "SENATE RESOLUTION CONGRATULATING PUNAHOU ON WINNING THE 1979 STATE BOYS' TENNIS TOURNAMENT CHAMPIONSHIPS", was jointly offered by Senators Yee, Saiki, Mizuguchi, Takitani, George, Hara, Ajifu, Chong, Young, Anderson, Carpenter and Carroll.

On motion by Senator Yee, seconded by Senator Saiki and carried, S.R. No. 468 was adopted.

A resolution (S.R. No. 469), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE IOLANI SCHOOL STAGE BAND ON ITS FIRST PLACE PERFORMANCE IN THE 18TH RENO INTERNATIONAL JAZZ FESTIVAL", was jointly offered by Senators Yee, Carroll, Ajifu, George, Anderson, Soares, Takitani, Chong, Carpenter and Toyofuku.

On motion by Senator Yee, seconded by Senator Ajifu and carried, S.R. No. 469 was adopted.

A resolution (S.R. No. 470), entitled: "SENATE RESOLUTION HONORING THE CHAMINADE UNIVERSITY TEAM FOR THEIR PARTICIPATION IN THE REGIONAL COLLEGE BOWL", was jointly offered by Senators Carpenter, Cobb, Takitani, Mizuguchi, Abercrombie, Ajifu, Carroll, Anderson, Chong, Campbell, Wong, Cayetano, Kuroda, Saiki and George.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, S.R. No. 470 was adopted.

CONFERENCE COMMITTEE REPORTS

Senator Yim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1232, presented a report (Conf. Com. Rep. No. 18), recommending that H.B. No. 1232, 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, the 48-hour notice was given on H.B. No. 1232, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE."

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. 1647, H.D. 2, presented a report (Conf. Com. Rep. No. 19), recommending that H.B. No. 1647, 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, the 48-hour notice was given on H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS".

Senator Chong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 181, H.D. 1, presented a report (Conf. Com. Rep. No. 20), recommending that H.B. No. 181, 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, the 48-hour notice was given on H.B. No. 181, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER

LAW".

Senator Ushijima, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1557, H.D. 1, presented a report (Conf. Com. Rep. No. 21), recommending that H.B. No. 1557, 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, the 48-hour notice was given on H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN".

Senator Abercrombie, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1588, presented a report (Conf. Com. Rep. No. 22), recommending that H.B. No. 1588, 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, the 48-hour notice was given on H.B. No. 1588, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS".

Senator Toyofuku, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 80, H.D. 2, presented a report (Conf. Com. Rep. No. 23), recommending that H.B. No. 80, 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, the 48-hour notice was given on H.B. No. 80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES".

Senator Mizuguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1646, H.D. 1, presented a report (Conf. Com. Rep. No. 24), recommending that H.B. No. 1646, 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, the 48-hour notice was given on H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY".

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 520,

H.D. 1, presented a report (Conf. Com. Rep. No. 25), recommending that H.B. No. 520, H.D. 1, 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, the 48-hour notice was given on H.B. No. 520, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS".

Senator Carpenter, 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. 1322, H.D. 1, presented a report (Conf. Com. Rep. No. 26), recommending that H.B. No. 1322, 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, the 48-hour notice was given on H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY".

Senator Mizuguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1473, H.D. 1, presented a report (Conf. Com. Rep. No. 27), recommending that H.B. No. 1473, 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, the 48-hour notice was given on H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL".

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 166, H.D. 1, presented a report (Conf. Com. Rep. No. 28), recommending that House Bill No. 166, H.D. 1, 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, the 48-hour notice was given on H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS".

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. 82, H.D. 1, presented a report

(Conf. Com. Rep. No. 29), recommending that H.B. No. 82, 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, the 48-hour notice was given on H.B. No. 82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT".

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. 173, H.D. 1, presented a report (Conf. Com. Rep. No. 30), recommending that H.B. No. 173, 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, the 48-hour notice was given on H.B. No. 173, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR".

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. 479, H.D. 1, presented a report (Conf. Com. Rep. No. 31), recommending that H.B. No. 479, 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, the 48-hour notice was given on H.B. No. 479, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS".

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. 531, presented a report (Conf. Com. Rep. No. 32), recommending that H.B. No. 531, 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, the 48-hour notice was given on H.B. No. 531, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS".

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. 1459, H.D. 1, presented a report (Conf. Com. Rep. No. 33), recommending that H.B. No. 1459, 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, the 48-hour notice was given on H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES".

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. 1, H.D. 1, presented a report (Conf. Com. Rep. No. 34), recommending that H.B. No. 1, 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, the 48-hour notice was given on H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET".

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. 2, H.D. 1, presented a report (Conf. Com. Rep. No. 35), recommending that H.B. No. 2, H.D. 1, 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, the 48-hour notice was given on H.B. No. 2, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET".

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. 48, H.D. 2, presented a report (Conf. Com. Rep. No. 36), recommending that H.B. No. 48, 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, the 48-hour notice was given on H.B. No. 48, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED".

Senator Young, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1686, H.D. 2, presented a report (Conf. Com. Rep. No. 37), recommending that H.B. No. 1686, H.D. 2, S.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN

ACT RELATING TO THE HAWAII HOUSING AUTHORITY".

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1634, S.D. 2, presented a report (Conf. Com. Rep. No. 38), recommending that S.B. No. 1634, S.D. 2, 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, the 48-hour notice was given on S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT".

Senator Campbell, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1373, S.D. 1, presented a report (Conf. Com. Rep. No. 39), recommending that S.B. No. 1373, 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, the 48-hour notice was given on S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1703, S.D. 1, presented a report (Conf. Com. Rep. No. 40), recommending that S.B. No. 1703, 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, the 48-hour notice was given on S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 451, presented a report (Conf. Com. Rep. No. 41), recommending that H.B. No. 451, 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, the 48-hour notice was given on

H.B. No. 451, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1216, H.D. 1, presented a report (Conf. Com. Rep. No. 42), recommending that H.B. No. 1216, 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, the 48-hour notice was given on H.B. No. 1216, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1386, H.D. 1, presented a report (Conf. Com. Rep. No. 43), recommending that H.B. No. 1386, 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, the 48-hour notice was given on H.B. No. 1386, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 692, presented a report (Conf. Com. Rep. No. 44), recommending that S.B. No. 692, 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, the 48-hour notice was given on S.B. No. 692, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MASSAGE".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 694, presented a report (Conf. Com. Rep. No. 45), recommending that S.B. No. 694, 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, the 48-hour notice was given on S.B. No. 694, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD".

Senator Cobb, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 695, S.D. 1, presented a report (Conf. Com. Rep. No. 46), recommending that S.B. No. 695, 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, the 48-hour notice was given on S.B. No. 695, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 102, H.D. 1, presented a report (Conf. Com. Rep. No. 47), recommending that H.B. No. 102, 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, the 48-hour notice was given on H.B. No. 102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE".

Senator Mizuguchi, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1432, H.D. 1, presented a report (Conf. Com. Rep. No. 48), recommending that H.B. No. 1432, 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, the 48-hour notice was given on H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS".

Senator Ushijima, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 581, S.D. 1, presented a report (Conf. Com. Rep. No. 49), recommending that S.B. No. 581, 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, the 48-hour notice was given on S.B. No. 581, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES".

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. 14, H.D. 1, presented a report (Conf. Com. Rep.

No. 50), recommending that H.B. No. 14, 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, the 48-hour notice was given on H.B. No. 14, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION".

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. 77, S.D. 3, presented a report (Conf. Com. Rep. No. 51), recommending that S.B. No. 77, S.D. 3, 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, the 48-hour notice was given on S.B. No. 77, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS".

Senator Hara, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1091, S.D. 1, presented a report (Conf. Com. Rep. No. 52), recommending that S.B. No. 1091, 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, the 48-hour notice was given on S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS".

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. 1252, H.D. 2, presented a report (Conf. Com. Rep. No. 53), recommending that H.B. No. 1252, 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, the 48-hour notice was given on H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS".

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. 1657, S.D. 2, presented a report (Conf. Com. Rep. No. 54), recommending that S.B. No. 1657, S.D. 2, 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, the 48-hour notice was given on S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 98, H.D. 2, presented a report (Conf. Com. Rep. No. 55), recommending that H.B. No. 98, 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, the 48-hour notice was given on H.B. No. 98, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 99, H.D. 1, presented a report (Conf. Com. Rep. No. 56), recommending that H.B. No. 99, H.D. 1, 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, the 48-hour notice was given on H.B. No. 99, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 421, H.D. 1, presented a report (Conf. Com. Rep. No. 57), recommending that H.B. No. 421, 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, the 48-hour notice was given on H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 643, H.D. 1, presented a report (Conf. Com. Rep. No. 58), recommending that H.B. No. 643, H.D. 1, 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, the 48-hour notice was given on

H.B. No. 643, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 181, S.D. 2, presented a report (Conf. Com. Rep. No. 59), recommending that S.B. No. 181, S.D. 2, 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, the 48-hour notice was given on S.B. No. 181, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1682, S.D. 1, presented a report (Conf. Com. Rep. No. 60), recommending that S.B. No. 1682, 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, the 48-hour notice was given on S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING".

Senator Campbell, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 923, H.D. 1, presented a report (Conf. Com. Rep. No. 61), recommending that H.B. No. 923, 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, the 48-hour notice was given on H.B. No. 923, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1634, H.D. 1, presented a report (Conf. Com. Rep. No. 62), recommending that H.B. No. 1634, 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, the 48-hour notice was given on H.B. No. 1634, H.D. 1, S.D. 1,

C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1049, S.D. 1, presented a report (Conf. Com. Rep. No. 63), recommending that S.B. No. 1049, 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, the 48-hour notice was given on S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE".

Senator Hara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1215, H.D. 1, presented a report (Conf. Com. Rep. No. 64), recommending that H.B. No. 1215, H.D. 1, S.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS".

Senator Yim, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 732, presented a report (Conf. Com. Rep. No. 65), recommending that H.B. No. 732, 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, the 48-hour notice was given on H.B. No. 732, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM".

Senator Chong, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1667, presented a report (Conf. Com. Rep. No. 66), recommending that H.B. No. 1667, 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, the 48-hour notice was given on H.B. No. 1667, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1043, S.D. 1, presented a report (Conf. Com. Rep. No. 67), recommending that S.B. No. 1043, 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, the 48-hour notice was given on S.B. No. 1043, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDED OF INTEREST IN CIVIL CASES".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 95, H.D. 2, presented a report (Conf. Com. Rep. No. 68), recommending that H.B. No. 95, 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, the 48-hour notice was given on H.B. No. 95, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 282, H.D. 1, presented a report (Conf. Com. Rep. No. 69), recommending that H.B. No. 282, H.D. 1, 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, the 48-hour notice was given on H.B. No. 282, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 723, H.D. 1, presented a report (Conf. Com. Rep. No. 70), recommending that H.B. No. 723, 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, the 48-hour notice was given on H.B. No. 723, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE".

Senator Carpenter, for the Committee

on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1539, S.D. 1, presented a report (Conf. Com. Rep. No. 71), recommending that S.B. No. 1539, 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, the 48-hour notice was given on S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1230, presented a report (Conf. Com. Rep. No. 72), recommending that S.B. No. 1230, 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, the 48-hour notice was given on S.B. No. 1230, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 92, H.D. 2, presented a report (Conf. Com. Rep. No. 73), recommending that H.B. No. 92, 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, the 48-hour notice was given on H.B. No. 92, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1716, presented a report (Conf. Com. Rep. No. 74), recommending that H.B. No. 1716, 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, the 48-hour notice was given on H.B. No. 1716, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS".

Senator Campbell, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 38, H.D. 2, presented a report (Conf. Com. Rep. No. 75), recommending that H.B. No. 38, H.D. 2, S.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 38, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1680, S.D. 1, presented a report (Conf. Com. Rep. No. 76), recommending that S.B. No. 1680, 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, the 48-hour notice was given on S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION".

Senator Young, 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. 890, H.D. 1, presented a report (Conf. Com. Rep. No. 77), recommending that H.B. No. 890, H.D. 1, S.D. 3, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 890, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS".

Senator Hara, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1642, H.D. 1, presented a report (Conf. Com. Rep. No. 78), recommending that H.B. No. 1642, 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, the 48-hour notice was given on H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT".

Senator O'Connor, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1671, H.D. 1, presented a report (Conf. Com. Rep. No. 79), recommending that H.B. No. 1671, H.D. 1, 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, the 48-hour notice was given on H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING".

STANDING COMMITTEE REPORTS

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1033), recommending that Senate Resolution No. 206, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 206, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE COST EFFECTIVENESS OF AND OTHER RAMIFICATIONS OF THE USE OF HEALTH PARAPROFESSIONALS", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1034), recommending that Senate Resolution No. 266 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 266, entitled: "SENATE RESOLUTION REQUESTING REQUIREMENT OF PATIENT RIGHTS PROTOCOLS IN HOSPITALS", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1035), recommending that Senate Resolution No. 125 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 125, entitled: "SENATE RESOLUTION URGING COOPERATION AND JOINT EFFORTS IN THE REFORESTATION/ENERGY PROGRAM DEVELOPMENT", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1036), recommending that Senate Resolution No. 225 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 225, entitled: "SENATE RESOLUTION RELATING TO NATURAL HAZARD EVALUATION AND EARTHQUAKE PREDICTION", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1037), recommending that Senate Resolution No. 335 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 335, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INITIATE APPROPRIATE ACTIONS TO ENABLE MEMBERS OF THE MAUNALAHA VALLEY COMMUNITY ASSOCIATION TO OBTAIN LONGER TERM LAND LEASES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1038), recommending that Senate Resolution No. 385 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 385, entitled: "SENATE RESOLUTION DECLARING LEGISLATIVE SUPPORT FOR, AND URGING ALL GOVERNMENT AGENCIES TO SUPPORT THE DEVELOPMENT AND UTILIZATION OF, ALTERNATE ENERGY RESOURCES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1039), recommending that Senate Resolution No. 423 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 423, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND FAVORABLE ACTION BY THE GOVERNOR TOWARD THE ECONOMIC DEVELOPMENT MERITS OF THE HILO BAYFRONT DEVELOPMENT PLAN", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1040), recommending that Senate Concurrent Resolution No. 78 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INITIATE APPROPRIATE ACTIONS TO ENABLE MEMBERS OF THE MAUNALAHA VALLEY COMMUNITY ASSOCIATION TO OBTAIN LONGER TERM LAND LEASES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1041), recommending that Senate Concurrent Resolution No. 93 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.C.R. No. 93, entitled: "SENATE CONCURRENT RESOLUTION DECLARING LEGISLATIVE SUPPORT FOR, AND URGING ALL GOVERNMENT AGENCIES TO SUPPORT THE DEVELOPMENT AND UTILIZATION OF, ALTERNATE ENERGY RESOURCES", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1042), recommending that Senate Concurrent Resolution No. 110 be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.C.R. No. 110, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO RECOMMEND FAVORABLE ACTION BY THE GOVERNOR TOWARD THE ECONOMIC DEVELOPMENT MERITS OF THE HILO BAYFRONT DEVELOPMENT PLAN", was adopted.

At 7:38 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:39 o'clock p.m.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1043), recommending that Senate Resolution No. 435 be adopted.

On motion by Senator Kuroda, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.R. No. 435, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE PROPOSED STATE TOURISM FUNCTIONAL PLAN", was adopted.

Senator Kuroda, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1044), recommending that Senate Concurrent Resolution No. 113 be adopted.

On motion by Senator Kuroda, seconded by Senator Takitani and carried, the report of the Committee was adopted and S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE PROPOSED STATE TOURISM FUNCTIONAL PLAN", was adopted.

Senators Campbell and Mizuguchi, for the Committees on Education and Transportation, presented a joint report (Stand. Com. Rep. No. 1045), recommending that Senate Resolution No. 35 be adopted.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 35, entitled: "SENATE

RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE FEASIBILITY OF STAGGERED SCHOOL HOURS TO ALLEVIATE TRAFFIC CONGESTION", was adopted.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1046), recommending that Senate Resolution No. 224 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and S.R. No. 224, entitled: "SENATE RESOLUTION RELATING TO THE APPLICATION OF ELECTRONICS DATA PROCESSING (EDP) TECHNIQUES BY DOE", was adopted.

Senators Campbell and Abercrombie, for the majority of the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1047), recommending that Senate Resolution No. 253, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the majority of the Committees was adopted, and S.R. No. 253, S.D. 1, entitled: "SENATE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE COMMUNITY COLLEGES OF THE UNIVERSITY OF HAWAII SYSTEM TO DEVELOP A COMPREHENSIVE AND INTEGRATED PROGRAM FOR STUDENTS PURSUING CAREERS IN COMMERCIAL AGRICULTURE", was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1048), recommending that Senate Resolution No. 377 be adopted.

On motion by Senator Cobb, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 377, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF REDUCING THE COST OF ADMINISTERING THE NO-FAULT AUTOMOBILE INSURANCE COVERAGE PROVIDED PUBLIC ASSISTANCE RECIPIENTS", 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. 442 be adopted.

On motion by Senator Cobb, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 442, entitled: "SENATE

RESOLUTION REQUESTING A REVIEW AND STUDY OF CERTIFIED PUBLIC ACCOUNTANCY REQUIREMENTS IN HAWAII", 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. 117 be adopted.

On motion by Senator Cobb, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.C.R. No. 117, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF CERTIFIED PUBLIC ACCOUNTANCY REQUIREMENTS IN HAWAII", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1051), recommending that Senate Resolution No. 100, S.D. 1, be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 100, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO SEEK FUNDS FOR THE DEVELOPMENT OF A SEWAGE TREATMENT FACILITY IN THE HONOKAA AREA", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1052), recommending that Senate Resolution No. 409 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 409, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE METHODS FOR AUTOMATICALLY CONFORMING THE STATE INCOME TAX LAW WITH THE FEDERAL INTERNAL REVENUE CODE, AND THEIR RELATIVE IMPACT ON EXISTING TAX POLICY, ADMINISTRATION, AND TAXPAYER COMPLIANCE", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1053), recommending that Senate Resolution No. 410 be referred to the Committee on Legislative Management.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 410, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE FEASIBILITY OF INTERFACING THE CONTRIBUTION AND BENEFIT PROGRAMS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII WITH THOSE OF THE SOCIAL SECURITY SYSTEM", was referred to the Committee on Legislative Management.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1054), recommending that Senate Concurrent Resolution No. 102 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.C.R. No. 102, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO STUDY THE METHODS FOR AUTOMATICALLY CONFORMING THE STATE INCOME TAX LAW WITH THE FEDERAL INTERNAL REVENUE CODE, AND THEIR RELATIVE IMPACT ON EXISTING TAX POLICY, ADMINISTRATION, AND TAXPAYER COMPLIANCE", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1055), recommending that Senate Concurrent Resolution No. 103 be referred to the Committee on Legislative Management.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE FEASIBILITY OF INTERFACING THE CONTRIBUTION AND BENEFIT PROGRAMS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII WITH THOSE OF THE SOCIAL SECURITY SYSTEM", was referred to the Committee on Legislative Management.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1056), recommending that House Concurrent Resolution No. 149 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF ADOPTING THE FEDERAL METHOD OF COMPUTING THE STANDARD DEDUCTION THROUGH ZERO BRACKET AMOUNTS", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1057), recommending that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller, in accordance with Governor's Message No. 41.

By unanimous consent, action on Stand. Com. Rep. No. 1057 and Gov. Msg. No. 41 was deferred until Wednesday, April 18, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1058), recommending that the Senate advise and consent to the nomination of Eileen R. Anderson as Director of the Department of Budget and Finance, in accordance with Governor's Message No. 45.

By unanimous consent, action on Stand. Com. Rep. No. 1058 and Gov. Msg. No. 45 was deferred until Wednesday, April 18, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1059), recommending that the Senate advise and consent to the nomination of George Freitas as Director of the Department of Taxation, in accordance with Governor's Message No. 54.

By unanimous consent, action on Stand. Com. Rep. No. 1059 and Gov. Msg. No. 54 was deferred until Wednesday, April 18, 1979.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1060), recommending that Senate Resolution No. 66, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 66, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO HIGHWAY BEAUTIFICATION", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1061), recommending that Senate Resolution No. 436 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 436, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO REVIEW THE PARKING FACILITIES, POLICIES AND RATES OF ALL STATE AND COUNTY AGENCIES AND THEIR IMPACT ON TRAFFIC CONGESTION IN HAWAII", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1062), recommending that the Senate advise and consent to the nomination of Ryokichi Higashionna as Director of the Department of Transportation, in accordance with Governor's Message No. 55.

By unanimous consent, action on Stand. Com. Rep. No. 1062 and Gov. Msg. No. 55 was deferred until Wednesday, April 18, 1979.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1063), recommending that Senate Resolution No. 82, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 82, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO ENERGY", was adopted.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1064), recommending that Senate Resolution No. 265, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1064 and S.R. No. 265, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS STANDARDS", was deferred until Wednesday, April 18, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1065), recommending that Senate Resolution No. 373, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 373, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE USE OF DRUGS IN OPTOMETRIC PRACTICE", was referred to the Committee on Legislative Management.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1066), recommending that Senate Concurrent Resolution No. 74, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY OF THE USE OF DRUGS IN OPTOMETRIC PRACTICE", was referred to the Committee on Legislative Management.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1067), recommending that the Senate advise and consent to the nomination of John Farias as Chairman of the Board of Agriculture, in accordance with Governor's Message No. 42.

By unanimous consent, action on

Stand. Com. Rep. No. 1067 and Gov. Msg. No. 42 was deferred until Wednesday, April 18, 1979.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1068), recommending that Senate Resolution No. 223, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 223, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE PRESIDENT OF THE UNIVERSITY OF HAWAII TO SUBMIT A STATUS REPORT ON THE NURSING DEGREE PROGRAM OF THE UNIVERSITY OF HAWAII", was adopted.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1069), recommending that Senate Resolution No. 384, as amended in S.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, the report of the Committee was adopted and S.R. No. 384, S.D. 1, entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A FILM PROCESSING INDUSTRY IN HAWAII", was adopted.

Senators Campbell and Abercrombie, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1070), recommending that Senate Resolution No. 190, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 190, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO INVESTIGATE THE FEASIBILITY OF ALLOWING SECONDARY STUDENTS WHO HAVE DROPPED OUT OF SCHOOL OR WHO ARE POTENTIAL DROPOUTS TO ENROLL IN VOCATIONAL EDUCATION COURSES WITHIN OUR COMMUNITY COLLEGE SYSTEM", was adopted.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1071), recommending that Senate Resolution No. 215 be referred to the Committee on Legislative Management.

On motion by Senator Campbell, seconded by Senator Young and carried, Roll Call vote having been requested, the report of the majority of the Committee was adopted and S.R. No. 215, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO EXPLORE THE FEASIBILITY OF CONVERTING WAIANAE HIGH SCHOOL TO THE STATE'S FIRST MARINE HIGH SCHOOL", was referred to the Committee

on Legislative Management on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).
Excused, 3 (Abercrombie, Chong and Ushijima).

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1072), recommending that Senate Resolution No. 94 be referred to the Committee on Human Resources.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 94, entitled: "SENATE RESOLUTION ENCOURAGING EMPLOYERS TO CONSIDER EPILEPTICS FOR EMPLOYMENT", was referred to the Committee on Human Resources.

At 7:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 7:50 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN EARLIER

Senator Mizuguchi moved that the Senate reconsider its action taken earlier

on Stand. Com. Rep. No. 1072 and S.R. No. 94, seconded by Senator Carpenter and carried.

By unanimous consent, the referral of S.R. No. 94 to the Committee on Human Resources was waived.

Senator Mizuguchi then moved that Stand. Com. Rep. No. 1072 be received and placed on file, seconded by Senator Carpenter and carried.

On motion by Senator Carroll, seconded by Senator Ajifu and carried, S.R. No. 94, entitled: "SENATE RESOLUTION ENCOURAGING EMPLOYERS TO CONSIDER EPILEPTICS FOR EMPLOYMENT", was adopted.

At this time, Senator Kuroda introduced to the members of the Senate the following visitors from Pearl City: Dr. and Mrs. Ken Uejo, Mr. Bob Kubo, Mrs. Fajardo, Mr. and Mrs. Stanley Sumida, Mrs. Elaine Funakoshi and Mr. Dean Sensui.

ADJOURNMENT

At 7:58 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., on Wednesday, April 18, 1979.

FIFTY-EIGHTH DAY

Wednesday, April 18, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Masanori Ogasawara, Higashi Hongwanji, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Seventh Day.

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

Senator Carpenter, on behalf of the Senators from the Big Island, introduced Mrs. Linda Dela Cruz of the Guava Growers Association.

Senator Carroll, on behalf of the Senators from the Sixth Senatorial District, introduced Ms. Valerie Bavero.

At this time, Senator Kuroda rose to make an introduction and stated as follows:

"Mr. President, I'd like to take a little time from my colleagues here to make a special introduction.

"This gentleman was in these halls in 1972 on Opening Day and in 1975 on Opening Day and he has asked to come back again.

"When I visited my brother to ask him how he was, my brother shocked me by saying that he had been working on the roof.

"This gentleman happens to be my father who is 96 years old. He left Japan when he was 22 and he's been here 74 years. What's amazing about what I'm telling you is that, it's only this morning that he is recalling these things to my sister-in-law and to me, even saying that in 1904, when he went from Hiroshima to Yokohama to wait for a boat, he says, at that time the Russo-Japanese War was on.

"So, before he experiences any mishap on any more house roofs, we thought it would be a good idea if we have him come and give Senator Carroll an opportunity to meet another Democrat who thinks like a Republican.

"Mr. President, inasmuch as the Kuroda family is very proud of our father and he takes pride in his son, I'd like to have Senator Carroll and his colleagues

be given the opportunity to shake my father's hand."

Senator Kuroda then introduced to the Honorable Body his father Toyochi Kuroda, accompanied by his sister-in-law Ruth and niece Clareen.

At 11:52 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.

Senator Carroll then rose on a point of personal privilege and stated as follows:

"Mr. President, I was frankly honored to have your good Majority Floor Leader mention my name and I think many people are wondering why he happens to pick me in particular. I think the reason is that back in 1950, I guess it was, I was driving a truck for Standard Oil and I used to deliver oil products to his father. While Joe was rather surly to me at times and ordered me around quite a bit, the father, as a good Republican, was always gracious, humanistic and kind. I feel honored that he did mention me and I'd like to thank him. Thank you."

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 476 to 480) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 476), informing the Senate that on April 14, 1979, he signed the following bills into law:

H.B. No. 165 as Act 4, entitled:
"RELATING TO LIQUOR LICENSE";

H.B. No. 356 as Act 5, entitled:
"RELATING TO NONFORFEITURE OF EMPLOYMENT RIGHTS FOR ABSENCE REQUIRED BY NATIONAL GUARD DUTY";
and

H.B. No. 404 as Act 6, entitled:
"RELATING TO PROMPT COMPLAINT",

was placed on file.

A message from the Governor (Gov. Msg. No. 477), transmitting copies of the 1978 Annual Report prepared by the Department of Planning and Economic Development was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 478), transmitting copies of

the Fiscal Year 1978 Annual Report prepared by the Department of Agriculture was referred to the Committee on Agriculture.

A message from the Governor (Gov. Msg. No. 479) returning the following bill without his approval, together with his statement of objections relating to the measure as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

APRIL 16, 1979

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1537

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith Senate Bill No. 1537, entitled, 'A Bill for an Act Relating to Kapiolani Children's Medical Center.'

The purpose of this bill is to amend appropriations for capital improvement projects (grants-in-aid) made by Act 226, Session Laws of Hawaii 1976, and by Act 9, first Special Session 1977, to the Children's Hospital by substituting 'Kapiolani Children's Medical Center' for 'Children's Hospital.'

Kuikeolani Children's Hospital (also known as Children's Hospital) is an existing private non-profit corporation which is now located at the place of business of the Kapiolani Children's Medical Center at 1319 Punahou Street. The Kapiolani Children's Medical Center is a separate corporate entity whose members are Children's Hospital and Kapiolani Hospital, which is still another existing separate corporate entity. Since Children's Hospital and Kapiolani Children's Medical Center are two separate entities, the substitution of Kapiolani Children's Medical Center for Children's Hospital makes, in effect, two new appropriations. Being an appropriations bill, it is constitutionally defective, as it was passed on final reading before the general appropriations bill in violation of Article VII, Section 9 of the Constitution of the State of Hawaii, which provides that in a regular session in an odd-numbered year, 'no appropriation bill, except . . . shall be passed on final reading until . . . the general appropriations bill, shall have been transmitted to the governor.'

In addition, two new appropriations sought to be made by this bill constitute 'grants to the Kapiolani Children's Medical Center' which, under Section 4 of Article

VII, must be made pursuant to standards prescribed by law. Since there is presently no law in effect prescribing those standards, this bill is also in violation of Article VII, Section 4.

Although the purpose and intent of the bill have merit, because of the foregoing constitutional problems, I am returning Senate Bill No. 1537 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, Senate Bill No. 1537, entitled, 'A Bill for an Act Relating to the Kapiolani Children's Medical Center' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1537 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. 1537 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

Done at Hawaii State Capitol,
Honolulu, State of Hawaii,
this 16th day of April,
1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii",

was placed on file.

A message from the Governor (Gov. Msg. No. 480), transmitting copies of a Hawaii Economic Research Report on a Study of the Economic Impact of

Deposit and Return Legislation on the State of Hawaii, March 1979, prepared by the Department of Planning and Economic Development, in response to H.R. No. 353 (1978), was referred to the Committee on Ecology, Environment and Recreation.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 122 and 123) were read by the Clerk and were disposed of as follows:

A concurrent resolution (S.C.R. No. 122), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON BAIL", was jointly offered by Senators O'Connor, Campbell, Chong, George and Saiki.

By unanimous consent, S.C.R. No. 122 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

A concurrent resolution (S.C.R. No. 123), entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON THE HAWAII CRIMINAL JUSTICE INFORMATION DATA CENTER", was offered by Senator O'Connor.

By unanimous consent, S.C.R. 123 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 471 to 476) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 471), entitled: "SENATE RESOLUTION EXPRESSING SUPPORT FOR THE MAY 1, 1979 CRIME PREVENTION WEEK AND THE HAWAII LEAGUE OF SAVINGS ASSOCIATION ROBBERY REWARD PROGRAM", was jointly offered by Senators Cobb, O'Connor, Carpenter, Carroll, Yim, Soares, Takitani, Ushijima, Anderson, Toyofuku, Yamasaki, Mizuguchi, Campbell, Saiki, Chong, Yee, Kuroda, Cayetano, Young, George, Abercrombie, Ajifu, Hara and Kawasaki.

On motion by Senator Cobb, seconded by Senator O'Connor and carried, S.R. No. 471 was adopted.

A resolution (S.R. No. 472), entitled: "SENATE RESOLUTION HONORING THE MEMORY OF ROBERT G. DODGE", was jointly offered by Senators George, O'Connor, Campbell, Anderson, Mizuguchi, Yamasaki, Soares, Toyofuku, Cayetano, Yim, Wong, Saiki, Chong, Hara, Kawasaki, Kuroda, Cobb, Carroll, Carpenter, Young, Ajifu, Abercrombie, Ushijima,

Yee and Takitani.

On motion by Senator George, seconded by Senator O'Connor and carried, S.R. No. 472 was adopted by a rising vote.

A resolution (S.R. No. 473), entitled: "SENATE RESOLUTION CONGRATULATING THE KANEOHE BOBBY SOX LEAGUE MINOR ALL-STAR TEAM FOR WINNING THE 1978 EASTERN DIVISION CHAMPIONSHIP", was jointly offered by Senators Anderson, Ajifu, George, Soares, Hara, Carroll, Takitani, Saiki, Chong, Carpenter, Yamasaki, Cayetano, Kawasaki, Kuroda, Campbell, Mizuguchi and Toyofuku.

On motion by Senator Anderson, seconded by Senator Ajifu and carried, S.R. No. 473 was adopted.

A resolution (S.R. No. 474), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE KANEOHE BOBBY SOX MAJOR ALL-STAR TEAM FOR WINNING THE 1978 STATE CHAMPIONSHIP AND ITS ACHIEVEMENTS IN NATIONAL COMPETITION", was jointly offered by Senators Anderson, Ajifu, George, Takitani, Hara, Carroll, Saiki, Soares, Carpenter, Yamasaki, Cayetano, Kawasaki, Kuroda, Campbell, Chong, Mizuguchi and Toyofuku.

On motion by Senator Anderson, seconded by Senator Ajifu and carried, S.R. No. 474 was adopted.

A resolution (S.R. No. 475), entitled: "SENATE RESOLUTION HONORING DAVE WARREN AND THE 1979 HUMANITIES CONFERENCE OF THE HAWAII COMMITTEE FOR THE HUMANITIES", was jointly offered by Senators Campbell, Young, Chong, Cobb, Takitani, Saiki, Abercrombie, Anderson, Soares, Yim, Yamasaki, Toyofuku, Kuroda, Carroll, Ajifu, Ushijima, Cayetano, George, Carpenter, O'Connor and Kawasaki.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 475 was adopted.

At this time, Senator Campbell rose to introduce the honoree and stated as follows:

"Mr. President, we are happy to extend our fondest aloha to David Warren who is the director of research at the Cultural Studies Development Center, the Institute of American Indian Affairs at Santa Fe, New Mexico.

"Mr. Warren was the featured speaker at the 1979 Humanities Conference that was sponsored by the Hawaii Committee for the Humanities."

The honoree was then presented with a certified copy of the resolution by Senator Campbell and a lei by Senator Young.

Also introduced to the members of the Senate were Mrs. Annette Lew and Mr. Ralph Morelli of the Hawaii Committee for the Humanities.

At 12:04 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.

A resolution (S.R. No. 476), entitled: "SENATE RESOLUTION CONGRATULATIONS TO KAMEHAMEHA SCHOOL CANOE CLUB", was jointly offered by Senators Campbell, Carpenter, Cobb, Toyofuku, George, Abercrombie, Cayetano, Kawasaki, Ajifu, Takitani, Ushijima, Anderson, Soares, Yamasaki, Chong, Young, Saiki, Kuroda, Mizuguchi, Yim, Carroll and O'Connor.

On motion by Senator Campbell, seconded by Senator Carpenter and carried, S.R. No. 476 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1073) informing the Senate that Senate Resolution Nos. 462 to 470, Conference Committee Report Nos. 3 to 79 and Standing Committee Report Nos. 1018 and 1072 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1074) recommending that House Bill No. 742, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 742, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1075) recommending that House Bill No. 867 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS

FROM THE DECISIONS OF THE LIQUOR COMMISSION".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1076) recommending that House Bill No. 1211, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII".

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1077) recommending that House Bill No. 1656, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1656, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS".

Senators Carpenter and O'Connor, for the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 1078) recommending that Senate Resolution No. 406, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and S.R. No. 406, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE RETENTION OF MEDICAL RECORDS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1079) recommending that House Bill No. 288 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS".

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1080) recommending that House Concurrent Resolution No. 37, H.D. 1, be adopted.

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 1080 was adopted and H.C.R. No. 37, H.D. 1, entitled: "HOUSE

CONCURRENT RESOLUTION REQUESTING PRESIDENT CARTER TO INVOKE THE PELLY AMENDMENT TO THE FISHERMEN'S PROTECTIVE ACT TO PREVENT THE ILLEGAL SLAUGHTER OF WHALES", was adopted.

Senator Yim, for the majority of the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1081) recommending that Senate Resolution No. 401, as amended in S.D. 1, be adopted.

Senator Yim moved that Stand. Com. Rep. No. 1081 and S.R. No. 401, S.D. 1, be adopted, seconded by Senator Carpenter.

Senator Carroll then rose to speak against the measure and stated as follows:

"Mr. President, once again, the Senate, I think, is doing in this particular case an almost insane thing for two reasons. The first is that when the U.S. Department of Interior receives this particular document, which I would hope they never have the opportunity, they are probably going to laugh or become nauseous.

"The purpose of this resolution is to allow two fishing boats, and granted they are research boats, but they are basically two fishing boats, to go into the interior areas of the Leeward Hawaiian Islands on an occasional basis for the purpose of gathering up approximately 6,000 pounds of baitfish. And I think for those of us who understand the catch technique, it means seining within these sheltered areas.

"Now, first of all, I have nothing against the practice except that, in this particular case and in this particular area, the federal and the state governments and this state government have already appropriated in the vicinity of \$2 million to be spent over a five-year period for the purposes of finding out what is happening among the various ecosystems in the Leeward chain.

"In this particular resolution we're talking about the fact that \$87,000 has been appropriated for a survey to determine seasonal availability and catch rates, which is fine. But to go into these areas at this time when we're one year into this five-year study plan and with the almost laughable language, and I was really surprised to see this, but the language says that with the joint consent that qualified researchers and technicians will be required to accompany the survey vessels to observe and assess the impact of allowing these two survey vessels to capture bait and observe that impact on the environment and wildlife in the Hawaiian Islands...this is like going

to watch a war and then taking a survey of the wounded to find out how badly hurt they are. That makes absolutely no sense.

"I realize that in past months, here and across the way, I've spoken on this subject matter. I appreciate what is being tried to be done here but this again is extremely premature, potentially could damage irreparably the impact of the studies that are being carried on there at the present time. They could obliterate some of the material that the scientists have been working on over the past, nearly 13 years, with very small amounts of money and now they do finally have the money to go forward and develop real base line management data so I would suggest that when this matter goes to the Department of the Interior that the effects which I alluded to earlier will occur.

"I don't think they are going to allow us in there and, frankly, if they do, I think they ought to be shot. I think this resolution should also be shot down and I ask that all vote 'no.'

"Thank you."

Senator Abercrombie also rose to speak against the measure and stated as follows:

"Mr. President, speaking against the resolution as did Senator Carroll... Senator Carroll has risen on several occasions as he indicated, in the past here, and spoken against the idea of encouraging into the Leeward Hawaiian Islands at this time with the idea of coming in for commercial purposes.

"I think that there is an element of greed operating here that is interfering at a most critical moment with the efforts that are being made by the Department of Interior, for once, on behalf of this planet.

"As I have indicated on this floor in the past, purely by coincidence and not because I had any knowledge of the situation, I had the occasion to see a presentation by the Department of Interior concerning its research in the Leeward Hawaiian Islands and what is proposed and what it wanted to do and why it needed to do what it wanted to do. I think that if anyone in this Body had seen this or would have the opportunity to be brought up to date by the Department of Interior that they would agree with Senator's Carroll's remarks.

"I have also noted that simply because it seems to be something rather remote from us, that the seriousness of his pleas, if you will, to us does not necessarily

seem to be given full consideration. I feel that there is very definitely a time in which commercial consideration and which considerations in respect of our respect for this planet cross and are not necessarily compatible.

"In this particular instance, we're being asked by very competent people who are doing the research to please allow them to carry this out and to finish it before we make any encouragement, as indicated earlier. It is in the interest of this state, especially a state which has a fragile an ecosystem as we do, to show some respect for the rest of it. Even if none of us ever see those Leeward Islands; even if it is an abstraction in our minds just as justice often is, as kindness often is, as mercy is, as the common good is; even as we struggle with those particular concepts and try to manifest them in resolutions and law here on this floor; thus, so, we must regard these Leeward Islands.

"I consider it a singular service that I might or any other Senator might be able to perform in this Body, that we were able to leave here knowing that we did our best to preserve these islands in such a fashion as to protect the beings, though they be not human on those islands. Then we would be truly, it seems to me, carrying forward with that which graces us more than any other life."

Senator Yee then rose to speak on the measure and stated as follows:

"Mr. President and members of the Senate, I apologize for standing up and speaking in favor of the bill but the two speakers before me force me to.

"One wants to shoot me down, the other one says there's an element of greed in me. Well, I think in order for ..."

Senator Abercrombie then interrupted on a point of order and stated as follows:

"Mr. President, at no time did I indicate that Senator Yee had an element of greed in him. I think that's a totally unfair characterization of what I just said and I think it is a disservice to my remarks."

The President then stated, "Point is taken, Senator Abercrombie. Senator Yee's reference was not made to you."

Senator Yee then continued as follows:

"Mr. President, in order for me to proceed and to explain to the members here why the resolution is necessary, and I think it is a good resolution, is that we should take a look at the total picture of not only the birds, the bees,

the plants and the monk seals up in those areas. I speak both as a legislator and as chairman of the Western Pacific Fishery Council that has the jurisdiction of managing all of the resources...fishery resources of the State of Hawaii, Guam, Northern Marianas and American Samoa.

"We are charged by law to manage our fishery resources as well as to permit harvesting so that it would not damage the resources. We're also charged by law to respect the various endangered species, especially monk seals, humpback whales and everything else. There is no intent by any fisherman, there is no intent by any jurisdiction to do the things that these people are afraid of.

"There have been experimental boats in the French Frigate Shoals and much of it has been overly protected. We say that they can be compatible.

"For example, they say that the monk seal is an endangered specie. We should do everything to take care of them and as a result the Interior Department, Division of Fish and Wildlife, refuses to let any human being set foot on the Leeward Islands in protection of the monk seals. Yet, in the French Frigate Shoals on Tern Island, there is a Coast Guard loran station located there with people living on that island. And a funny thing happens, the same scientists they talk about can't explain why the monk seal population decreases in all the other islands like Laysan and further down but yet they sustain and the population increases where there's human habitation on French Frigate Shoals. So, there is contradictory scientific data that they talk about.

"What we want to do here is, because of the vast resource of baitfish in the Pacific, to take sufficient supplies out without endangering the reproduction of these supplies or without depletion of these supplies, to utilize this for bait and to test where our various tuna resources are up in the Leewards.

"We're not here or the fishermen are not here to destroy any part of what they're talking about. It does not destroy any of the scientific studies that they're doing. They're taking a 'Holy to God' attitude of 'just don't step on my sword because we don't want one little bee hurt.' Well, believe me, they've been hurting a lot more people than the bees up there.

"Thank you."

Senator Carroll then remarked in rebuttal as follows:

"Mr. President, first of all, I'm quite sure my learned colleague and running-mate certainly does not think that I meant to shoot him down personally, but rather the bill. I see him smiling so I'm sure I can count on that.

"What I would like to do, Mr. President, is just to read a little bit of the language from the Fishery Management Plan for the spiny lobster fishery of the Western Pacific Region which I just happen to have on my desk here. And it speaks very well because this is written in 1978---it is a third draft, actually done in July of 1978, first prepared in 1977---but this is the tenor of the types of studies that are going on and this one only speaks to the spiny lobster, but it's the generic type of language that you find in these studies.

"The overall objective of the proposed management program is to institute enough basic conservation measures to safeguard the stock against the serious lowering of productivity and to protect other important elements of the environment while placing the minimum of obstacles in the way of further development of the fishery.

"In the development of the plan, all available relevant biological data on the resources were considered, and reference was had to experience in the management of the spiny lobster fisheries in other parts of the world. The economic characteristics of the Hawaiian fishery and its market were examined as well as its relation to the world market.'

"So, the point of it is, Mr. President, as I said earlier, it's not that we're trying to say 'never go to the Leeward chain.' It's not that we're saying, 'do not fish, do not take lobster.' We're not looking for total prohibition. We're only looking to develop the baseline management data so that we can intelligently exploit that resource.

"To go in there now is premature. Potentially, we can do irreparable damage, possibly without even knowing that it's being done, and I would therefore urge that we all vote against this measure."

Senator Abercrombie added his rebuttal and stated as follows:

"Mr. President, in just brief rebuttal in reference to Senator Carroll's remarks, as well.

"Because the scientific baseline data is now being gathered, and if it's gathered correctly, we may in fact then be able to utilize those islands in a way that is economically beneficial to us or to other people. If we come in now, we

can wreck it. And I think that the remarks of the Senator from Manoa who spoke in support, play up or point up, I should say, illustrate geographically the weakness of this resolution.

"If this kind of analogy or this kind of understanding of the scientific method was utilized in the preparation of this resolution, we are in very serious trouble... because where the monk seals are concerned, is the inference to be drawn that because human beings are on the French Frigate Shoals that the monk seals therefore proliferate or is it more likely a proposition to be put forward that French Frigate Shoals are a more likely place for monk seals to be than other places.

"The implication would have to be, if one was to accept this scientific evaluation as enunciated by the Senator, that other areas are equally capable of sustaining the monk seal, regardless of whether human beings are there and I think that that would be a foolish proposition if only to the degree that that proposition remains unfounded at this time.

"One of the things that you need to do as a scientist is to go and see exactly what kind of circumstances prevail so that you can see whether the monk seal or any other species or any other kind of animal, any other kind of life may be sustained. So that if you go into this area now, you are doing exactly the opposite of what the Senator says is the situation, and that's what the scientific method is all about.

"The scientific method involves experimentation based on observation for the results as opposed to going in to doing whatever you please and then seeing what happens afterward and just recording it.

"The argument in favor of this resolution is, in fact, upon examination, an argument against it."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1081 was adopted and, Roll Call vote having been requested, S.R. No. 401, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING CONCURRENCE BY THE U.S. DEPARTMENT OF INTERIOR WITH THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR ACCESS INTO THE LAGOONS OF THE NORTHWESTERN HAWAIIAN ISLANDS TO CAPTURE BAITFISH FOR THE PURPOSES OF A SURVEY OF SURFACE TUNA RESOURCES OF THE LEEWARD HAWAIIAN ISLANDS", was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Carroll and Chong).

At 12:48 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.

At this time, Senator Chong, introduced to the members of the Senate Ms. Georgia Miller, past president of Waikiki Residents' Association, community activist and his 6th grade English teacher.

Senators Kawasaki and O'Connor, for the Committees on Government Operations and Efficiency and Judiciary, presented a joint report (Stand. Com. Rep. No. 1082) recommending that Senate Resolution No. 324 be referred to the Committee on Legislative Management.

On motion by Senator Kawasaki, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and S.R. No. 324, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE TRANSFER OF CERTAIN STATE PROGRAMS AND ORGANIZATIONAL SEGMENTS TO IMPROVE ACCOUNTABILITY, EFFICIENCY, AND DELIVERY OF SERVICES", was referred to the Committee on Legislative Management.

Senators Kawasaki and O'Connor, for the Committees on Government Operations and Efficiency and Judiciary, presented a joint report (Stand. Com. Rep. No. 1083) recommending that Senate Concurrent Resolution No. 73 be referred to the Committee on Legislative Management.

On motion by Senator Kawasaki, seconded by Senator O'Connor and carried, the joint report of the Committees was adopted and S.C.R. No. 73, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE TRANSFER OF CERTAIN STATE PROGRAMS AND ORGANIZATIONAL SEGMENTS TO IMPROVE ACCOUNTABILITY, EFFICIENCY, AND DELIVERY OF SERVICES", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1084) recommending that the Senate advise and consent to the nomination of Wayne K. Minami for Attorney General of the State of Hawaii, in accordance with Governor's Message No. 43.

By unanimous consent, action on Stand. Com. Rep. No. 1084 and Gov. Msg. No. 43 was deferred until Thursday, April 19, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1085) recommending that Senate Resolution No. 325 be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 325, entitled: "SENATE RESOLUTION ENCOURAGING THE RENOVATION OF THE OLD KONA HOSPITAL FOR USE BY STATE, COUNTY AND PRIVATE AGENCIES SERVING THE COMMUNITY OF KONA", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1086) recommending that Senate Concurrent Resolution No. 94 be referred to the Committee on Legislative Management.

By unanimous consent, the referral of S.C.R. No. 94 to the Committee on Legislative Management was waived.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO A STUDY OF THE JUVENILE JUSTICE PLAN AND SUPPLEMENT", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1087) recommending that Senate Concurrent Resolution No. 106 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 106, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY BE CONDUCTED ON THE COORDINATION BETWEEN THE SUB-UNITS OF THE STATE CRIMINAL JUSTICE SYSTEM", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1088) recommending that Senate Concurrent Resolution No. 107 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 107, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT, AND PROTECTIVE SERVICES", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1089) recommending that Senate Concurrent Resolution No. 108, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand.

Com. Rep. No. 1089 and S.C.R. No. 108, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1090) recommending that Senate Concurrent Resolution No. 112 be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 112, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY OF THE REVISION OF THE HAWAII REVISED STATUTES", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1091) recommending that Senate Concurrent Resolution No. 122 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 122, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON BAIL", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1092) recommending that Senate Concurrent Resolution No. 123 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.C.R. No. 123, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN INTERIM STUDY ON THE HAWAII CRIMINAL JUSTICE INFORMATION DATA CENTER", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1093) recommending that Senate Concurrent Resolution No. 10 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1093 and S.C.R. No. 10 was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1094) recommending that the Senate advise and consent to the nomination of Dennis L. Lau to the Board of Taxation Review, First Taxation District - Oahu, in accordance with Governor's Message No. 469.

By unanimous consent, action on Stand.

Com. Rep. No. 1094 and Gov. Msg. No. 469 was deferred until Thursday, April 19, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1095) recommending that the Senate advise and consent to the nomination of Barry K. Taniguchi to the Board of Taxation Review, Third Taxation District - Hawaii, in accordance with Governor's Message No. 471.

By unanimous consent, action on Stand. Com. Rep. No. 1095 and Gov. Msg. No. 471 was deferred until Thursday, April 19, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1096) recommending that the Senate advise and consent to the nomination of Charles J. Leland to the Board of Taxation Review, First Taxation District - Oahu in accordance with Governor's Message No. 470.

By unanimous consent, action on Stand. Com. Rep. No. 1096 and Gov. Msg. No. 470 was deferred until Thursday, April 19, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1097) recommending that the Senate advise and consent to the nomination of Atsushi Hirano to the Board of Taxation Review, Fourth Taxation District - Kauai, in accordance with Governor's Message No. 472.

By unanimous consent, action on Stand. Com. Rep. No. 1097 and Gov. Msg. No. 472 was deferred until Thursday, April 19, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1098) recommending that the Senate advise and consent to the nomination of George E. Luppold to the Board of Taxation Review, Second Taxation District - Maui, in accordance with Governor's Message No. 473.

By unanimous consent, action on Stand. Com. Rep. No. 1098 and Gov. Msg. No. 473 was deferred until Thursday, April 19, 1979.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1099) recommending that the Senate advise and consent to the nomination of Kanji Wakamatsu to the Board of Taxation Review, Second Taxation District - Maui, in accordance with Governor's Message No. 474.

By unanimous consent, action on Stand.

Com. Rep. No. 1099 and Gov. Msg. No. 474 was deferred until Thursday, April 19, 1979.

Senator Takitani, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1100) recommending that the Senate advise and consent to the nominations of the following:

Richard I. C. Caldito to the Board of Agriculture, in accordance with Governor's Message No. 119;

Barry M. Brennan, Ph.D., to the Advisory Committee on Pesticides, in accordance with Governor's Message No. 120;

Katsumi Higa to the Advisory Committee on Pesticides, in accordance with Governor's Message No. 121; and

George M. Nakasato to the Advisory Committee on Pesticides, in accordance with Governor's Message No. 122.

By unanimous consent, action Stand. Com. Rep. No. 1100 and Gov. Msg. Nos. 119, 120, 121 and 122 were deferred until Thursday, April 19, 1979.

Senator Ushijima, for the Committee on Intergovernmental Relations, presented a report (Stand. Com. Rep. No. 1101) recommending that the Senate advise and consent to the nominations of the following:

Robert H. Ishimoto to the Civil Defense Advisory Council, in accordance with Governor's Message No. 429, and

Roland D. Sagum to the Civil Defense Advisory Council, in accordance with Governor's Message No. 430.

By unanimous consent, action on Stand. Com. Rep. No. 1101 and Gov. Msg. Nos. 429 and 430 were deferred until Thursday, April 19, 1979.

ORDER OF THE DAY

FINAL READING

Conference Committee Report No. 2 (S.B. No. 86, S.D. 1, H.D. 1, C.D. 1):

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

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM APRIL 17, 1979

Standing Committee Report No. 1015 (S.R. No. 194, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1015 and S.R. No. 194, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE 'NUCLEAR ARMS: CONSCIENCE, LAW AND SURVIVAL' FORUM FOR ITS OUTSTANDING EFFORTS TO ALERT HAWAII'S PUBLIC TO THE POTENTIAL DANGERS OF NUCLEAR WEAPON STORAGE NEAR POPULATION CENTERS AND FOR PRESENTING ISSUES RELATING TO THE NUCLEAR ARMS RACE AND THE DISARMAMENT QUESTION", was deferred until Thursday, April 19, 1979.

Standing Committee Report No. 1064 (S.R. No. 265, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1064 and S.R. No. 265, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS STANDARDS", was recommitted to the Committee on Health.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1089 (S.C.R. No. 108, S.D. 1):

Senator O'Connor moved that Stand. Com. Rep. No. 1089 and S.C.R. No. 108, S.D. 1, be adopted, seconded by Senator Cobb.

At this time, Senator Kawasaki rose to speak on the measure and stated as follows:

"Mr. President, while I'm voting for this bill, I think it's important that I express a concern about what might happen.

"According to this committee report, what is intended here is that the term, tenure of the Chairman of the Crime Commission, be extended beyond July of this year, the deadline of when his term expires.

"What happens if the chairman declines to serve beyond what is intended, to this very thankless of all jobs that I could think of, particularly where there's no compensation involved?

"The intent here also, according to this bill, is that during the interim, there'd be some hearings held to try

to select someone to be the chairman of the Crime Commission that is going to be appointed by two-thirds affirmation of the legislature here -- both the House and the Senate -- again without compensation prescribed, again, as I said, to a thankless position.

"I am concerned that we're going to find a dearth of people wanting to even serve in this position. This is the reason why bills were introduced, to provide some reasonable compensation for this position as Chairman of the Crime Commission. This is a job that is subjected to all kinds of threats, intimidation, pressures.

"I believe that unless we do provide some measure of compensation, even during the hearings that we are going to hold to select a person to be selected by the legislature, and this is known to the possible applicants for this position, we're going to find ourselves in the same predicament again with no one really wanting to serve in this office. I just want to enter this concern that I have."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1089 was adopted and S.C.R. No. 108, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO APPOINTMENT OF THE CHAIRMAN OF THE HAWAII CRIME COMMISSION", was adopted.

At 1:06 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Standing Committee Report No. 1093 (S.C.R. No. 10):

Senator O'Connor moved that Stand. Com. Rep. No. 1093 and S.C.R. No. 10 be adopted, seconded by Senator Cobb.

At this time, Senator Chong remarked as follows:

"Mr. President, I'd like to make a few observations on this resolution which calls upon the United States Congress to exempt Hawaii from the multi-lingual requirements of Title III of the Voting Rights Act of 1975.

"In the committee report and in the resolution, it cites that it was 'not cost effective.' I think that's a totally irrelevant argument for the resolution.

"My major concern is that it could cause a dangerous precedence, because if we here in Hawaii as a state go into Congress asking for exemption from

this type of requirement, it could cause other states to do the same and I am fearful that the original intent of Title III of the Voting Rights Act which is very simply to give all Americans the opportunity to vote and to participate in our great democracy would be watered down. I think, especially here in Hawaii where we have so many different ethnic groups, new groups coming in, all of whom are being encouraged to vote, it would not be fitting of the state, especially us in Hawaii, to go into Congress with this kind of a request.

"I urge the members to vote 'no' on this one."

The motion was put by the Chair and carried and Stand. Com. Rep. No. 1093 was adopted and, Roll Call vote having been requested, S.C.R. No. 10, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO EXEMPT HAWAII FROM THE MULTI-LINGUAL REQUIREMENTS OF TITLE III OF THE VOTING RIGHTS ACT, AS AMENDED IN 1975", was adopted on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Chong).

SUSPENSION OF RULES

Senator O'Connor moved that the Rules of the Senate be suspended for the purpose of reconsidering action taken on April 6, 1979, on Senate Bill No. 599, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

At this time, Senator O'Connor stated that the "motion is as a result of a conference committee decision. In brief explanation, this is a matter which has to do with the criminal trespass and the House made an amendment in order that the matter would not fall under certain problems which might be engendered by the National Labor Relations Act."

RECONSIDERATION OF ACTION TAKEN

Senator O'Connor moved that the Senate reconsider its action on S.B. No. 599, S.D. 1, H.D. 1, seconded by Senator Cobb and carried.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate agreed to the amendments proposed by the House of Representatives to Senate Bill No. 599, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 599, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE".

In accordance therewith, the President discharged the Managers who were appointed on the part of the Senate.

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

"Mr. President, I do not want to burden the Senators here very long so I'll try to be extremely brief in my comments.

"My personal privilege relates to the death of the time-sharing bill last night at about five to twelve: I feel that you should know some of the factors I have evaluated that led to its demise. It bothers me and I know it bothers many of you because now without any regulation which we had hoped to enact this session, people can continue time-sharing units throughout the state without any regulation. This means that it can result in tremendous discomfort and disadvantages to permanent residents in various condominiums throughout the state.

"We tried to come up with a good bill, which I think we did, to protect the people in general, at-large, and I think we did very well in protecting the people and the residents of Waikiki, most of them. But, unfortunately, couple of factors entered the picture and I'd like to say this for the record so that it will show that we did our best to get a time-sharing bill through.

"Unfortunately, a handful of residents of Waikiki who are well-meaning, but they were very uncompromising in some of their positions, or maybe I should say in most of their positions... at the end of the evening, they took the position that they were not satisfied with what the Senate draft had come up with and in the general consensus in the House, not completely in general, they indicated to the House members and me, personally, that they preferred no bill to what we have and here we have been trying to do everything we can, basically, to protect all of the permanent residents who live in condominiums and residences in Waikiki, this special zone district.

"On the other hand, the time-sharing people tried to do their best, but also there were a few and, again, a handful of them that wanted more and more and they weren't as giving as some of the others. These disagreements, I would say on both sides, had influenced the House to a great extent and as a result they felt that our draft was unacceptable.

"This is the reason we have no time-sharing control and I'm using this method so that people who live in condominiums, no matter where, that if you're concerned about time-sharing in your buildings,

as the Waikiki residents did not want mixed uses, that if anyone who buys a unit and wants to time-share, they must now take action on their own part through their bylaws or to the various ordinances to protect themselves.

"I hope, also, that people that are engaged in time-sharing would not continue with some of the misconceptions and misrepresentations, and some wild sellings that they do which will leave a 'black eye' in the State of Hawaii because most of these time-sharing units are still out-of-state, and we should be concerned about this.

"Thank you, Mr. President."

Senator Carroll also rose on a point of personal privilege with regard to the time-sharing measure and stated as follows:

"Mr. President, in regard to the matter that was just raised by my learned colleague, I would simply like to say that I observed the conference committee's activities over the entire period and until last night, when I was cajoled out of spending my time there.

"I think that the bulk of what our Minority Leader has alluded to is correct, but I think that it is unfair to characterize the Waikiki residents as being bullheaded or ungiving or unreasonable. And I think that in order to understand what happened, the residents who were there and whom I have conferred with since last night, indicated that they were distressed with the final Senate draft that did appear.

"I think that it's very unfair to lay the blame for the killing of the bill on the Waikiki residents. I think there was impasse on both sides and, as a matter of fact, the draft which did finally emerge was rejected by the Chairman of the House Consumer Protection Committee.

"I frankly feel that in Waikiki in particular, where the people are being encroached upon from every side by buildings, by the City Council's inactions or unwillingness to observe their own rules and regulations and laws, that they certainly have a right to express themselves, which they did. But I think we cannot take the blame off of either the House or the Senate for the failure of this measure and lay it outside of these chambers. I do agree totally with the Minority Leader, with his remarks regarding the time-share industry and their cleaning up of their own act. And as I understand it, because of the actions of Senator Cobb and Representative Blair and other members of both committees, that they have started now to police, and they

have indeed restrained themselves and terminated certain types of selling practices. So all of this is to the good.

"A tremendous amount has been learned on both sides of the House, both sides of this legislature, and I look forward to a very productive period to come up now with respect to time-sharing, and I will have the good sense not to vote 'no' on the measure next time around so that I may participate more fully. Thank you."

Senator Cobb then added his comments as follows:

"Mr. President, rising not to respond or rebut, but merely to add and perhaps elaborate somewhat on the comments that were made.

"The differences that existed between the conferees, although much of the discussion concern the Waikiki area, went far beyond that. It went into the zoning problems and the differences that we encountered also on the neighbor islands. In addition, the House conferees, through most of the seven meetings that we had, had not come to terms with the discussion of even the definitions contained within the bill, much less many of the other registration and disclosure requirements. It was only very late in the negotiations that this ever reached that state.

"I did say last night, and I'll repeat it here on the floor today, that if I see any activities of breach of street sales involving time-share units, I will personally take the matter up with the Attorney General and with the Department of Regulatory Agencies because this is something that we have already agreed upon as a conference matter.

"We further agreed in conference to allow an increase to 85 or higher... 85% of the residents in a given area, even if it's in a hotel zone, who own a condominium, to ban together to prohibit the time-share unit in their building. This avoids the constitutional problem of the property taken by the state and at the same time recognizes the legitimate right of property owners to determine the use of their own building.

"This and other matters are going to be addressed not only during the interim, but certainly next session.

"I look forward to working with my colleagues who served with me, including Senator Carroll, even though he is not a member of the conference committee, in getting together legislation for this. For that reason, I'm not going to ask for a discharge of the conferees because I want both options to remain open to

this Body, mainly to take the matter up further in conference or going with a separate bill next session.

"Thank you, Mr. President."

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

"Mr. President, I regret to take the time of the Body for rising on a matter of personal privilege, but on the other hand, I feel it is absolutely necessary that I do so and this is a matter which reflects on every member in this Body in respect of how we will have business conducted in the halls of this legislature.

"Yesterday, at approximately 6:00 o'clock (p.m.), three members of my staff were threatened with physical violence by David Trask, the head of the HGEA. He further cursed them on a racial basis. I was not in the building at that time or it would have ended immediately, I can guarantee you that. I am going to subsume my own personal feelings.

"I'm glad that I actually had the opportunity to find out about it afterwards because my personal feelings of course are ... except that I'm extremely upset by it.

"Staff members here are used to emotion in the Capitol, are used to it from the legislators; they're most certainly used to it from me, but, Mr. President, I submit to you that in a free country, it is absolutely intolerable for anyone to enter the halls of a legislature and physically threaten another citizen or resident or alien or any person who are in the halls for whatever legitimate reason and further to curse them racially in the state.

"I do not believe that Mr. Trask understood that the people whom he threatened were members of my staff. He could not have known as they were half-way down the hall from my office.

"When I heard about it, I instructed the people on my staff to prepare affidavits to be submitted to the Capitol Security and to have them notarized. I asked them to tell me only briefly what happened, the bare facts, and discussed it with them no further before the Capitol Security was called and I have just now seen these affidavits for the full story so that under no circumstances could it be said that I attempted to influence what was in these affidavits in any way, shape or form.

"Very briefly, between 6:00 o'clock and 6:05 p.m., my administrative assistant was threatened by David Trask, executive director of Hawaii Government Employees

Association. The threat occurred on the second floor of the State Capitol on the Ewa corridor; accompanied by Phil Hauret who stands there in the Senate Sergeant-at-Arms' Office.

"I left room 227, I'm now reading the affidavit of Michael Slackman, 'to go down to the Ewa mauka elevator core. As we rounded the corner, we passed David Trask who was accompanied by two other men.

"The door to our office was open and the office was occupied by two people who were not members of our staff--one of them being a 15-year old high school student who is a volunteer in my office. Since the door was open and no staff members were in the office, I leaned around the corner of the corridor and looked back down the hall to see whether he was going to enter our office.

"Trask and the men accompanying him were proceeding in the opposite makai direction down the Ewa corridor. They stopped in the vicinity of room 227, turned around and glared at us. Trask shouted, 'What are you looking at?' I replied, 'Nothing, I'm just looking.'

"He challenged me again (I don't remember what he said to me at that particular point). I replied, 'It's a free country.' Trask responded (still shouting), 'I'm going to slap your head' or 'do you want your head slapped?' or 'I'm going to have your head slapped.' I do not remember the phraseology he used, but he used the word 'head' and 'slap' in a threatening manner.

"After this exchange, I turned and walked down to the elevator and went down to the basement level. I called our office to find out whether Trask had come into the office and came back up to room 227.'

"I have other affidavits here that indicate that racial terminology was used about who was being followed; that the paranoid behavior of this man, the despicable behavior of this man has become a public scandal. Not only is he threatening senators--that's one thing to threaten politicians--anybody can threaten a politician in terms of his election, but to come into the halls of this legislature and physically threaten someone and at the same time curse them for their racial ancestry, and he must be cursing himself because I understand there are some haoles in his background too. And if he wants to curse his own family, he can curse his own family. It, maybe, is by his very existence.

"But, Mr. President, I can assure you that, and I assured my staff at that

time when they asked what to do, when they wondered about it, and the reason they wondered about it was they knew it was David Trask.

"I asked Valerie, 'Why didn't you go immediately to Capitol Security? What did you think?' She said, 'If it had been anybody else, I would have gone down immediately and told them there was a maniac in the hallway who had threatened us.'

"We've had to deal with these things in our offices. I'm sure almost every senator in this place had someone who is deranged or emotionally upset or highly charged for whatever reason to come into their office and cry or weep or demand something and we've had to have the Capitol Security come up, or have to have an adult with them.

"The reason she didn't go down and complain about a maniac is that it was David Trask, and she thought that's the way he is. When she came back upstairs, Trask was emerging from one of the offices of one of the senators and she went the other way around on the second floor to avoid him, out of fear. Out of fear!

"No member of my staff or any other member of anybody's staff in this legislature is going to walk in fear in this legislature of David Trask or anyone else. No member of the public is going to come into this legislature and have to fear that they will be met by the threat of physical abuse or to be cursed for their racial ancestry by such a person.

"I have said his behavior is despicable, that's true. I say further, this man is a fascist dictator. This man is leading the public employees of this state down the primrose path to the destruction of their legitimate desire. Every time he opens his mouth with his threats and his bullying, he loses more and more credibility in terms of the general public for all public employees.

"I continue to pay my dues as a teacher, despite the fact that I am not teaching. It's checked off right off my pay. It has been from day number one since I went into the legislature. I find it shameful that I am associated in the trade union movement and in the union movement with such a person.

"It is about time that this man was brought down to size. It is about time that the mouth that walks is shut. Now, if he cares to pursue that personally, I will be more than happy to do it, and work him within an inch of his life. On the other hand, I don't like feeling that way.

"How do you think I felt yesterday when that happened, when I came in my office? I don't want to feel those kinds of emotions. I don't like to have those kinds of thoughts come through me. I want to be a responsible person in here and I'm willing to take the jerk on any actions that I take or do not take on this floor or under the charge of my duty as a legislator. If, in the judgment of the public, those activities are not suitable in their sight, they may remove me from office. But I most certainly can feel justified, I think, in bringing to your attention that the emotion I felt when I heard that was, at the very least, human. And once bringing myself under the control of what I felt to be a rational situation here, I reported this situation to the Majority Leader's office and indicated I would make a statement today.

"Mr. President, I ask, on the basis of these affidavits, that you reprimand Mr. David Trask of the Hawaii Government Employees Association for his intolerable behavior in these halls and indicate to him in writing that it will not be tolerated and that any further repetition in any way, shape or manner of this kind of thing will be brought immediately to the attention of Capitol Security and he will be removed from these premises.

"And I can tell you this, if he ever so much as breathes a threat in my direction or in my hearing, in the direction of any legislator, I will personally go to the prosecutor's office and have him charged. I guarantee you that.

"This man is going to be brought to heel and I'm not the only one who feels it. He is a threat to the foundation of freedom in this state and he is going to be brought down to the bully and fascist dictator that he is.

"I repeat my request, Mr. President, that you reprimand him in writing."

The President then made the following statement:

"The Chair would like to note for the record that I have received from the Governor information relating to the cost items of the arbitrated wage increases for Unit 11, Fire Fighters. Copies of this letter (dated April 16, 1979) to me will be circulated shortly to all members of the Senate."

Senator Anderson then queried as follows:

"Mr. President, do I understand you correctly, that the communication that you referred to is the ten-day notice on the collective bargaining agreement, as required by law?"

The President replied, "It is the arbitrated contract of the Unit 11 people."

Senator Anderson further remarked as follows:

"Mr. President, we have appointed, I understand, a conference committee on collective bargaining contracts. I think it's in the 12 different bills and I think you appointed conferees. May I ask the Clerk of the Senate the status of the House, whether or not the Journal is open...have they adjourned or..."

The Clerk replied: "My understanding, Mr. President, to answer the Senator, is that the House has adjourned for today and the Journal is closed."

Senator Anderson further remarked and queried as follows:

"Mr. President, if I understand the Clerk correctly and I think I do, what the House has done then ... has gone around the standing conference committee that we have for deliberations on this bill, and has deliberately then 'lice-boxed' the firemen's collective bargaining bill, as sent forth by the arbitrators. I find this totally irresponsible.

"We have been discussing this now for a week. We had been hoping to get into conference to find out the exact details. We are hoping to find a compromise. We were hoping to find a solution to the firemen. Now, with the House adjourning and closing the Journal, the burden, of course, is now on the Senate.

"May I ask what these intentions, Mr. President, has to do with this communication?"

The President replied that "it is the position of the Chair that we will request that the Journal remain open till 12 midnight to receive substantive resolutions, committee reports on confirmations, and for that matter, we had thought, originally, that should a bill come down relating to Unit 11 that it would provide the avenue of decking the bill to meet the constitutional requirement for 48 hours. That is the intent of the Senate."

Senator Anderson then remarked as follows:

"Mr. President, I'd like to speak to this point if I may, then.

"This is a rather late date to be getting into conference in the first place. The collective bargaining contract, once sent down by the Governor, is one that the Senate and the legislature as a whole only can accept or reject; we cannot amend it; we cannot change it. Therefore,

I guess, the need for conference then is very little. Our role, as I say, is simply to approve or disapprove of it.

"I would like to ask for the Body's consideration then to have you discharge the conferees and vote now on the measure or at least clock it for 48 hours. And I would like to then strengthen my arguments, Mr. President.

"We have now for several years been trying to find a way to allow the firemen of this state not to strike, like the situation that happened in Memphis some years ago.

"Several years ago, we passed a bill that was vetoed by the Governor because he felt then that he didn't want mainland arbitrators coming down here and making local decisions. We finally overcame his concerns and his vetoes last year and we passed House Bill No. 1815 which is, 'A Bill for an Act Relating to Collective Bargaining.' And I'd like to read a couple of clauses very easily out of the committee report.

"It says, 'The purpose of this bill is to amend Section 89-11, Hawaii Revised Statutes...'

Senator O'Connor then rose on a point of order and stated as follows:

"As I understand the ruling of the Chair, Mr. President, our Journal is to remain open until midnight tonight for the possibility that this bill may be acted upon. The speaker is speaking as though there absolutely shall be no action and the point of order that I raise is that his speech is premature and may be better given tomorrow rather than today, at a time when maybe we have less time to worry about committee meetings and other very important things that are going to happen this afternoon and more time to listen to the learned and eloquent speaker."

Senator Anderson remarked as follows:

"Mr. President, I happen to feel there's nothing more important facing this legislature right now than the question of money, the union contracts, the impact, the strikes and its relative effects on all of us down the road."

The President then stated:

"Senator Anderson, I think the question raised by Senator O'Connor's point of order is well taken. I think, if you want to discuss your feelings about the particular bill in question, that you should restrict your remarks on a point of personal privilege relative

to actions taken about that bill."

Senator Anderson then replied as follows:

"Mr. President, if I'm going to go that route then I'll have to make a motion to adopt the measure from the Governor and then speak to that measure.

"This Body will keep its Journal open and I would prefer not to do that and I would prefer not to, at this time, put you into an awkward position. But, with the House closing its Journal, as I said, they have thus 'ice-boxed' this bill because the Clerk there says there will be no more business or no more communications coming out of the House.

"If my understanding is correct then there shall not be any conference on this bill. Now, my learned colleague can correct me, if I'm wrong."

The President answered:

"Before Senator O'Connor answers, the understanding that I have, so that we can bring some understanding to this question being raised here on the floor, is that, if in fact, and I have no reason to doubt it as the Clerk has informed me through communication with the House that the Journal is closed and that no substantive matters on conferences...conference committee reports will be received, your statement about the Journal being closed is correct. However, the Senate ..."

Senator Anderson then asked, "Thus, there shall be no conference, is that not correct?"

And the President replied: "I would interpret the action of the House as being that they will not be in receipt of any conference committee reports of which the bill in question has been referred, as of this moment, today.

Senator Anderson further inquired: "Was that your intention or your understanding with the House that this matter was going to be closed today without conference?"

The President replied: "No, it was not my understanding with the House; however, we were going to communicate with the House as to an understanding of how to handle this particular matter. But I cannot speak for the House."

Senator O'Connor again rose on a point of order and asked: "Mr. President, can we get on with the business of this Body, and if there's a colloquy to be held between the Speaker and the President, maybe it can be done in your office?"

Senator Ushijima, then rose on a point of inquiry and asked: "Mr. President, what are we talking about, what bill are we talking about?"

The President replied, "Senator Ushijima, we are talking about no bill. We are talking about a bill that is in position in the conference committee which the conferees have kept alive and that the message of Governor would be..."

Senator Ushijima further inquired: "We're talking about a bill with no bill, is that it?"

The President continued his reply and stated: "No, Senator Ushijima, the bill in question is in conference. The question is one of plugging in the agreed upon amount that has been transmitted by a letter to this Body."

At 1:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:53 o'clock p.m.

At this time, Senator Anderson further remarked as follows: "Mr. President, the clarification of the clarification is evidently quite clear. The House in closing their Journal has, for all practical purposes, killed the bill."

Senator O'Connor again rose on a point of order and asked: "Is the speaker speaking on a point of personal privilege or on something that's not before us?"

The President replied that, "He is speaking on a point of personal privilege."

Senator O'Connor then asked that the speaker state his point.

The President replied that he will be stating his point.

Senator O'Connor remarked: "I trust he will."

Senator Anderson replied and remarked as follows:

"If you sit down for a few minutes, you'll have lunch quicker."

"Because of that purpose and the reason for them closing their Journal, Mr. President, I find it very unfair. I find it very unrealistic that such an important issue facing this legislative Body could be handled so lightly."

"We have, this Body and the one across the street, over the last couple of years, have attempted to find ways to circumvent and stop a major strike among the firemen. This issue has been bothering me for

a week now and I have talked to the administration, the unions, HPERB. I think I have heard all sides."

"As of a week ago, I was pretty much like a lot of people here--no COLA for firemen, no COLA for anybody else. If you look at the collective bargaining bill, Mr. President, there are 12 units, and I think it was this Body's intention to represent and have them argue independently and individually. We passed arbitration so that the situation facing us could be circumvented. There are people in this Body and people across the hall who felt very, very strongly about binding arbitration."

"What we have done or really the House has done at this point, is put the firemen into a very precarious position. I cannot accept the Governor's message and I do argue with it when he says, and I quote, 'I am very concerned about the impact this fire fighters' agreement will have on our negotiation', meaning of course, Senator Abercrombie's friend, David Trask and others in SHOPO, the teachers, and the University. What he's saying here is that he can't say yes to the firemen because he doesn't know how to say no to anybody else."

"The firemen are separate. Their problems are different. Their arguments are different. They cannot strike, the others can. They went to binding arbitrations to resolve it, that was the alternative, as this legislative Body had passed it. It was a way to end strikes in a very critical area."

"What we're saying here is, because we're fearful of the major larger unions, we cannot consider this one because it must be precedent setting."

"If you'll look at the law, there is no fall-back position really because if we say no the firemen go back to the bargaining table and they make their proposal, the state makes its proposal and then they go to binding arbitration again. And I looked in the dictionary and I failed to find any real definition of binding arbitration."

"What is binding? If, for instance, the arbitrators should come out with a 5% or 4% for the firemen, they are then compelled to eat that. They would have had to accept it and not have it ratified by the membership. But because it comes out unsatisfactory to the Governor, he's opposed to it, and I'm not going to belabor this, but I have testimony here from the City Council of Honolulu, Mr. Boranian, who favored the binding arbitration bill when it was before us."

"I have newspaper clippings here

by a House member who is now a senator, who was willing to call a special session two years ago to override the Governor's veto on binding arbitration. Binding arbitration was very dear to our hearts and yet today, we have let the House..."

Senator Abercrombie then rose on a point of order and asked: "Is the Senator referring to me?"

The President replied: "No, he did not make a direct reference to you. He said, 'a senator.'"

Senator Abercrombie then asked further:

"Mr. President, may I rise on a point of personal privilege? May I ask the Senator if he is referring to me?"

Senator Anderson replied: "If the shoe fits, you wear it. Mr. President, as I was saying..."

Senator Abercrombie again asked: "Is the Senator referring to me?"

The President replied: "His answer was, 'If the shoe fits, wear it.'"

Senator Abercrombie again asked: "Well, I'm going to ask again then because I have to listen to this whole thing. Is the Senator referring to me or not? If the shoe fits wear that one, is he referring to me?"

Senator Anderson replied:

"For all those who want to fix their conscience, I'm speaking to all of you. For all of those that had signed committee reports when you were in the House, for all of you who signed committee reports in the Senate, I speak to all of you."

Senator Abercrombie then remarked: "In other words, Senator Anderson is willing to give a speech and is going to say what he's talking about."

The President then asked that Senator Abercrombie allow Senator Anderson to continue and Senator Abercrombie replied: "I will, if he tells me what he's talking about."

Senator Anderson continued and stated:

"Mr. President, before I was so rudely interrupted ..."

And Senator Abercrombie again rose and stated:

"Before I think I was so rudely mentioned in a way that is not true..."

Senator O'Connor rose on a point of order and stated:

"Mr. President, the point of information is not sufficient to interrupt the speaker while speaking. Only a point of order may do that."

Senator Abercrombie then stated: "If I thought I was getting information I probably would have risen on ..."

At 1:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Anderson then rose to continue, as follows:

"Mr. President, as I was saying..."

Senator Abercrombie again interrupted and asked:

"Mr. President, will the Senator yield...?"

Senator Anderson continued to speak, as follows:

"Mr. President, I'm very sorry that the House closed its Journal. I was very much looking forward to this Body getting to agree with the ..."

Senator Abercrombie again rose to be recognized.

Senator Cayetano then stated: "Mr. President, will you rule somebody out of order?"

The President then replied:

"Yes. Senator Abercrombie, I will have to rule you out of order. The floor has not been yielded by Senator Anderson. Would you..."

Senator Abercrombie stated: "I didn't know it had been given back."

The President replied: "It has been given back."

Senator Abercrombie then thanked the President and the President asked that Senator Anderson proceed with his remarks.

Senator Anderson continued and stated as follows:

"Mr. President, I will ask that you and the Chairman of the Ways and Means Committee go over to the House this afternoon and discuss with the House leadership their reasons or the status or if in fact that the Journal is really closed. Is it being opened like we have seldom done as a misunderstanding?"

"But, I would really ask that this

Body and its leadership exercise every option to see where this bill is and if in fact it can be resurrected before midnight tonight. I think it's important. I would think that this Body should be concerned about the alternative and that might be a long lasting strike--closing up airports and harbors and everything else. I think there is room for compromise.

"I think the legislation that we passed, Mr. President, affords reasonable people to come to reasonable agreements. I think if you exercise the leadership with Senator Cayetano, to try to bring these two bodies together, I think that we can resolve this and forego a strike that will have far more reaching impact, financially, than the dollars that we're talking about.

"Thank you."

Senator Cayetano then rose on a point of personal privilege and stated:

"Mr. President, I would like to respond to the previous speaker's remarks.

"First, with respect to the arbitration bill, I think we should make very clear what that bill provides or what the law provides.

"That law does not bind the legislature.

That law only binds the parties which are directly involved in the arbitration process; namely, in this particular case, the fire fighters union and the executive.

"Now, with respect to the bill itself, midnight last night was the final deadline for conference drafts. That was a deadline, a limitation which was agreed to by members of the minority and the majority of both Houses. If we are to extend the deadline or make any adjustments thereto, we cannot do it unilaterally here in the Senate. We will have to have the compliance of the House.

"One other problem of course would be for us to meet the constitutional deadlines with respect to notice and with respect to the decking of bills. At this particular point, as far as I'm concerned, if we are to adjourn on time on the Sixtieth Day the time has run out.

"Thank you."

ADJOURNMENT

At 11:59 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 19, 1979.

FIFTY-NINTH DAY

Thursday, April 19, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend K.J. Kenfield of the First Presbyterian Church, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Fifty-Eighth Day.

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

Senator Anderson introduced his father Mr. John D. Anderson, who was in the gallery.

Senator Cobb introduced Mr. and Mrs. Earl Copenhaver of Harrisburg, Pennsylvania.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 481), transmitting the 1978 Youth Conservation Corps (YCC) report for the residential camps operated on the islands of Hawaii and Maui, which was prepared by the Department of Land and Natural Resources, was read by the Clerk and was referred to the Committee on Ecology, Environment and Recreation.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 564 to 620) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 564), 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 Senate Bill No. 86, S.D. 1, was adopted by the House; and S.B. No. 86, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 565), 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 Senate Bill No. 393, S.D. 1, was adopted by the House; and S.B. No. 393, S.D. 1, H.D. 1, C.D. 1, passed Final Reading

in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 566), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 544 was adopted by the House; and H.B. No. 544, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 567), returning Senate Bill No. 1375, S.D. 1, which passed Third Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 568), informing the Senate that the amendments proposed by the Senate to House Bill No. 79, H.D. 1, were agreed to by the House, and H.B. No. 79, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 569), informing the Senate that the amendments proposed by the Senate to House Bill No. 93 were agreed to by the House; and H.B. No. 93, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 570), informing the Senate that the amendments proposed by the Senate to House Bill No. 100 were agreed to by the House; and H.B. No. 100, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 571), informing the Senate that the amendments proposed by the Senate to House Bill No. 171, H.D. 1, were agreed to by the House; and H.B. No. 171, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 572), informing the Senate that the amendments proposed by the Senate to House Bill No. 177 were agreed to by the House; and H.B. No. 177, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 573), informing the Senate that the amendments proposed by the Senate to House Bill No. 188, H.D. 1, were

agreed to by the House; and H.B. No. 188, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 574), informing the Senate that the amendments proposed by the Senate to House Bill No. 189, H.D. 1, were agreed to by the House; and H.B. No. 189, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 575), informing the Senate that the amendments proposed by the Senate to House Bill No. 281, H.D. 2, were agreed to by the House; and H.B. No. 281, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 576), informing the Senate that the amendments proposed by the Senate to House Bill No. 287, H.D. 1, were agreed to by the House; and H.B. No. 287, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 577), informing the Senate that the amendments proposed by the Senate to House Bill No. 428, H.D. 1, were agreed to by the House; and H.B. No. 428, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 578), informing the Senate that the amendments proposed by the Senate to House Bill No. 435 were agreed to by the House; and H.B. No. 435, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 579), informing the Senate that the amendments proposed by the Senate to House Bill No. 455, H.D. 1, were agreed to by the House; and H.B. No. 455, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 580), informing the Senate that the amendments proposed by the Senate to House Bill No. 511 were agreed to by the House; and H.B. No. 511, S.D. 1, passed Final Reading in the House of Representatives on

April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 581), informing the Senate that the amendments proposed by the Senate to House Bill No. 577 were agreed to by the House; and H.B. No. 577, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 582), informing the Senate that the amendments proposed by the Senate to House Bill No. 595 were agreed to by the House; and H.B. No. 595, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 583), informing the Senate that the amendments proposed by the Senate to House Bill No. 596 were agreed to by the House; and H.B. No. 596, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 584), informing the Senate that the amendments proposed by the Senate to House Bill No. 600, H.D. 1, were agreed to by the House, and H.B. No. 600, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 585), informing the Senate that the amendments proposed by the Senate to House Bill No. 601 were agreed to by the House; and H.B. No. 601, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 586), informing the Senate that the amendments proposed by the Senate to House Bill No. 602 were agreed to by the House; and H.B. No. 602, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 587), informing the Senate that the amendments proposed by the Senate to House Bill No. 604 were agreed to by the House; and H.B. No. 604, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 588), informing the Senate that the amendments proposed by the Senate to House Bill No. 605, H.D. 1, were agreed to by the House; and H.B. No. 605, H.D. 1, S.D. 2, passed Final

Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 589), informing the Senate that the amendments proposed by the Senate to House Bill No. 606, H.D. 1, were agreed to by the House; and H.B. No. 606, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 590), informing the Senate that the amendments proposed by the Senate to House Bill No. 608 were agreed to by the House; and H.B. No. 608, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 591), informing the Senate that the amendments proposed by the Senate to House Bill No. 616 were agreed to by the House; and H.B. No. 616, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 592), informing the Senate that the amendments proposed by the Senate to House Bill No. 696, H.D. 1, were agreed to by the House; and H.B. No. 696, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 593), informing the Senate that the amendments proposed by the Senate to House Bill No. 722 were agreed to by the House; and H.B. No. 722, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 594), informing the Senate that the amendments proposed by the Senate to House Bill No. 737 were agreed to by the House; and H.B. No. 737, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 595), informing the Senate that the amendments proposed by the Senate to House Bill No. 739 were agreed to by the House; and H.B. No. 739, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 596), informing the Senate that the amendments proposed

by the Senate to House Bill No. 740 were agreed to by the House; and H.B. No. 740, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 597), informing the Senate that the amendments proposed by the Senate to House Bill No. 988 were agreed to by the House; and H.B. No. 988, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 598), informing the Senate that the amendments proposed by the Senate to House Bill No. 1004 were agreed to by the House; and H.B. No. 1004, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 599), informing the Senate that the amendments proposed by the Senate to House Bill No. 1039 were agreed to by the House; and H.B. No. 1039, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 600), informing the Senate that the amendments proposed by the Senate to House Bill No. 1206, H.D. 1, were agreed to by the House; and H.B. No. 1206, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 601), informing the Senate that the amendments proposed by the Senate to House Bill No. 1338, H.D. 2, were agreed to by the House; and H.B. No. 1338, H.D. 2, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 602), informing the Senate that the amendments proposed by the Senate to House Bill No. 1382, H.D. 1, were agreed to by the House; and H.B. No. 1382, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 603), informing the Senate that the amendments proposed by the Senate to House Bill No. 1394, H.D. 1, were agreed to by the House; and H.B. No. 1394, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 604), informing the Senate that

the amendments proposed by the Senate to House Bill No. 1496, H.D. 1, were agreed to by the House; and H.B. No. 1496, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 605), informing the Senate that the amendments proposed by the Senate to House Bill No. 1499, H.D. 1, were agreed to by the House; and H.B. No. 1499, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 606), informing the Senate that the amendments proposed by the Senate to House Bill No. 1528, H.D. 1, were agreed to by the House; and H.B. No. 1528, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 607), informing the Senate that the amendments proposed by the Senate to House Bill No. 1581 were agreed to by the House; and H.B. No. 1581, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 608), informing the Senate that the amendments proposed by the Senate to House Bill No. 1633 were agreed to by the House; and H.B. No. 1633, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 609), informing the Senate that the amendments proposed by the Senate to House Bill No. 1645 were agreed to by the House; and H.B. No. 1645, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 610), informing the Senate that the amendments proposed by the Senate to House Bill No. 1648 were agreed to by the House; and H.B. No. 1648, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 611), informing the Senate that the amendments proposed by the Senate to House Bill No. 1653 were agreed to by the House; and H.B. No. 1653, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 612), informing the Senate that the amendments proposed by the Senate to House Bill No. 1654 were agreed to by the House; and H.B. No. 1654, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 613), informing the Senate that the amendments proposed by the Senate to House Bill No. 1657, H.D. 1, were agreed to by the House; and H.B. No. 1657, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 614), informing the Senate that the amendments proposed by the Senate to House Bill No. 1658, H.D. 1, were agreed to by the House; and H.B. No. 1658, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 615), informing the Senate that the amendments proposed by the Senate to House Bill No. 1661 were agreed to by the House; and H.B. No. 1661, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 616), informing the Senate that the amendments proposed by the Senate to House Bill No. 1663, H.D. 1, were agreed to by the House; and H.B. No. 1663, H.D. 1, S.D. 2, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 617), informing the Senate that the amendments proposed by the Senate to House Bill No. 1664, H.D. 2, were agreed to by the House; and H.B. No. 1664, H.D. 2, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 618), informing the Senate that the amendments proposed by the Senate to House Bill No. 1668 were agreed to by the House; and H.B. No. 1668, S.D. 1, passed Final Reading in the House of Representatives on April 18, 1979, was placed on file.

A communication from the House (Hse. Com. No. 619), informing the Senate that the House had reconsidered its action taken on April 6, 1979, in disagreeing to the amendments made by the Senate to House Bill No. 1004, and on April 18, 1979, the Speaker discharged the Managers on the part of the House for the consideration

of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 620), informing the Senate that on April 18, 1979, the Speaker discharged the Managers on the part of the House at a conference for the consideration of amendments made by the Senate to House Bill No. 20, H.D. 1, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 477 to 485) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 477), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING BRIGADIER GENERAL MAURICE D. ROUSH FOR HIS OUTSTANDING SERVICE AND ASSISTANCE TO THE PEOPLE OF HAWAII AS COMMANDER OF THE PACIFIC OCEAN DIVISION, UNITED STATES ARMY CORPS OF ENGINEERS", was jointly offered by Senators Kuroda, Cobb, Kawasaki, Yamasaki, Young, Mizuguchi, Wong, Chong, George, Ushijima, Carpenter, Yim, Anderson, Hara, Abercrombie, Campbell, Saiki, Ajifu, Carroll, Takitani, O'Connor, Toyofuku, Cayetano, Soares and Yee.

On motion by Senator Kuroda, seconded by Senator Cobb and carried, S.R. No. 477 was adopted.

Senator Kuroda then stated as follows:

"Mr. President, I'd like to mention that General Roush, whom we are honoring today, is no ordinary general. He is not noted for the battles he has won and he is not noted for decorations for his valor, but he is being honored today because of the service which he has provided to Hawaii, because the Corps of Engineers is very much involved in providing us water-oriented civil works projects in the State of Hawaii.

"Let me name a few of the projects that have been completed and will be completed--projects like dredging of Honolulu Harbor; Waianae Small Boat Harbor, which was dedicated very recently; Kaneohe Dam project, which will make the Windward people happy; Pohoi Launch Ramp, Big Island; and Kekaha and Kāpaa Beach Erosion Projects, Kauai. So the Corps of Engineers as represented by General Roush is very much involved. When we honor General Roush, as we are doing today, we also honor the Corps of Engineers.

"I think that you all need to know that General Roush will be retiring soon

and will be living in Tacoma. At this time, may I introduce General Maurice Roush and Mrs. Roush.

Senators Young and Mizuguchi then presented leis and certified copies of the resolution to General and Mrs. Roush.

At this time, Senator Kuroda remarked as follows:

"Mr. President, at this time, I'd like to introduce the couple seated next to General and Mrs. Roush. On April 11, 1979, this Body adopted Senate Concurrent Resolution No. 120 and Senate Resolution No. 454 honoring Dean Shosuke Goto.

"Lieutenant Governor Jean King, as requested by Governor Ariyoshi, has been very active in following agricultural activities within the State to stay on top of development in this important public policy area. Early this year, Lieutenant Governor King visited the University of Hawaii's College of Tropical Agriculture and Human Resources, and while there she became familiar with Dean Shosuke Goto at the Pearl City Agricultural Instructional Facility.

"As all of the distinguished Senators who have visited the facility know, the training ground for future farmers in Pearl City is really a marvel. Operating this facility at very little cost to the State, Dean Goto has developed this program to provide a wide range of agricultural and aquacultural educational opportunities for students and members of the community and many, many senior citizens make use of this facility.

"Dean Goto is here today with Lieutenant Governor King to be introduced to the members of the Senate and to be recognized for his long-standing dedication and effort in promoting diversified agriculture through the training of undergraduate students at the University of Hawaii, Pearl City Instructional Facility.

"May I introduce Dean Goto, and Lieutenant Governor Jean King."

Senators Takitani and George presented leis and certified copies of the resolutions to Lieutenant Governor King and Mr. Goto.

At 11:53 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.

At this time, Senator Yamasaki introduced to the members of the Senate a group of senior citizens from Maui as follows: Mr. Turk De Mello, Mr. Edward Nakamoto, Miss Kawabe, Miss A. K. Hew and

Mr. Asato.

A resolution (S.R. No. 478), entitled: "SENATE RESOLUTION HONORING BETTY A. NAGO, TERRENCE DERBY, SR., AND NOBORU OKAMURA FOR THEIR OUTSTANDING COMMUNITY SPIRIT AND SERVICE TO THE YOUTH OF PEARL CITY THROUGH THE LITTLE LEAGUE BASEBALL PROGRAM", was jointly offered by Senators Kuroda, Mizuguchi, Young, Cayetano, Toyofuku, Saiki, Takitani, Soares, Anderson, Wong, Cobb, Chong, Kawasaki, Yim, Carpenter, Yamasaki, Ajifu, George, Campbell, Hara, Carroll and O'Connor.

On motion by Senator Kuroda, seconded by Senator Mizuguchi and carried, S.R. No. 478 was adopted.

A resolution (S.R. No. 479), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES TO BLANCHE LEIALOHA MAA, MISS HAWAII-UNIVERSE 1979", was jointly offered by Senators Ajifu, Anderson, Campbell, Carpenter, Mizuguchi, Cobb, Hara, Chong, Young, Yamasaki, Abercrombie, George, Saiki, Toyofuku, Soares, Kuroda, Takitani, Cayetano, Carroll, Ushijima, O'Connor, Yim, Kawasaki and Yee.

On motion by Senator Ajifu, seconded by Senator Anderson and carried, S.R. No. 479 was adopted.

A resolution (S.R. No. 480), entitled: "SENATE RESOLUTION COMMENDING THE 1979 HAWAII STATE STUDENT CONFERENCE", was jointly offered by Senators Ajifu, Chong, Mizuguchi, Anderson, Hara, Young, Yamasaki, Carpenter, Abercrombie, Saiki, George, Toyofuku, Soares, Campbell, Kuroda, Takitani, Cayetano, Carroll, Ushijima, Cobb, O'Connor, Yim, Kawasaki and Yee.

On motion by Senator Ajifu, seconded by Senator Chong and carried, S.R. No. 480 was adopted.

A resolution (S.R. No. 481), entitled: "SENATE RESOLUTION HONORING AND RECOGNIZING THE SIGNIFICANT CONTRIBUTIONS TO THE PEOPLE OF HAWAII BY THE LATE MELVIN Y. SHINN, FORMER COUNSELOR TO THE SENATE PRESIDENT, AND EXTENDING DEEPEST SYMPATHY TO HIS FAMILY", was jointly offered by Senators Ushijima, Yee, Yamasaki, Soares, Ajifu, Saiki, Anderson, Takitani, George, Carroll, Kuroda, Carpenter, Abercrombie, Yim, Cobb, O'Connor, Kawasaki, Campbell, Chong, Young, Cayetano, Mizuguchi, Wong, Toyofuku and Hara.

On motion by Senator Ushijima, seconded by Senator Yamasaki and carried, S.R. No. 481 was adopted by a rising vote.

A resolution (S.R. No. 482), entitled: "SENATE RESOLUTION COMMENDING THE HAWAII NOMINEES FOR THE THOMAS JEFFERSON AWARD", was jointly offered by Senators Yee, Carroll, Young, Toyofuku, Takitani, Ushijima, Campbell, Cobb, Yamasaki, Hara, Chong, Cayetano, Kuroda, Ajifu, Soares, Carpenter, Yim, Saiki, O'Connor, Mizuguchi, Kawasaki and George.

On motion by Senator Anderson, seconded by Senator Carroll and carried, S.R. No. 482 was adopted.

A resolution (S.R. No. 483), entitled: "SENATE RESOLUTION COMMENDING THE UNIVERSITY OF HAWAII 1979 BASEBALL TEAM AND THEIR OUTSTANDING PITCHER DEREK TATSUNO", was jointly offered by Senators Campbell, Young, Wong, Hara, Carpenter, Kawasaki, Yamasaki, Abercrombie, Takitani, Anderson, Chong, Cayetano, George, Mizuguchi, Carroll, Saiki, Ushijima and Yee.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 483 was adopted.

Senator Campbell then stated as follows:

"Mr. President, undoubtedly the most outstanding collegiate baseball player in the country today, is sitting on the Senate floor, and I am referring to Derek Tatsuno, a product of our public school system.

"Derek must not be honored only for his individual exploits, but for his team spirit, and also for blazing new trails for the youth of Hawaii. I have known several baseball players who are now in the baseball Hall of Fame and I hope this is Derek's destination.

"Mr. President I would like to present Derek with a baseball--a baseball that has been in my possession for over twenty years. It has been autographed by Mickey Mantle, Elston Howard, Roger Maris, Yogi Berra, Al Downing, Willie Mays and a few others.

"With Derek this morning is Les Murakami, the coach of the team, and I would say that if we're going to have a Collegiate Baseball Coach of the Year for 1979, I think Les would receive that award.

"Mr. President, may I introduce Derek Tatsuno and Les Murakami."

Senator Campbell then presented Derek with the baseball and Senators Young,

George and Kuroda presented leis and certified copies of the resolution to Derek and Mr. Murakami.

At 12:02 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.

A resolution (S.R. No. 484), entitled: "SENATE RESOLUTION CONGRATULATING LYNNE KIMURA, 1979 FINALIST IN THE PRESIDENTIAL SCHOLARS PROGRAM", was jointly offered by Senators Hara, Carpenter, Takitani, Toyofuku, Soares, Kawasaki, Yee, Kuroda, Yim, Cobb, Saiki, Chong, Campbell, George, Carroll, Ushijima, Yamasaki, Young, Ajifu, Cayetano and Abercrombie.

On motion by Senator Hara, seconded by Senator Carpenter and carried, S.R. No. 484 was adopted.

A resolution (S.R. No. 485), entitled: "SENATE RESOLUTION CONGRATULATING IRIS IMOTO, THE 1979-'80 MISS ALOHA HAWAII", was jointly offered by Senators Hara, Ushijima, Carpenter, Kawasaki, Young, Cobb, Takitani, Toyofuku, Chong, George, Campbell, Carroll, Soares, Yamasaki, Ajifu, Yee, Cayetano, Yim, Saiki and Abercrombie.

On motion by Senator Hara, seconded by Senator Ushijima and carried, S.R. No. 485 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1102), informing the Senate that Senate Resolution Nos. 471 to 476 and Standing Committee Report Nos. 1074 to 1101 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senators Yim, Campbell and Abercrombie, for the Committees on Economic Development, Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1103), recommending that Senate Resolution No. 26 be adopted.

On motion by Senator Yim, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and S.R. No. 26, entitled: "SENATE RESOLUTION REQUESTING THE PROVISION OF VOCATIONAL AND FORMAL EDUCATION AT ALL LEVELS TO MEET THE NEEDS OF HAWAII'S AQUACULTURE INDUSTRY", was adopted.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1104), recommending that Senate Resolution No. 211 be adopted.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and, Roll Call vote having been requested, S.R. No. 211, entitled: "SENATE RESOLUTION REQUESTING A SCHOOL FOR CREATIVE AND PERFORMING ARTS", was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 2 (Cayetano and Kawasaki). Excused, 3 (Abercrombie, Anderson and Yee).

Senators Campbell and Abercrombie, for the Committees on Education and Higher Education, presented a joint report (Stand. Com. Rep. No. 1105), recommending that Senate Resolution No. 247, as amended in S.D. 1, be adopted.

On motion by Senator Campbell, seconded by Senator Mizuguchi and carried, the joint report of the Committees was adopted and S.R. No. 247, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII TO SUBMIT A STATUS REPORT ON THE SITUATION OF TEACHERS WHO ARE UNEMPLOYED OR ENGAGED IN OCCUPATIONS OTHER THAN TEACHING", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1106), recommending that Senate Resolution No. 148 be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 148, entitled: "SENATE RESOLUTION RELATING TO THE DEVELOPMENTALLY DISABLED", was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1107), recommending that House Concurrent Resolution No. 159, H.D. 1, be adopted.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.C.R. No. 159, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CERTAIN WAIVERS OF LIMITATIONS UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT, THE RELEASE OF FUNDS, AND OTHER LEGISLATIVE AND ADMINISTRATIVE ACTION", was adopted.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1108), recommending that Senate Resolution No. 81, as amended

in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 81, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO PUBLIC UTILITIES", was adopted.

Senator Chong, for the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1109), recommending that Senate Resolution No. 83, as amended in S.D. 1, be adopted.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 83, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO FURTHER IMPROVEMENT OF THE PUBLIC UTILITIES", was adopted.

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1110), recommending that Senate Resolution No. 113, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, the report of the majority of the Committee was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE PUBLIC UTILITIES DIVISION", 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. 1111), recommending that Senate Resolution No. 376, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 376, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF LOCAL SALES ACTIVITIES RELATING TO CONDOMINIUMS LOCATED OUTSIDE HAWAII", was referred to the Committee on Legislative Management.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1112), recommending that House Concurrent Resolution No. 79, H.D. 1, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and H.C.R. No. 79, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT

RESOLUTION REQUESTING A STUDY OF THE VARIOUS MEANS BY WHICH RENTAL DEPOSITS COULD BE DEPOSITED IN INTEREST BEARING INSURED ACCOUNTS WITH THE EARNINGS TO ACCRUE TO THE DEPOSITOR WITHOUT NECESSITATING ADDITIONAL BOOKKEEPING REQUIREMENTS FOR LANDLORDS", was adopted.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1113), recommending that the Senate advise and consent to the nominations to the Factory-Built Housing Advisory Board, as follows:

Robert McFarlane, in accordance with Gov. Msg. No. 387;

Tom T. Nekota, in accordance with Gov. Msg. No. 388;

Gary K.S. Siu, in accordance with Gov. Msg. No. 389; and

Maurice H. Yamasato, in accordance with Gov. Msg. No. 390.

By unanimous consent, action on Stand. Com. Rep. No. 1113 and Gov. Msg. Nos. 387, 388, 389 and 390 was deferred until Friday, April 20, 1979.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1114), recommending that the Senate advise and consent to the nominations to the Hawaii Community Development Authority, as follows:

Helen K. Griffin, in accordance with Gov. Msg. No. 391; and

Yoshio Yanagawa, in accordance with Gov. Msg. No. 392.

By unanimous consent, action on Stand. Com. Rep. No. 1114 and Gov. Msg. Nos. 391 and 392 was deferred until Friday, April 20, 1979.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1115), recommending that the Senate advise and consent to the nominations to the Hawaiian Homes Commission, as follows:

Hazel K. Kauahikaua, in accordance with Gov. Msg. No. 393;

Colette Y. Machado, in accordance with Gov. Msg. No. 394; and

Jubilee M. Moikeha, in accordance with Gov. Msg. No. 395.

By unanimous consent, action on Stand. Com. Rep. No. 1115 and Gov. Msg. Nos. 393, 394 and 395 was deferred

until Friday, April 20, 1979.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1116), recommending that the Senate advise and consent to the nominations to the Advisory Council for Housing and Construction Industry, as follows:

Chew Hoy Lee, in accordance with Gov. Msg. No. 396;

Richard S. Matsunaga, in accordance with Gov. Msg. No. 397; and

Nancy T. Taylor, in accordance with Gov. Msg. No. 398.

By unanimous consent, action on Stand. Com. Rep. No. 1116 and Gov. Msg. Nos. 396, 397 and 398 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1117), recommending that the Senate advise and consent to the nomination of Edward K. Fujimoto, Ph.D., to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 399.

By unanimous consent, action on Stand. Com. Rep. No. 1117 and Gov. Msg. No. 399 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1118), recommending that the Senate advise and consent to the nomination of Roger K. Katsutani to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 400.

By unanimous consent, action on Stand. Com. Rep. No. 1118 and Gov. Msg. No. 400 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1119), recommending that the Senate advise and consent to the nomination of Karen Anne Oshiro to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 401.

By unanimous consent, action on Stand. Com. Rep. No. 1119 and Gov. Msg. No. 401 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1120), recommending that the Senate advise and consent to the nomination of Geraldine

Y.O. Ung to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 402.

By unanimous consent, action on Stand. Com. Rep. No. 1120 and Gov. Msg. No. 402 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1121), recommending that the Senate advise and consent to the nomination of Morgan B. White to the State Advisory Council for Children and Youth, in accordance with Gov. Msg. No. 403.

By unanimous consent, action on Stand. Com. Rep. No. 1121 and Gov. Msg. No. 403 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1122), recommending that the Senate advise and consent to the nomination of Kenneth Tanaka to the Civil Service Commission, in accordance with Gov. Msg. No. 405.

By unanimous consent, action on Stand. Com. Rep. No. 1122 and Gov. Msg. No. 405 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1123), recommending that the Senate advise and consent to the nomination of Rosalina S. Domondon to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 406.

By unanimous consent, action on Stand. Com. Rep. No. 1123 and Gov. Msg. No. 406 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1124), recommending that the Senate advise and consent to the nomination of Merl W. Hawthorne to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 407.

By unanimous consent, action on Stand. Com. Rep. No. 1124 and Gov. Msg. No. 407 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1125), recommending that the Senate advise and consent to the nomination of Rose Horner to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 408.

By unanimous consent, action on Stand. Com. Rep. No. 1125 and Gov. Msg. No. 408 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1126), recommending that the Senate advise and consent to the nomination of Theodore D. Hussey to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 409.

By unanimous consent, action on Stand. Com. Rep. No. 1126 and Gov. Msg. No. 409 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1127), recommending that the Senate advise and consent to the nomination of Shimeji Kanazawa to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 410.

By unanimous consent, action on Stand. Com. Rep. No. 1127 and Gov. Msg. No. 410 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1128), recommending that the Senate advise and consent to the nomination of Harry K. Takara to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 411.

By unanimous consent, action on Stand. Com. Rep. No. 1128 and Gov. Msg. No. 411 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1129), recommending that the Senate advise and consent to the nomination of Masaichi Tasaka to the Policy Advisory Board for Elderly Affairs, in accordance with Gov. Msg. No. 412.

By unanimous consent, action on Stand. Com. Rep. No. 1129 and Gov. Msg. No. 412 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1130), recommending that the Senate advise and consent to the nomination of Lorna Kakesako to the Hawaii Employment Relations Board, in accordance with Gov. Msg. No. 413.

By unanimous consent, action on

Stand. Com. Rep. No. 1130 and Gov. Msg. No. 413 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1131), recommending that the Senate advise and consent to the nomination of Dennis K.S. Chun to the Commission on the Handicapped, in accordance with Gov. Msg. No. 414.

By unanimous consent, action on Stand. Com. Rep. No. 1131 and Gov. Msg. No. 414 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1132), recommending that the Senate advise and consent to the nomination of Judith Doktor to the Commission on the Handicapped, in accordance with Gov. Msg. No. 415.

By unanimous consent, action on Stand. Com. Rep. No. 1132 and Gov. Msg. No. 415 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1133), recommending that the Senate advise and consent to the nomination of Susan Floyd, Ph.D., to the Commission on the Handicapped, in accordance with Gov. Msg. No. 416.

By unanimous consent, action on Stand. Com. Rep. No. 1133 and Gov. Msg. No. 416 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1134), recommending that the Senate advise and consent to the nomination of Georgia E. Morikawa to the Commission on the Handicapped, in accordance with Gov. Msg. No. 417.

By unanimous consent, action on Stand. Com. Rep. No. 1134 and Gov. Msg. No. 417 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1135), recommending that the Senate advise and consent to the nomination of Wayne K. Miyamoto to the Commission on the Handicapped, in accordance with Gov. Msg. No. 418.

By unanimous consent, action on Stand. Com. Rep. No. 1135 and Gov. Msg. No. 418 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report

(Stand. Com. Rep. No. 1136), recommending that the Senate advise and consent to the nomination of E. John McConnell to the Labor and Industrial Relations Appeals Board, in accordance with Gov. Msg. No. 419.

By unanimous consent, action on Stand. Com. Rep. No. 1136 and Gov. Msg. No. 419 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1137), recommending that the Senate advise and consent to the nomination of Robert H. Kessner, Ph.D., to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 420.

By unanimous consent, action on Stand. Com. Rep. No. 1137 and Gov. Msg. No. 420 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1138), recommending that the Senate advise and consent to the nomination of Cheryl K. Logan to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 421.

By unanimous consent, action on Stand. Com. Rep. No. 1138 and Gov. Msg. No. 421 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1139), recommending that the Senate advise and consent to the nomination of Guy R. Tateishi to the Advisory Commission on Manpower and Full Employment, in accordance with Gov. Msg. No. 422.

By unanimous consent, action on Stand. Com. Rep. No. 1139 and Gov. Msg. No. 422 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1140), recommending that the Senate advise and consent to the nomination of James Brown to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 423.

By unanimous consent, action on Stand. Com. Rep. No. 1140 and Gov. Msg. No. 423 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1141), recommending that the Senate advise and consent to the nomination of Michael L. Joy to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 424.

By unanimous consent, action on Stand. Com. Rep. No. 1141 and Gov. Msg. No. 424 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1142), recommending that the Senate advise and consent to the nomination of James D. Williams to the Board of Trustees, Hawaii Public Employees Health Fund, in accordance with Gov. Msg. No. 425.

By unanimous consent, action on Stand. Com. Rep. No. 1142 and Gov. Msg. No. 425 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1143), recommending that the Senate advise and consent to the nomination of Ruth M. Ono to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 426.

By unanimous consent, action on Stand. Com. Rep. No. 1143 and Gov. Msg. No. 426 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1144), recommending that the Senate advise and consent to the nomination of Paul Pladera to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 427.

By unanimous consent, action on Stand. Com. Rep. No. 1144 and Gov. Msg. No. 427 was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1145), recommending that the Senate advise and consent to the nomination of Terrance W.H. Tom to the Board of Vocational Rehabilitation, in accordance with Gov. Msg. No. 428.

By unanimous consent, action on Stand. Com. Rep. No. 1145 and Gov. Msg. No. 428 was deferred until Friday, April 20, 1979.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep.

No. 1146), recommending that the Senate advise and consent to nominations as follows:

Noboru Iwami to the Environmental Council, in accordance with Gov. Msg. No. 221;

Eugene S. Kaneshiro to the Environmental Council, in accordance with Gov. Msg. No. 222;

Eugene M. Kawaguchi, M.D., to the Environmental Council, in accordance with Gov. Msg. No. 223;

Mohammad A. Khan, Ph.D., to the Environmental Council, in accordance with Gov. Msg. No. 224;

Carol H. Maehara to the Environmental Council, in accordance with Gov. Msg. No. 225;

Dorothy R. Babineau to the Environmental Quality Commission, in accordance with Gov. Msg. No. 226;

Cornelius Choy to the Fish and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 227;

Marvin T. Miura, Ph.D., to the Fish and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 228;

Tom H. Takano to the Fish and Wildlife Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 229;

Allan K. Ikawa to the Fish and Wildlife Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 230;

Wayne S. Ogata to the Fish and Wildlife Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 231;

Jose E. Soriano to the Fish and Wildlife Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 232;

Larry K.K. Saito to the Fish and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 233;

Jeffrey G. Bryant to the Fish and Wildlife Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 234;

Goro Sadaoka to the Fish and Wildlife Advisory Committee, County of Kauai,

in accordance with Gov. Msg. No. 235;

Ronald E. Kula to the Fish and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 236;

Christy Mamiya to the Fish and Wildlife Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 237;

Masaichi Chinen to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 238;

James D. Gonsalves to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 239;

Brian L. Gray to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 240;

Charles M. Saiki to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 241;

Paul L. Seitz to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 242;

Frank G. Stone, Jr., to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 243;

Raymond Y. Sugita to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 244;

Dennis Tulang to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 245;

Reginald H.F. Young, D.SC., to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, in accordance with Gov. Msg. No. 246;

Dennis A. Daugherty to the Pacific War Memorial Commission, in accordance with Gov. Msg. No. 247; and

Gail T. Kiriou to the Pacific War Memorial Commission, in accordance with Gov. Msg. No. 248.

By unanimous consent, action on Stand. Com. Rep. No. 1146 and Gov. Msg. Nos. 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243,

244, 245, 246, 247 and 248 was deferred until Friday, April 20, 1979.

Senator Hara, for the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 1147), recommending that Senate Resolution No. 433 be referred to the Committee on Legislative Management.

On motion by Senator Hara, seconded by Senator Mizuguchi and carried, the report of the Committee was adopted and S.R. No. 433, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE APPROPRIATE ORGANIZATIONAL ASSIGNMENT OF ENVIRONMENTAL FUNCTIONS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1148), recommending that the Senate advise and consent to the nomination of James A. King to the Commission to Promote Uniform Legislation, in accordance with Gov. Msg. No. 431.

By unanimous consent, action on Stand. Com. Rep. No. 1148 and Gov. Msg. No. 431 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1149), recommending that the Senate advise and consent to the nomination of Sophie K. Sheather to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 432.

By unanimous consent, action on Stand. Com. Rep. No. 1149 and Gov. Msg. No. 432 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1150), recommending that the Senate advise and consent to the nomination of Daniel S. Ukishima to the Criminal Injuries Compensation Commission, in accordance with Gov. Msg. No. 433.

By unanimous consent, action on Stand. Com. Rep. No. 1150 and Gov. Msg. No. 433 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1151), recommending that the Senate advise and consent to the nomination of Neil K. Okabayashi to the Hawaii Crime Commission, in accordance with Gov. Msg. No. 434.

By unanimous consent, action on

Stand. Com. Rep. No. 1151 and Gov. Msg. No. 434 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1152), recommending that the Senate advise and consent to the nomination of Elizabeth M. Adams, M.D., to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 435.

By unanimous consent, action on Stand. Com. Rep. No. 1152 and Gov. Msg. No. 435 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1153), recommending that the Senate advise and consent to the nomination of John J. Blaylock to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 436.

By unanimous consent, action on Stand. Com. Rep. No. 1153 and Gov. Msg. No. 436 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1154), recommending that the Senate advise and consent to the nomination of Paul M. DeSilva to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 437.

By unanimous consent, action on Stand. Com. Rep. No. 1154 and Gov. Msg. No. 437 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1155), recommending that the Senate advise and consent to the nomination of Harold J. Falk, Jr., to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 438.

By unanimous consent, action on Stand. Com. Rep. No. 1155 and Gov. Msg. No. 438 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1156), recommending that the Senate advise and consent to the nomination of Yoshimi Hayashi to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 439.

By unanimous consent, action on Stand. Com. Rep. No. 1156 and Gov. Msg. No. 439 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1157), recommending that the Senate advise and consent to the nomination of Halo Hirose to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 440.

By unanimous consent, action on Stand. Com. Rep. No. 1157 and Gov. Msg. No. 440 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1158), recommending that the Senate advise and consent to the nomination of Michael M. Kakesako to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 441.

By unanimous consent, action on Stand. Com. Rep. No. 1158 and Gov. Msg. No. 441 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1159), recommending that the Senate advise and consent to the nomination of Lawrence K. Koseki to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 442.

By unanimous consent, action on Stand. Com. Rep. No. 1159 and Gov. Msg. No. 442 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1160), recommending that the Senate advise and consent to the nomination of Gerald S. Matsunaga to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 443.

By unanimous consent, action on Stand. Com. Rep. No. 1160 and Gov. Msg. No. 443 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1161), recommending that the Senate advise and consent to the nomination of Togo Nakagawa to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 444.

By unanimous consent, action on Stand. Com. Rep. No. 1161 and Gov. Msg. No. 444 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1162), recommending that the Senate advise and consent to the nomination of Robert T. Omura to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 445.

By unanimous consent, action on Stand. Com. Rep. No. 1162 and Gov. Msg. No. 445 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1163), recommending that the Senate advise and consent to the nomination of Theodore I. Sakai to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 446.

By unanimous consent, action on Stand. Com. Rep. No. 1163 and Gov. Msg. No. 446 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1164), recommending that the Senate advise and consent to the nomination of Robert J. Stillwell to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 447.

By unanimous consent, action on Stand. Com. Rep. No. 1164 and Gov. Msg. No. 447 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1165), recommending that the Senate advise and consent to the nomination of George W.Y. Tom to the Intake Service Center Advisory Board, in accordance with Gov. Msg. No. 448.

By unanimous consent, action on Stand. Com. Rep. No. 1165 and Gov. Msg. No. 448 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1166), recommending that the Senate advise and consent to the nomination of George J. Chouljian to the Hawaii Paroling Authority, in accordance with Gov. Msg. No. 449.

By unanimous consent, action on Stand. Com. Rep. No. 1166 and Gov. Msg. No. 449 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1167), recommending that the Senate advise and consent to the nomination of Shota Sakai to the Board of Registration,

Island of Oahu, in accordance with Governor's Message No. 450.

By unanimous consent, action on Stand. Com. Rep. No. 1167 and Gov. Msg. No. 450 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1168), recommending that the Senate advise and consent to the nomination of Yuriko N. Tasaka, to the Board of Registration, Kauai and Niihau, in accordance with Gov. Msg. No. 451.

By unanimous consent, action on Stand. Com. Rep. No. 1168 and Gov. Msg. No. 451 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1169), recommending that the Senate advise and consent to the nomination of Miriam K. Kahalekai to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, in accordance with Gov. Msg. No. 452.

By unanimous consent, action on Stand. Com. Rep. No. 1169 and Gov. Msg. No. 452 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1170), recommending that the Senate advise and consent to the nomination of Norma Jean China to the Commission on the Status of Women, in accordance with Gov. Msg. No. 453.

By unanimous consent, action on Stand. Com. Rep. No. 1170 and Gov. Msg. No. 453 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1171), recommending that the Senate advise and consent to the nomination of Ruth Fujimoto to the Commission on the Status of Women, in accordance with Gov. Msg. No. 454.

By unanimous consent, action on Stand. Com. Rep. No. 1171 and Gov. Msg. No. 454 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1172), recommending that the Senate advise and consent to the nomination of Priscilla Hayashi to the Commission on the Status of Women, in accordance with Gov. Msg. No. 455.

By unanimous consent, action on Stand. Com. Rep. No. 1172 and Gov. Msg. No. 455 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1173), recommending that the Senate advise and consent to the nomination of Althea Momi Kamau to the Commission on the Status of Women, in accordance with Gov. Msg. No. 456.

By unanimous consent, action on Stand. Com. Rep. No. 1173 and Gov. Msg. No. 456 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1174), recommending that the Senate advise and consent to the nomination of William G.S. Mau to the Commission on the Status of Women, in accordance with Gov. Msg. No. 457.

By unanimous consent, action on Stand. Com. Rep. No. 1174 and Gov. Msg. No. 457 was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1175), recommending that the Senate advise and consent to the nomination of Judy T. Makinodan to the Commission on the Status of Women, in accordance with Gov. Msg. No. 458.

By unanimous consent, action on Stand. Com. Rep. No. 1175 and Gov. Msg. No. 458 was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1176), recommending that Senate Resolution No. 278, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1176 and S.R. No. 278, S.D. 1, was deferred to the end of the evening session.

At 12:10 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:17 o'clock p.m.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1177), recommending that Senate Resolution No. 341 be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the

report of the Committee was adopted and S.R. No. 341, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE AVAILABILITY OF ADULT CARE HOMES FOR THE ELDERLY IN HAWAII AND THE POTENTIAL OF INCREASING SUCH HOMES ACCORDING TO DIFFERENT LEVELS OF CARE", was referred to the Committee on Legislative Management.

Senator Chong, for the majority of the Committee on Public Utilities, presented a report (Stand. Com. Rep. No. 1178), recommending that Senate Resolution No. 426, as amended in S.D. 1, be adopted.

Senator Chong moved that Stand. Com. Rep. No. 1178 be received and placed on file, seconded by Senator Mizuguchi and carried.

On motion by Senator Chong, seconded by Senator Mizuguchi and carried, S.R. No. 426, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE AUDITOR TO CONDUCT AN INTERIM STUDY ON THE PUBLIC UTILITIES PROGRAM", was referred to the Committee on Legislative Management.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1179), recommending that the Senate advise and consent to the nominations of the following:

Charles W. Duke to the Land Use Commission, in accordance with Gov. Msg. No. 249;

William W.L. Yuen to the Land Use Commission, in accordance with Gov. Msg. No. 250;

William H. Hindle, M.D., to the Commission on Population and the Hawaiian Future, in accordance with Gov. Msg. No. 251;

Harvey N. Kai to the Commission on Population and the Hawaiian Future, in accordance with Gov. Msg. No. 252;

Mutsuo Hashimoto to the Commission on the Year 2000, in accordance with Gov. Msg. No. 253;

Keith P. Hudson to the Commission on the Year 2000, in accordance with Gov. Msg. No. 254; and

Lehua F. Salling to the Commission on the Year 2000, in accordance with Gov. Msg. No. 255.

By unanimous consent, action on Stand. Com. Rep. No. 1179 and Gov. Msg. Nos. 249, 250, 251, 252, 253,

254 and 255 was deferred until Friday, April 20, 1979.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1180), recommending that the Senate advise and consent to the nomination of Susumu Ono as Chairman of the Board of Land and Natural Resources, in accordance with Gov. Msg. No. 49.

By unanimous consent, action on Stand. Com. Rep. No. 1180 and Gov. Msg. No. 49 was deferred until Friday, April 20, 1979.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 17, 1979

Standing Committee Report No. 797 (H.B. No. 4):

By unanimous consent, action on Stand. Com. Rep. No. 797 and H.B. No. 4, 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 Friday, April 20, 1979.

Senate Bill No. 1611, S.D. 2, H.D. 1:

By unanimous consent, action on S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", was deferred until Friday, April 20, 1979.

MATTER DEFERRED FROM APRIL 18, 1979

Standing Committee Report No. 1015 (S.R. No. 194, S.D. 1):

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, Roll Call vote having been requested, Stand. Com. Rep. No. 1015 and S.R. No. 194, S.D. 1, entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING THE 'NUCLEAR ARMS: CONSCIENCE, LAW AND SURVIVAL' FORUM FOR ITS OUTSTANDING EFFORTS TO ALERT HAWAII'S PUBLIC TO THE POTENTIAL DANGERS OF NUCLEAR WEAPON STORAGE NEAR POPULATION CENTERS AND FOR PRESENTING ISSUES RELATING TO THE NUCLEAR ARMS RACE AND THE DISARMAMENT QUESTION", were recommitted to the Committee on Intergovernmental Relations on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Chong). Excused, 2 (Abercrombie and Anderson).

At 12:20 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
FROM APRIL 17, 1979

Conference Committee Report No. 3 (H.B. No. 544, S.D. 1, C.D. 1):

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, Conf. Com. Rep. No. 3 was adopted and H.B. No. 544, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL CARCINOGENS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 4 (H.B. No. 1627, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 4 was adopted and H.B. No. 1627, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELDERLY AFFAIRS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 5 (H.B. No. 1140, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 5 was adopted and H.B. No. 1140, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING OR REPEALING 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 Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 6 (H.B. No. 748, S.D. 1, C.D. 1):

On motion by Senator Young, seconded by Senator Hara and carried, Conf. Com. Rep. No. 6 was adopted and H.B. No. 748, S.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, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 7 (H.B. No. 1341, S.D. 1, C.D. 1):

On motion by Senator Young, seconded by Senator Hara and carried, Conf. Com. Rep. No. 7 was adopted and H.B. No. 1341, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 8 (S.B. No. 9, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 8 was adopted and S.B. No. 9, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Carroll and Soares). Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 9 (S.B. No. 11, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 9 was adopted and S.B. No. 11, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENTS OF ARTICLE II, SECTION 8)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Anderson).

Conference Committee Report No. 10 (S.B. No. 42, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 10 was adopted and S.B. No. 42, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and Anderson).

Conference Committee Report No. 11
(S.B. No. 182, S.D. 1, H.D. 1, C.D.
1):

On motion by Senator O'Connor, seconded
by Senator Cobb and carried, Conf.
Com. Rep. No. 11 was adopted and S.B.
No. 182, S.D. 1, H.D. 1, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO SENTENCING", having been read
throughout, passed Final Reading on
the following showing of Ayes and
Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and Anderson).

Conference Committee Report No. 12
(S.B. No. 919, S.D. 1, H.D. 1, C.D.
1):

On motion by Senator O'Connor, seconded
by Senator Cobb and carried, Conf.
Com. Rep. No. 12 was adopted and S.B.
No. 919, S.D. 1, H.D. 1, C.D. 1,
entitled: "A BILL FOR AN ACT RELATING
TO CRIMINAL INJURIES COMPENSATION",
having been read throughout, passed
Final Reading on the following showing
of Ayes and Noes:

Ayes, 23. Noes, none. Excused,
2 (Abercrombie and Anderson).

Conference Committee Report No. 13
(S.B. No. 1238, S.D. 1, H.D. 1,
C.D. 1):

On motion by Senator O'Connor, seconded
by Senator Takitani and carried, Conf.
Com. Rep. No. 13 was adopted and S.B.
No. 1238, S.D. 1, H.D. 1, C.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
MEDICAL TORTS", having been read
throughout, passed Final Reading on
the following showing of Ayes and
Noes:

Ayes, 22. Noes, 1 (Chong). Excused,
2 (Abercrombie and Anderson).

At 12: 25 o'clock p.m., the Senate
stood in recess subject to the call
of the Chair.

The Senate reconvened at 12: 28
o'clock p.m.

Conference Committee Report No. 14
(S.B. No. 1727, S.D. 1, H.D. 1,
C.D. 1):

Senator O'Connor moved that Conf.
Com. Rep. No. 14 be adopted and S.B.
No. 1727, S.D. 1, H.D. 1, C.D. 1, having
been read throughout, pass Final
Reading, seconded by Senator Chong.

Senator Kawasaki then spoke in favor
of the motion as follows:

"Mr. President, I am voting in favor
of this bill, however, I think it is incumbent
upon the Department of Social Services
to apprise the inmates and the penal
institution what the penalty is for assaults
upon correctional officers.

"I think that many times the problem
is that the inmates do not quite realize
what the results of their actions would
be, and I think somewhere, we've got
to get the message to the Department of
Social Services that the inmates fully
realize the consequences of their acts--
in this particular case, assault on a
correctional officer."

The motion was put by the Chair and
carried, and Conf. Com. Rep. No. 14
was adopted and S.B. No. 1727, S.D.
1, H.D. 1, C.D. 1, entitled: "A BILL
FOR AN ACT RELATING TO OFFENSES
AGAINST THE PERSON", having been
read throughout, passed Final Reading
on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 15
(H.B. No. 438, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded
by Senator Takitani and carried, Conf.
Com. Rep. No. 15 was adopted and H.B.
No. 438, S.D. 1, C.D. 1, entitled: "A
BILL FOR AN ACT RELATING TO SEXUAL
OFFENSES", having been read throughout,
passed Final Reading on the following
showing of Ayes and Noes:

Ayes, 25. Noes, none.

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

The Senate reconvened at 12: 34 o'clock
p.m.

Conference Committee Report No. 16
(H.B. No. 424, H.D. 1, S.D. 1, C.D.
1):

On motion by Senator O'Connor, seconded
by Senator Cobb and carried, Conf.
Com. Rep. No. 16 was adopted and H.B.
No. 424, H.D. 1, S.D. 1, C.D. 1, entitled:
"A BILL FOR AN ACT RELATING TO
CRIMINAL TAMPERING", having been
read throughout, passed Final Reading
on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 17
(H.B. No. 921, H.D. 1, S.D. 1, C.D.
1):

Senator O'Connor moved that Conf. Com. Rep. No. 17 be adopted and H.B. No. 921, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chong.

Senator Carroll then spoke in favor of the motion as follows:

"Mr. President, I rise to speak in favor of the bill with certain reservations.

"Mr. President, this particular bill addresses the problem of spouse abuse and what it does essentially, is to change the law so that a person who is being abused can get, on rather short notice, the intervention of the judge issuing an ex parte order, restraining the party doing the damage, either to themselves or to their children.

"The problem with this is that in the typical case of a person who is being subjected to abuse, be it either a husband or a wife, that the sense of fear which pervades the individual and allows them to be subjected to that abuse, is so compelling that it is doubtful that they will take advantage of this excellent piece of legislation.

"I would just say very briefly that, in the area of spouse abuse, this is the beginning and it is a good beginning, but it certainly is not the end. I urge that we vote 'aye'. Thank you."

Senator O'Connor then spoke for the motion as follows:

"Mr. President, I would just like to say that this piece of legislation is a dramatic piece of legislation in the area of spouse abuse and it will enact for Hawaii, a law which has long been needed and has been sought by the police departments and by almost all the social workers who are involved in this area. I would urge that all vote in favor of this measure. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 17 was adopted and H.B. No. 921, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

House Bill No. 589:

On motion by Senator Toyofuku,

seconded by Senator Yamasaki and carried, H.B. No. 589, 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.

Standing Committee Report No. 1057 (Gov. Msg. No. 41):

Senator Cayetano moved that Stand. Com. Rep. No. 1057 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano moved that the Senate advise and consent to the nomination of Hideo Murakami as Comptroller, for term ending December 6, 1982, seconded by Senator Kawasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1058 (Gov. Msg. No. 45):

Senator Cayetano moved that Stand. Com. Rep. No. 1058 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano moved that the Senate advise and consent to the nomination of Eileen R. Anderson as Director, Department of Budget and Finance, for term ending December 6, 1982, seconded by Senator Kawasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1059 (Gov. Msg. No. 54):

Senator Cayetano moved that Stand. Com. Rep. No. 1059 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano moved that the Senate advise and consent to the nomination of George Freitas as Director, Department of Taxation, for term ending December 6, 1982, seconded by Senator Kawasaki.

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

Ayes, 25. Noes, none.

Senator Cayetano then introduced to

the members of the Senate Mrs. Eileen R. Anderson and Mr. George Freitas, whose nominations had just been confirmed by the Senate.

Standing Committee Report No. 1062
(Gov. Msg. No. 55):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1062 be received and placed on file, seconded by Senator Yim and carried.

Senator Mizuguchi moved that the Senate advise and consent to the nomination of Ryokichi Higashionna as Director, Department of Transportation, for term ending December 6, 1982, seconded by Senator Yim.

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

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

Standing Committee Report No. 1067
(Gov. Msg. No. 42):

Senator Takitani moved that Stand. Com. Rep. No. 1067 be received and placed on file, seconded by Senator Hara and carried.

Senator Takitani moved that the Senate advise and consent to the nomination of John Farias as Chairman of the Board of Agriculture, for term ending December 31, 1982, seconded by Senator Hara.

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

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

MATTERS DEFERRED FROM APRIL 18, 1979

Standing Committee Report No. 1084
(Gov. Msg. No. 43):

Senator O'Connor moved that Stand. Com. Rep. No. 1084 be received and placed on file, seconded by Senator Campbell and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Wayne K. Minami as Attorney General, for term ending December 6, 1982, seconded by Senator Campbell.

Roll Call having been ordered, the motion was put by the Chair and

carried on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Carroll).

Standing Committee Report No. 1094
(Gov. Msg. No. 469):

Senator Cayetano moved that Stand. Com. Rep. No. 1094 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Dennis L. Lau to the Board of Taxation Review, First Taxation District - Oahu, for term ending December 31, 1982, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1095
(Gov. Msg. No. 471):

Senator Cayetano moved that Stand. Com. Rep. No. 1095 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Barry K. Taniguchi to the Board of Taxation Review, Third Taxation District - Hawaii, for term ending December 31, 1982, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1096
(Gov. Msg. No. 470):

Senator Cayetano moved that Stand. Com. Rep. No. 1096 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Charles J. Leland to the Board of Taxation Review, First Taxation District - Oahu, for term ending December 31, 1981, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1097
(Gov. Msg. No. 472):

Senator Cayetano moved that Stand. Com. Rep. No. 1097 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Atsushi Hirano to the Board of Taxation Review, Fourth Taxation District - Kauai, for term ending December 31, 1982, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1098
(Gov. Msg. No. 473):

Senator Cayetano moved that Stand. Com. Rep. No. 1098 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of George E. Luppold to the Board of Taxation Review, Second Taxation District - Maui, for term ending December 31, 1982, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1099
(Gov. Msg. No. 474):

Senator Cayetano moved that Stand. Com. Rep. No. 1099 be received and placed on file, seconded by Senator Kawasaki and carried.

Senator Cayetano then moved that the Senate advise and consent to the nomination of Kanji Wakamatsu to the Board of Taxation Review, Second Taxation District - Maui, for term ending December 31, 1979, seconded by Senator Kawasaki.

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

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

Standing Committee Report No. 1100
(Gov. Msg. Nos. 119, 120, 121 and 122):

Senator Takitani moved that Stand. Com. Rep. No. 1100 be received and placed on file, seconded by Senator Hara and carried.

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

Richard I.C. Caldito to the Board of Agriculture, for term ending December 31, 1979;

Barry M. Brennan, Ph.D., to the Advisory Committee on Pesticides, for term ending December 31, 1982;

Katsumi Higa to the Advisory Committee on Pesticides, for term ending December 31, 1982; and

George M. Nakasato to the Advisory Committee on Pesticides, for term ending December 31, 1982;

seconded by Senator Hara.

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

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

Standing Committee Report No. 1101
(Gov. Msg. Nos. 429 and 430):

Senator Ushijima moved that Stand. Com. Rep. No. 1101 be received and placed on file, seconded by Senator Kuroda and carried.

Senator Ushijima then moved that the Senate advise and consent to the nominations of Robert H. Ishimoto and Roland D. Sagum to the Civil Defense Advisory Council, for terms ending December 31, 1982, seconded by Senator Kuroda.

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

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

MATTERS DEFERRED
FROM APRIL 17, 1979

Senate Bill No. 664, S.D. 1, H.D.1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 664, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT", having been read throughout, passed Final Reading on the following showing of

Ayes and Noes:

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

Senate Bill No. 1752, S.D. 1, H.D. 1:

By unanimous consent, action on S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", was deferred until Friday, April 20, 1979.

MISCELLANEOUS COMMUNICATION

A communication from Mr. Melville L. Lemon, Sr., (Misc. Com. No. 40), acknowledging receipt of and expressing appreciation for the adoption of Senate Resolution No. 309 (1979), which congratulated Mr. Lemon on receiving the 1979 Hawaiian Lodge Number 21, Free and Accepted Masons, Hiram Award, was read by the Clerk and was placed on file.

At this time, Senator Yim announced that Mr. John Lowe, a Program Manager for Boeing Aircraft and three of his staff members met with officials from the Hawaiian Electric Company yesterday regarding the wind turbine generator to be constructed in Kahuku. They will be available to meet with all Senators who may be interested in listening to their wind machine this afternoon at 2:00 p.m. in Conference Room 6. Senator Yim noted that several hundred of these machines might be sufficient to generate electricity for all the needs of Oahu.

At 12:45 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 8:30 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 9:35 o'clock p.m., with all Senators present with the exception of Senator Ushijima, who was excused.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 621 to 655) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 621), transmitting House Concurrent Resolution No. 171, which was adopted by the House of Representatives on April 18, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ENFORCE REGULATIONS REQUIRING THE CONDUCT OF SAFETY INSTRUCTION PROGRAMS", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 622), transmitting House Concurrent Resolution No. 173, which was adopted by the House of Representatives on April 18, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TAKE NECESSARY ACTIONS TO ENHANCE THE CONSERVATION OF THE 'O'OPU NAKEA", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 623), transmitting House Concurrent Resolution No. 177, which was adopted by the House of Representatives on April 18, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A GUARANTEED STUDENT LOAN PROGRAM", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 624), transmitting House Concurrent Resolution No. 182, which was adopted by the House of Representatives on April 18, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION WELCOMING THE PARTICIPANTS IN THE FIRST ANNUAL HISTORY OF EDUCATION SOCIETY CONFERENCE HELD IN HAWAII AND CONGRATULATING DR. EDWARD BEAUCHAMP FOR HIS EFFORTS IN ARRANGING THE CONFERENCE", was adopted.

A communication from the House (Hse. Com. No. 625), 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 Senate Bill No. 9, S.D. 1, was adopted by the House; and S.B. No. 9, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 626), 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 Senate Bill No. 11 was adopted by the House; and S.B. No. 11, H.D. 1, C.D. 1,

passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 627), 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 Senate Bill No. 42, S.D. 1, was adopted by the House; and S.B. No. 42, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 628), 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 Senate Bill No. 182, S.D. 1, was adopted by the House; and S.B. No. 182, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 629), 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 Senate Bill No. 919, S.D. 1, was adopted by the House; and S.B. No. 919, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 630), 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 Senate Bill No. 1238, S.D. 1, was adopted by the House; and S.B. No. 1238, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 631), 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 Senate Bill No. 1727, S.D. 1, was adopted by the House; and S.B. No. 1727, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 632), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 181, H.D. 1, was adopted by the

House; and H.B. No. 181, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 633), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 424, H.D. 1, was adopted by the House; and H.B. No. 424, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 634), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 438, was adopted by the House; and H.B. No. 438, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 635), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 748, was adopted by the House; and H.B. No. 748, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 636), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 921, H.D. 1, was adopted by the House; and H.B. No. 921, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 637), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1140, H.D. 1, was adopted by the House; and H.B. No. 1140, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 638), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1341 were adopted by the House; and H.B. No. 1341, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 639), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1588 was adopted by the House; and H.B. No. 1588, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 640), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1647, H.D. 2, was adopted by the House; and H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 641), returning Senate Bill No. 1169, S.D. 1, which passed Third Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 642), returning Senate Concurrent Resolution No. 27, which was adopted by the House of Representatives on April 19, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 27, H.D. 1, 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 deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 643), returning Senate Concurrent Resolution No. 52, which was adopted by the House of Representatives on April 19, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 52, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW BY THE STATE AND COUNTY GOVERNMENTS OF CERTAIN EMPLOYMENT PRACTICES AND PROCEDURES", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 644), returning Senate Concurrent Resolution No. 57, S.D. 1, which was adopted by the House of Representatives on April 19, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 57, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 645), returning Senate Concurrent Resolution No. 60, which was adopted by the House of Representatives on April 19, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 60, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A TEMPORARY FEDERAL INTERGOVERNMENTAL PLANNING COMMISSION FOR HAWAII", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 646), returning Senate Concurrent Resolution No. 70, S.D. 1, which was adopted by the House of Representatives on April 19, 1979, in an amended form, was placed on file.

By unanimous consent, action on S.C.R. No. 70, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXEMPTION FROM THE AVERAGE WAGE PROVISIONS FOR CERTAIN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PARTICIPANTS", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 647), transmitting House Concurrent Resolution No. 102, H.D. 2, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 102, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONSIDER A GENERAL AVIATION AIRPORT AT POAMOHO, OAHU AND TO PURSUE THE JOINT USE OF WHEELER AIR FORCE BASE", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 648), transmitting House Concurrent Resolution No. 124, H.D. 1, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 124, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF THE BLUE STAR MEMORIAL HIGHWAY PROGRAM IN HAWAII", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 649), transmitting House Concurrent

Resolution No. 133, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF ESTABLISHING A HEALTH INFORMATION SYSTEM", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 650), transmitting House Concurrent Resolution No. 165, H.D. 1, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 165, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HONOKAA HOSPITAL DEVELOPMENT PROJECT BE ASSIGNED THE HIGHEST PRIORITY AND THAT THE DEVELOPMENT PROJECT PROCEED AS EXPEDITIOUSLY AS POSSIBLE", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 651), transmitting House Concurrent Resolution No. 168, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO GRANT ADDITIONAL FUNDS TO THE STATE OF HAWAII CRIPPLED CHILDREN SERVICES PROGRAM FOR THE TREATMENT AND CARE OF IMMIGRANT CHILDREN", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 652), transmitting House Concurrent Resolution No. 162, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONTINUING OPERATION OF THE KOHALA FEED AND FORAGE RESEARCH PROJECT OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 653), transmitting House Concurrent Resolution No. 169, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE

DEPARTMENT OF PERSONNEL SERVICES TO SPEED RECRUITMENT PRACTICES AND THE RELEASE OF FUNDS TO STIMULATE EMPLOYMENT", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 654), transmitting House Concurrent Resolution No. 172, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, action on H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF FEDERALLY REQUIRED SECURITY PROGRAMS AT STATE TRANSPORTATION FACILITIES", was deferred until Friday, April 20, 1979.

A communication from the House (Hse. Com. No. 655), transmitting House Concurrent Resolution No. 179, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION COMMEMORATING MAY 1, 1979, AS LAW DAY U.S.A.", was adopted.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 486 to 488) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 486), entitled: "SENATE RESOLUTION RECOGNIZING DR. WASIM A. SIDDIQUI OF THE UNIVERSITY OF HAWAII SCHOOL OF MEDICINE FOR HIS OUTSTANDING RESEARCH EFFORTS", was jointly offered by Senators Carpenter, Campbell, Abercrombie, Takitani, Anderson, Mizuguchi, Carroll, Saiki, Yim, Chong and George.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.R. No. 486 was adopted.

A resolution (S.R. No. 487), entitled: "SENATE RESOLUTION PROCLAIMING MAY, 1979, AS MENTAL HEALTH MONTH IN HAWAII", was jointly offered by Senators Carpenter, Kuroda, Chong, Kawasaki, Ajifu, Takitani, Carroll, Saiki, Ushijima, Campbell, Mizuguchi, Yim, Abercrombie, Yee and George.

On motion by Senator Carpenter, seconded by Senator Kuroda and carried, S.R. No. 487 was adopted.

A resolution (S.R. No. 488), entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON MONOPOLIES AND THE RESTRAINT OF TRADE", was offered by Senator O'Connor.

By unanimous consent, S.R. No. 488 was referred to the Committee on Judiciary, then to the Committee on Legislative Management.

STANDING COMMITTEE REPORTS

Senators Carpenter and Mizuguchi, for the Committees on Health and Transportation, presented a joint report (Stand. Com. Rep. No. 1181), recommending that Senate Resolution No. 386, as amended in S.D. 1, be adopted.

At 9:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:40 o'clock p.m.

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, Roll Call vote having been requested, the joint report of the Committees was adopted and S.R. No. 386, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE ADEQUACY OF SIGNS AND OTHER EMBLEMS INDICATING THE LOCATION OF EMERGENCY MEDICAL FACILITIES AND HOSPITALS", was adopted on the following showing of Ayes and Noes:

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

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1182), recommending that Senate Resolution No. 372, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Roll Call vote having been requested, the report of the majority of the Committee was adopted and S.R. No. 372, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A FEASIBILITY STUDY ON INCLUDING CHIROPRACTIC BENEFITS IN PREPAID HEALTH CARE COVERAGE", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 18. Noes, 6 (Anderson, George, Hara, Saiki, Takitani and Yee). Excused, 1 (Ushijima).

At 9:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:47 o'clock p.m., and the Chair directed the Clerk to note the presence of Senator Ushijima.

Senator Saiki then stated as follows:

"Mr. President, we have in the gallery; a very distinguished gentleman who is now serving as the Director of the Department of Planning and Economic Development, and after tomorrow evening, I hope we will be pleased with his services.

"He is an able, sincere and dedicated public servant and a man who has been the center of a little bit of controversy the last couple of weeks. He did receive overwhelming support in a public hearing yesterday, and I am very pleased this evening to introduce to all of you, a man, who in my estimation, is a true gentleman with class...Mr. Hideto Kono.

"I would like to present this lei, which was given to me by Senator Kuroda to present to Mr. Kono."

At 9:48 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:50 o'clock p.m.

Senator Kuroda then rose on a point of personal privilege and stated:

"Mr. President, I rise on a point of personal privilege and make reference to the recognition just given to Mr. Kono, and in reference to the lei that Senator Saiki mentioned that I provided. I think it's only proper that we put everything in perspective.

"Two leis were made available at the hearing for Mr. Kono and Mr. Susumu Ono, and Mr. Kono was not present at that time.

"Now, Mr. President, I yield to Senator Cayetano who would like to say a few words."

Senator Cayetano then remarked:

"Mr. President, with your permission, I'd like to present a lei to a great Senator, a great member of this Body, a man of great courage, a man who served the State of Hawaii with honor and dignity, Senator T.C. Yim."

At 9:51 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:52 o'clock p.m.

Senator Yee then stated:

"Mr. President, I think it's becoming also that the minority members of the Senate also extend our good wishes to Senator Yim on his reconsideration of the confirmation of a valuable person. It is not easy for someone to take such a strong stand and then to reevaluate that position. I want to convey my thanks

to Senator Yim who is willing to put aside personal differences for a man who would do good for Hawaii. Thank you."

Senator Yim then said, "I just want to say to Senator Yee, 'I appreciate that remark.' Thank you very much."

Senators Cobb and Carpenter, for the Committees on Consumer Protection and Commerce and Health, presented a joint report (Stand. Com. Rep. No. 1183), recommending that Senate Resolution No. 115, as amended in S.D. 1, be adopted.

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Roll Call vote having been requested, the joint report of the Committees was adopted and S.R. No. 115, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF MASSAGE TO UPGRADE AND DIVERSIFY ITS TESTS FOR LICENSING", was adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1184), recommending that the Senate advise and consent to the nomination of James L. Swenson as Administrator, State Health Planning and Development Agency, in accordance with Gov. Msg. No. 293.

By unanimous consent, action on Stand. Com. Rep. No. 1184 and Gov. Msg. No. 293 was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1185), recommending that the Senate advise and consent to the nominations of the following:

Junedale U. Hashimoto to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 280;

Elizabeth D. Menor to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 281;

James T. Miyahara, Ph.D. to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 282;

John R. Penebacker to the Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 283;

Robert M. Gibson, D.D.S. to the Board of Health, in accordance with

Gov. Msg. No. 284;

Amelia R. Jacang, M.D., to the Board of Health, in accordance with Gov. Msg. No. 285;

Thomas Y. Kobara, M.D. to the Board of Health, in accordance with Gov. Msg. No. 286;

Cayetano Gerardo to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 287;

Jerrold M. Michael to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 288;

Ronald I. Taketa to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 289;

Ira Vanterpool to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 290;

Pauline W. Yim to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 291;

Leland K.W. Chang to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 294;

Donald I. Dunn to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 295;

Faith Lee to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 296;

Winifred S. Thompson to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 297;

Mary D. Vergara to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 298;

Gerald H.B. Wong, D.D.S., to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 299;

Carolyn K. Yamada to the East Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 300;

Ted Adres to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 301;

Sandra L. Chung to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 302;

Judith A. Hartner, M.D., to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 303;

Angeline Heffner to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 304;

Lynn K. Murakami to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 305;

J. Abraham R. Pasadaba to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 306;

Janice L. Rios to the West Honolulu Subarea Health Planning Council, in accordance with Gov. Msg. No. 307;

Ralph Elikan to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 308;

Wallace T. Hirai to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 309;

Karen S. Isobe to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 310;

Haulani Croft Leal to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 311;

Reginald S. Lee to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 312;

Shirley B. Matutino to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 313;

Theodore A. Remaly to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 314;

Ira Vanterpool to the Central Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 315;

Mary Jane Amundson to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 316;

Carl T. Hamada to the Windward Oahu

Subarea Health Planning Council, in accordance with Gov. Msg. No. 317;

Ronald T. Hayashi to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 318;

Nancy T. Higa to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 319;

Kuhio Mahaulu, Sr., to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 320;

Clifford E. Miller to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 321;

Mary K. Salter to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 322;

Myron L. Tong to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 323;

Rebecca L. Uu to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 324;

John H. Wooley to the Windward Oahu Subarea Health Planning Council, in accordance with Gov. Msg. No. 325;

Marion A. Metz to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 326;

Barbara E. Miguel to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 327;

Gregory Solomon to the Waianae Coast Subarea Health Planning Council, in accordance with Gov. Msg. No. 328;

Mary Evangelista to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 329;

Mildred M. Guerrero to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 330;

Gennie L. Kinney to the Hawaii County Subarea Health Planning Council,

in accordance with Gov. Msg. No. 331;

Ellen I. Kusano to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 332;

Nellie Metcalf to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 333;

Reynold Mishina to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 334;

Steven L. Raiser, D.V.M., to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 335;

Harland R. Reed to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 336;

Mimi B. Warsh to the Hawaii County Subarea Health Planning Council, in accordance with Gov. Msg. No. 337;

Virginia Beck to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 338;

Josephine C. Duvauchelle to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 339;

Cayetano Gerardo to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 340;

Hilda H. Inouye to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 341;

Gilbert N. Fernandes to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 342;

Malcolm Fernandez to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 343;

Saturnino Medrano to the Kauai County Subarea Health Planning Council, in accordance with Gov. Msg. No. 344;

Virginia A. Rapozo to the Kauai County Subarea Health Planning Council, in accordance with Gov.

Msg. No. 345;

Virgilio R. Agcolicol to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 346;

Sidney B. Clark, M.D., to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 347;

Kathleen R. Johnson to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 348;

Corazon E. Masicampo to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 349;

Masaichi Ono to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 350;

Jo-Ann T. Ridao to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 351;

Dorothy Romson to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 352;

Laureen Tanaka-Sanders to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 353;

Pauline Torreecer to the Maui County Subarea Health Planning Council, in accordance with Gov. Msg. No. 354;

Maurice L. Brodsky, M.D., to the County Hospital Management Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 355;

Rachel S. Chang to the County Hospital Management Advisory Committee, City and County of Honolulu, in accordance with Gov. Msg. No. 356;

Charles H. Hustace, Jr., to the County Hospital Management Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 357;

Moon Soo Park, M.D., to the County Hospital Management Advisory Committee, County of Hawaii, in accordance with Gov. Msg. No. 358;

Donna M. Schulze to the County Hospital Management Advisory Committee, County of Kauai, in accordance with Gov. Msg. No. 359;

Joseph E. Andrews, M.D., to the County Hospital Management Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 360;

Norman H. Muranaka to the County Hospital Management Advisory Committee, County of Maui, in accordance with Gov. Msg. No. 361;

Paul A. DeMare, M.D., to the Board of Radiologic Technologists, in accordance with Gov. Msg. No. 362;

Edith LaRae Clements to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 363;

Kathleen E. Gartrell to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 364;

George H. Green, D.D.S., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 365;

Nellie T. Hiyane to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 366;

Clifford M. Horita to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 367;

Roy F. Kuboyama, M.D., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 368;

Carol Matsuzaki to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 369;

Ralph M. Murakami to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 370;

Gay M. Okada to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 371;

Patricia K. Osgood, R.N., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 372;

Dean J. Tajima, O.D., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 373;

Gilfred Tanabe, Ph.D., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 374;

Stephanie A. Terlep to the School

Health Services Advisory Committee, in accordance with Gov. Msg. No. 375;

Henry K. Tominaga, Ed.D., to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 376; and

William Y. Yamada to the School Health Services Advisory Committee, in accordance with Gov. Msg. No. 377.

By unanimous consent, action on Stand. Com. Rep. No. 1185 and Gov. Msg. Nos. 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376 and 377 was deferred until Friday, April 20, 1979.

At 9:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:57 o'clock p.m.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1186), recommending that House Concurrent Resolution No. 85, H.D. 2, as amended in S.D. 1, be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Roll Call vote having been requested, the report of the Committee was adopted and H.C.R. No. 85, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY TO DETERMINE THE FEASIBILITY AND DESIRABILITY OF CODIFYING THE RULES OF EVIDENCE", was adopted on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1187), recommending that the Senate advise and consent to the nominations of the following:

Alan D. Beldin to the State Highway Safety Council, in accordance with Gov. Msg. No. 459;

James J. Fujita to the State Highway Safety Council, in accordance with Gov. Msg. No. 460;

Isamu Kaneda to the State Highway

Safety Council, in accordance with Gov. Msg. No. 461;

Yuzuru Kanno to the State Highway Safety Council, in accordance with Gov. Msg. No. 462;

Elizabeth H. Rossall to the State Highway Safety Council, in accordance with Gov. Msg. No. 463;

Samuel S. Suzuki to the State Highway Safety Council, in accordance with Gov. Msg. No. 464;

Wayne K. Tsukiyama to the State Highway Safety Council, in accordance with Gov. Msg. No. 465;

James E. Oda, M.D., to the Medical Advisory Board, in accordance with Gov. Msg. No. 466;

Dorothy Wells Lum to the Commission on Transportation, in accordance with Gov. Msg. No. 467; and

Mark K. Tanaka to the Commission on Transportation, in accordance with Gov. Msg. No. 468.

By unanimous consent, action on Stand. Com. Rep. No. 1187 and Gov. Msg. Nos. 459, 460, 461, 462, 463, 464, 465, 466, 467 and 468 was deferred until Friday, April 20, 1979.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1188), recommending that Senate Resolution No. 62, as amended in S.D. 1, be referred to the Committee on Legislative Management.

Senator Mizuguchi moved that the report of the Committee be adopted and that S.R. No. 62, S.D. 1, be referred to the Committee on Legislative Management, seconded by Senator Yim.

Senator Anderson then spoke in favor of the resolution as follows:

"Mr. President, the concept of this resolution was tried several years back. The matter of staggered work hours has been one that the Legislature and the City Council have been talking about for an awfully long time in Hawaii.

"An example though, I think was Kalani High School in the Seventh Senatorial District, if I'm not mistaken, where the state moved in and tried to have Kalani change their hours, as Kalani is on Kalaniana'ole Highway and the dropping off of children in the morning evidently backlogs traffic to Hawaii Kai proper.

"As I remember, Mr. President, at that time, the HSTA--I think it was the teachers' union--and Mr. (Henry) Epstein representing the UPW, stepped in because the work hours for the teachers, cafeteria workers, custodians, the principals and all of the union people would have to be changed.

"As I recall, Mr. President, there was much debate, there were public hearings and much discussion, but the crux of it, Mr. President, was that the unions and the teachers opposed it openly and thus it was never meant to be implemented...and we couldn't move ahead.

"As you know, Mr. President, if we could implement staggered work hours throughout not just the government agencies, but also the private sector, I think it would do much to alleviate some of the traffic on our highways.

"I commend the Chairman of the Committee on Transportation for being so persistent. I think that only with this kind of dedication of pounding, over and over again, into the unions and to the administration that the legislative body is in fact a policy-making body and that these tremendous resolutions should in fact be adhered to. I think if we continue to do this, Mr. President, we're going to make some headway. I would urge all of my colleagues to vote 'aye' in the roll call vote."

Senator Soares then stated as follows:

"Mr. President, as a member of the Seventh Senatorial District--and I would like to include my colleagues Senators O'Connor, Cobb and Saiki--to further support the resolution...

"We have had a few more facts that should be brought out this evening, and that is that the parents actively participated in a survey in which students and parents stood on Kalaniana'ole Highway for a week, counting the cars from the prime time of 6:30 to 8:00 o'clock in the morning and then again in the afternoon.

"They also found out that many of our constituents, as far as Hawaii Kai, do attend schools such as Punahou, Kamehameha, St. Louis and Iolani, and these people are also on the highway.

"I think the students and parents had a very good hearing. We all attended that hearing and had the opportunity to discuss the pros and cons of that particular high school getting involved in staggered hours. I think there's a lot more other schools throughout the state that should consider the idea of staggered working hours. I think it's important to note that the model that we set at Kalani High School on total parent-student-teacher

effort, in this regard, was commendable.

"I think that this resolution...while the Chairman of the Committee on Transportation is looking toward solving some of the problems, it will be, I think, very educational to all of us to watch community in action where the parents get involved and students get involved and the whole community gets involved in trying to solve a real serious problem. I urge we vote 'aye' on this resolution, Mr. President."

The motion was put by the Chair and carried, and Roll Call vote having been requested, the report of the Committee was adopted and S.R. No. 62, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO A STAGGERED WORK HOUR PROGRAM TO DEAL WITH TRAFFIC CONGESTION", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 10:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:20 o'clock p.m.

Senator Anderson then stated:

"Mr. President, I'd like to yield to the question that the Chairman of the Committee on Ways and Means would like to ask me for the record, I think he said."

At 10:21 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:22 o'clock p.m.

Senator Cayetano then remarked:

"Mr. President, the question I asked the good Senator was asked off the record, of course, and I had not intended to ask it on the record. However, if he insists, I will. The question is this, 'Senator Anderson, you stated on the floor that because of this one matter that you have a terrible problem with, you are willing to filibuster the proceedings, even though it meant killing the budget and all of the other important bills we have before us.' Is that correct?"

Senator Anderson then answered:

"Mr. President, in discussion during the recess, I made a statement off the record and I'll now make it on the

record. I feel so strongly about Carl Carlson (being confirmed as a member of the University of Hawaii Board of Regents) and about the treatment that he is getting, that I would be willing, and I want to make it very clear, be willing to kill every bill on my desk and force this session into an extension for your being unreasonable."

Senator Cayetano then inquired if the previous speaker would yield to a question, to which Senator Anderson replied in the affirmative.

Senator Cayetano then asked: "Senator Anderson, I hope you did not mean I was being unreasonable."

Senator Anderson answered: "Oh, of course not, Senator Cayetano, I work very fine with you, sir."

At 10:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:43 o'clock p.m.

Senators Mizuguchi and Yim, for the Committees on Transportation and Economic Development, presented a joint report (Stand. Com. Rep. No. 1189), recommending that Senate Resolution No. 84 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the joint report of the Committees was adopted and S.R. No. 84, entitled: "SENATE RESOLUTION RELATING TO STATE OWNED DRY DOCKS", was adopted.

At this time, the President introduced to the members of the Senate, the Honorable George R. Ariyoshi, Governor of the State of Hawaii, and Mrs. Ariyoshi.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1190), recommending that Senate Resolution No. 188, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 188, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONDUCT A STUDY ON THE FEASIBILITY OF USING REVERSIBLE LANES ON THE LIKELIKE HIGHWAY AND PALI HIGHWAY", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1191), recommending that Senate Resolution No. 314, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 314, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SUBMITTAL OF THE STATE'S GASOLINE SHORTAGE CONTINGENCY PLAN AND ITS REVIEW BY THE SENATE COMMITTEE ON TRANSPORTATION", was referred to the Committee on Legislative Management.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1192), recommending that Senate Resolution No. 370 be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 370, entitled: "SENATE RESOLUTION URGING THE STATE DEPARTMENT OF TRANSPORTATION TO EXPEDITE THE CONSTRUCTION OF A BYPASS ROUTE AROUND HALEIWA TOWN, OAHU", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1193), recommending that Senate Resolution No. 437, as amended in S.D. 1, be adopted.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and S.R. No. 437, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE CONTINUATION, PROMOTION AND EXPANSION OF THE VAN GO HAWAII PROGRAM", was adopted.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1194), recommending that Senate Resolution No. 441 be referred to the Committee on Legislative Management.

Senator Mizuguchi moved that the report of the Committee be adopted and S.R. No. 441 be referred to the Committee on Legislative Management, seconded by Senator Yim.

Senator Mizuguchi then spoke for the adoption of the resolution as follows:

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

"The issue of a new second reliever airport on Oahu is an issue that affects all of us. Any public project of this magnitude which promises to impact on so much land and so many people requires careful and rational planning. The consequences of mistakes can be expensive and perhaps tragic.

"The state administration has been

faced with this problem for many years. After many years of indecision, it has made a two-part decision which it now seeks to have the Legislature ratify; one is to build a new general aviation airport on heretofore non-airport land; and two, to locate that new airport near Helemano in central Oahu. Anyone who has not given blanket support to the administration's decision has been accused of unreasonable delaying actions. Anyone who has unstintingly supported the administration is cast as a rational being.

"But how rational are these decisions? Can we as a body support these decisions?

"The Senate of the Tenth Legislature has already refused to be a rubber stamp on this issue. Rather, our approach has been to offer alternatives which would better answer the criticisms and concerns of those who question the administration's decision.

"We offered the idea of a site selection commission which would have selected a site only upon receiving much greater input from the community. The commission would also have had greater input from the potential users of the new airport. At this moment, the administration has no firm guarantees that the pilots and aircraft owners for whom the new airport is intended will, in fact, use that airport instead of Honolulu International Airport.

"The Helemano site is not one favored by the potential users and the state administration is too casual about the means it hopes to use to force them to use it. Nevertheless, the other chamber has chosen to kill this alternative.

"The second alternative that the Senate is now in a position to suggest, is the alternative in the resolution before you. As we have stated in the committee report, Senate Resolution No. 441 does not call for the joint use alternative. Rather, Senate Resolution No. 441 offers the alternative of acquisition--the acquisition of an existing military airfield which is presently underutilized or which could be consolidated for more efficient use by the military. In return, Mr. President, the state could use the monies which it plans to spend on the Helemano site for the construction of appropriate facilities to enable the military to use a consolidated field. Or we could enter into a land exchange. Or we could construct a new base or relocate an existing one.

"I have recently discussed this alternative with members of our congressional team--Senator Matsunaga and Representatives Heftel and Akaka--at a recent caucus, and have received assurances that there is some hope of its viability. It would be much more palatable to the military than joint use. It would also minimize

the disadvantages and the mistakes that construction of a new airport in Helemano would entail. The impact on the community would be less. The impact on agriculture would be less. Our scarce land would be used much more efficiently than in the administration's proposal.

"Even as we offer this alternative, we recognize that the administration is proceeding with its plans to construct the new airport at Helemano. All this resolution asks, Mr. President, is that another alternative approach be considered which has not yet been considered.

"Before we commit ourselves to this site which we are not certain will actually alleviate the situation at Honolulu International, before we make an expensive decision which we may regret, let us make sure that we have, indeed, fully considered all possible alternatives. Let us, by adoption of this resolution, declare that the Senate is not convinced that the state administration has arrived at the best possible decision.

"I urge all members of the Senate to vote 'aye' on Senate Resolution No. 441. Thank you."

Senator Carroll then spoke in favor of the resolution as follows:

"Mr. President, I'd like to speak in favor of this resolution and to confirm the stand of the Chairman of the Senate Committee on Transportation.

"The going forward in the Poamoho site, I think is going to be a disastrous effort on the part of the state administration, and I am really distressed to hear that they have moved in that direction.

"When we went there just a few weeks ago, we looked at it and we knew then that virtually every site that is even remotely usable for aviation has already been used at one time or another by the military and many, of course, have been abandoned.

"This particular area has never been used because it's so bad, and I can state as a pilot, that I would not want to be flying in there after several thousand hours of flight time. As an instructor pilot, that would be about the last place on this island I would pick to teach somebody how to fly.

"I think it's an inordinately poor choice and I hope that we will not follow with it. I think that the acquisition of Wheeler Field, if it can possibly be done through a joint effort with the

administration with both bodies of the Legislature, is really an ideal site. I would just like to add that I proposed that in 1971, 1973, 1975 and 1977. Thank you."

The motion was put by the Chair and carried, and the report of the Committee was adopted and S.R. No. 441, entitled: "SENATE RESOLUTION RELATING TO A GENERAL AVIATION AIRPORT ON OAHU", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1195), recommending that Senate Resolution No. 54 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 54, entitled: "SENATE RESOLUTION DIRECTING THE SENATE JUDICIARY COMMITTEE TO EXAMINE THE EXISTING DEPARTMENTAL STRUCTURE OF THE EXECUTIVE BRANCH", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1196), recommending that Senate Resolution No. 389 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 389, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE POSSIBILITY OF ESTABLISHING COMPREHENSIVE STATUTES REGARDING THE USE AND OWNERSHIP OF FIREARMS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1197), recommending that Senate Resolution No. 393 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 393, entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON HAWAII'S COMPARATIVE NEGLIGENCE LAWS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1198), recommending that Senate Resolution No. 396 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 396, entitled: "SENATE RESOLUTION

RELATING TO GARNISHMENT", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1199), recommending that Senate Resolution No. 412, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 412, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THAT THE PROPOSED MODIFICATIONS TO THE HAWAII RULES OF EVIDENCE BE INTRODUCED IN THIS SESSION OF THE LEGISLATURE, THEN STUDIED DURING THE INTERIM PERIOD BETWEEN THE REGULAR SESSION OF 1979 AND THE REGULAR SESSION OF 1980", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1200), recommending that Senate Resolution No. 415 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 415, entitled: "SENATE RESOLUTION REQUESTING INTERIM STUDY AND INTERIM PUBLIC HEARINGS ON CONSTITUTIONAL AMENDMENTS", 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. 1201), recommending that Senate Resolution No. 355 be adopted.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and S.R. No. 355, entitled: "SENATE RESOLUTION REQUESTING A STUDY TO DETERMINE WHETHER MARTIAL ART TOURNAMENTS OR SIMILAR SPORTING EVENTS SHOULD BE UNDER OFFICIAL STATE SUPERVISION AND CONTROL", was adopted.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1202), recommending that the Senate advise and consent to the nominations of the following:

Efrain Andrews to the Board of Public Accountancy, in accordance with Gov. Msg. No. 123;

Jerome H. Ongies to the Board of Public Accountancy, in accordance

with Gov. Msg. No. 124;

Phyllis N.T. Shea to the Board of Public Accountancy, in accordance with Gov. Msg. No. 125;

Larry S. Tamanaha to the Board of Public Accountancy, in accordance with Gov. Msg. No. 126;

John T. Nakajima to the Board of Acupuncture, in accordance with Gov. Msg. No. 127;

Clinton K. Akana to the Board of Barbers, in accordance with Gov. Msg. No. 129;

Virginia M. Lau to the Board of Barbers, in accordance with Gov. Msg. No. 130;

Patsy Yorimoto to the Board of Barbers, in accordance with Gov. Msg. No. 131;

Seiji Naya, Ph.D., to the Boxing Commission, in accordance with Gov. Msg. No. 132;

Richard A. Sanderson to the CATV Advisory Committee, in accordance with Gov. Msg. No. 133;

Jack C. Wada to the CATV Advisory Committee, in accordance with Gov. Msg. No. 134;

Patrick V. Caires to the Cemetery and Mortuary Board, in accordance with Gov. Msg. No. 135;

Clifford H. Dodo to the Cemetery and Mortuary Board, in accordance with Gov. Msg. No. 136;

Alice K. Hahn to the Cemetery and Mortuary Board, in accordance with Gov. Msg. No. 137;

Mervyn E. Masumura to the Cemetery and Mortuary Board, in accordance with Gov. Msg. No. 138;

Mavelyn Kim to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 139;

Francisco V. Mariano to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 140;

Brian M. O'Brien, D.C., to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 141;

Roy H. Tanaka, D.C., to the Board of Chiropractic Examiners, in accordance with Gov. Msg. No. 142;

Alan G. Meyers, Sr., to the Contractors

License Board, in accordance with Gov. Msg. No. 143;

Kenneth S. Shioi to the Contractors License Board, in accordance with Gov. Msg. No. 144;

Harry M. Ushijima to the Contractors License Board, in accordance with Gov. Msg. No. 145;

Warren J. Makalii to the Board of Cosmetology, in accordance with Gov. Msg. No. 147;

Louise K. McKee to the Board of Cosmetology, in accordance with Gov. Msg. No. 148;

Betty Kernaghan to the Credit Union Review Board, in accordance with Gov. Msg. No. 149;

Masao Nakashima to the Credit Union Review Board, in accordance with Gov. Msg. No. 150;

Dan W. Andersen, Ph.D., to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 151;

Philip J. Bossert, Ph.D., to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 152;

Robert L. Cushing to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 153;

Jeanne N. Michael to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 154;

Rev. David H. Schuyler, S.M., to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 155;

Lionel Y. Tokioka to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 156;

Chatt G. Wright to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 157;

Christ P. Zivalich, Jr., to the Advisory Committee on Degree Granting Institutions, in accordance with Gov. Msg. No. 158;

Edward T.K. Au, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 159;

Ben H. Hirano, D.D.S., to the Board of Dental Examiners, in accordance with Gov. Msg. No. 160;

Naomi R. Correa to the Board of Dental Examiners, in accordance with Gov. Msg. No. 161;

Thomas J. Jelf to the Board of Dental Examiners, in accordance with Gov. Msg. No. 162;

George K. Hall to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 163;

Pedro E. Racelis, Jr., to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 164;

George R. Rodrigues, Jr., to the Board of Electricians and Plumbers, in accordance with Gov. Msg. No. 165;

Robert Y. Mito to the Elevators Mechanics Licensing Board, in accordance with Gov. Msg. No. 166;

Alfred S.L. Yuen to the Elevators Mechanics Licensing Board, in accordance with Gov. Msg. No. 167;

John Primacio to the Board of Registration of Professional Engineers, Architects, and Surveyors, in accordance with Gov. Msg. No. 168;

Walter K. Tagawa to the Board of Registration of Professional Engineers, Architects, and Surveyors, in accordance with Gov. Msg. No. 169;

Aileen S. Tokujo to the Board of Registration of Professional Engineers, Architects, and Surveyors, in accordance with Gov. Msg. No. 170;

Alan T. Doi to the Board of Hearing Aid Dealers and Fitters, in accordance with Gov. Msg. No. 172;

Russell M. Solomon to the Board of Hearing Aid Dealers and Fitters, in accordance with Gov. Msg. No. 173;

Richard W. Melton to the Board of Massage, in accordance with Gov. Msg. No. 174;

Kenneth Nakamatsu to the Board of Massage, in accordance with Gov. Msg. No. 175;

Sharon M. Young to the Board of Massage, in accordance with Gov. Msg. No. 176;

Malcolm K. Crosby to the Board of Medical Examiners, in accordance

with Gov. Msg. No. 178;

John H.C. Kim, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 179;

Edwin I. Cleveland to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 180;

David S. De Luz, Sr., to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 181;

Clarence H. Oka to the Motor Vehicle Industry Licensing Board, in accordance with Gov. Msg. No. 182;

Randall D. Souza to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 183;

Allan S. Totoki to the Motor Vehicle Repair Industry Board, in accordance with Gov. Msg. No. 184;

Pacita A. Aguila to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 185;

Edward J. Madison, N.D., to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 186;

Roxeanne C. Clark to the State Board of Nursing, in accordance with Gov. Msg. No. 187;

Ralph J. King to the State Board of Nursing, in accordance with Gov. Msg. No. 188;

Virginia S.K. Kam to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 189;

Rev. Robert F. Meyer to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 190;

Ronald H. Nagano to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 191;

Glenn T. Shigemura to the Board of Dispensing Opticians, in accordance with Gov. Msg. No. 192;

David R. DeCosta to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 193;

Stanley M. Kuriyama to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 194;

Ronald R. Reynolds, O.D., to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 195;

Stanley J. Yamane, O.D., to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 196;

Alan R. Becker, D.O., to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 197;

Douglas H. Kaya, Jr., to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 198;

Stella Satake to the Board of Osteopathic Examiners, in accordance with Gov. Msg. No. 199;

James E. DeMello to the Board of Pharmacy, in accordance with Gov. Msg. No. 200;

William G. Joor, Jr., to the Board of Pharmacy, in accordance with Gov. Msg. No. 201;

Walter W. Oshima to the Board of Pharmacy, in accordance with Gov. Msg. No. 202;

Finn Anonsen to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 203;

James K. Dowling to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 204;

David B.K. Lyman, III, to the Board of Pilot Commissioners, in accordance with Gov. Msg. No. 205;

Jack S. Annon, Ph.D., to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 208;

Janet S. Ishikawa, Ph.D., to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 209.

Patricia N. Reile to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 210;

Ramon M. Tanaka to the Board of Certification for Practicing Psychologists, in accordance with Gov. Msg. No. 211;

Francis N. Kauhane, Jr., to the Real Estate Commission, in accordance with Gov. Msg. No. 212;

George A. Morris to the Real Estate Commission, in accordance with Gov. Msg. No. 213;

Gregg T. Yamanaka to the Real Estate Commission, in accordance with Gov. Msg. No. 214;

Gladys Park to the Board of Speech

Pathology and Audiology, in accordance with Gov. Msg. No. 215;

Gaile A. Sykes to the Board of Speech Pathology and Audiology, in accordance with Gov. Msg. No. 216;

Lester G. Naito, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 217;

Joyce L. Oblow to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 218;

Al K. Takayama, D.V.M., to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 219; and

Letitia N. Uyehara to the Board of Veterinary Examiners, in accordance with Gov. Msg. No. 220.

By unanimous consent, action on Stand. Com. Rep. No. 1202 and Gov. Msg. Nos. 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174, 175, 176, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219 and 220 was deferred until Friday, April 20, 1979.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1203), recommending that Senate Resolution No. 130, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 130, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF TREATMENT OPTION FOR DOWN'S SYNDROME", was adopted.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1204), recommending that Senate Resolution No. 265, S.D. 1, as amended in S.D. 2, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1204 and S.R. No. 265, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS

STANDARDS", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1205), recommending that Senate Resolution No. 371, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 371, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF MINIMUM EDUCATIONAL REQUIREMENTS FOR ENTRY INTO THE PRACTICE OF NURSING", was adopted.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1206), recommending that Senate Resolution No. 418, as amended in S.D. 1, be adopted.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and S.R. No. 418, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO RESIDENTIAL TREATMENT FACILITIES FOR MENTAL HEALTH AND/OR SUBSTANCE ABUSE PATIENTS", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1207), recommending that Senate Resolution No. 53 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 53, entitled: "SENATE RESOLUTION RELATING TO THE UCC", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1208), recommending that Senate Resolution No. 181, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 181, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING REVIEW OF FEMALE STATUS OFFENDERS IN THE JUSTICE SYSTEM", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1209), recommending that Senate Resolution No. 390 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R.

No. 390, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON THE FEASIBILITY OF ESTABLISHING A DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1210), recommending that Senate Resolution No. 392 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 392, entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON HAWAII'S CORPORATION LAWS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1211), recommending that Senate Resolution No. 394 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 394, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON JUDICIARY TO STUDY THE JUVENILE JUSTICE PLAN AND SUPPLEMENT", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1212), recommending that Senate Resolution No. 395, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 395, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE EUTHANAIR REVIEW COMMITTEE OF THE HAWAIIAN HUMANE SOCIETY TO STUDY THE USE OF ALTERNATE MEANS TO EUTHANIZE ANIMALS", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1213), recommending that Senate Resolution No. 414 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 414, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF LAWS RELATING TO GUARDIANSHIP, CIVIL COMMITMENT,

AND PROTECTIVE SERVICES", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1214), recommending that Senate Resolution No. 428 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 428, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY OF THE REVISION OF THE HAWAII REVISED STATUTES", was referred to the Committee on Legislative Management.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1215), recommending that Senate Resolution No. 169 be adopted.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 169, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF ALTERNATIVES TO JAIL INCARCERATION", was adopted.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1216), recommending that Senate Resolution No. 413 be referred to the Committee on Legislative Management.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and S.R. No. 413, entitled: "SENATE RESOLUTION REQUESTING THAT AN INTERIM STUDY BE CONDUCTED ON THE COORDINATION BETWEEN THE SUB-UNITS OF THE STATE CRIMINAL JUSTICE SYSTEM", was referred to the Committee on Legislative Management.

At 10:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:55 o'clock p.m.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1217), recommending that Senate Resolution No. 250, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1217 and S.R. No. 250, S.D. 1, entitled: "SENATE RESOLUTION URGING ESTABLISHMENT OF INTERN WORK-EXPERIENCE PROGRAMS IN THE AGRICULTURAL CURRICULA AT THE MANOA AND HILO CAMPUSES OF THE UNIVERSITY OF HAWAII", was deferred until Friday, April 20, 1979.

Senator Abercrombie, for the Committee

on Higher Education, presented a report (Stand. Com. Rep. No. 1218), recommending that Senate Resolution No. 251, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1218 and S.R. No. 251, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF AN ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURAL EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII", was deferred until Friday, April 20, 1979.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1219), recommending that Senate Resolution No. 268, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1219 and S.R. No. 268, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE HAWAIIAN HIGHER EDUCATION COUNCIL", was deferred until Friday, April 20, 1979.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1220), recommending that Senate Resolution No. 432, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1220 and S.R. No. 432, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO RECOGNIZE THE EXCEPTIONAL ACCOMPLISHMENTS OF THE ENVIRONMENTAL STUDIES PROGRAM", was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1221), recommending that Senate Resolution No. 142, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1221 and S.R. No. 142, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY EXAMINING THE EFFECTS OF CRIMES AGAINST PROPERTY", was deferred until Friday, April 20, 1979.

Senators O'Connor and Carpenter, for the Committees on Judiciary and Health, presented a joint report (Stand. Com. Rep. No. 1222), recommending that Senate Resolution No. 416 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1222 and S.R. No. 416, entitled: "SENATE RESOLUTION RELATING TO TOUR BUSES ON NUUANU PALI DRIVE", was deferred until Friday, April 20, 1979.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1223), recommending that Senate Resolution No. 488 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1223 and S.R. No. 488, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON MONOPOLIES AND THE RESTRAINT OF TRADE", was deferred until Friday, April 20, 1979.

Senators Campbell and Carpenter, for the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 1224), recommending that Senate Resolution No. 96 be referred to the Committee on Ways and Means.

By unanimous consent, action on Stand. Com. Rep. No. 1224 and S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING INCLUSION OF CURRICULA RELATING TO EPILEPSY IN HEALTH EDUCATION PROGRAMS IN THE PUBLIC SCHOOL SYSTEM", was deferred until Friday, April 20, 1979.

Senators Campbell and Carpenter, for the majority of the Committees on Education and Health, presented a joint report (Stand. Com. Rep. No. 1225), recommending that Senate Resolution No. 369 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1225 and S.R. No. 369, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF THE SCHOOL FOOD SERVICES PROGRAM", was deferred until Friday, April 20, 1979.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1226), recommending that Senate Resolution No. 306 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1226 and S.R. No. 306, entitled: "SENATE RESOLUTION ENCOURAGING SCHOOLS TO UTILIZE SHORELINES FOR INSTRUCTION IN OCEAN STUDIES", was deferred until Friday, April 20, 1979.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1227), recommending that Senate Resolution No. 434 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1227 and S.R. No. 434, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO RECONSIDER

THE LIMITATION IMPOSED ON JROTC PROGRAMS IN PUBLIC HIGH SCHOOLS", was deferred until Friday, April 20, 1979.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 1228), recommending that House Concurrent Resolution No. 24, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1228 and H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was deferred until Friday, April 20, 1979.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1229), recommending that House Concurrent Resolution No. 89, H.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1229 and H.C.R. No. 89, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was deferred until Friday, April 20, 1979.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1230), recommending that the Senate advise and consent to the nominations of the following:

Ramona H. Hao to the Hawaii Education Council, in accordance with Gov. Msg. No. 256;

Edward K. Hasegawa to the Hawaii Education Council, in accordance with Gov. Msg. No. 257;

Leatrice T. Kakesako to the Hawaii Education Council, in accordance with Gov. Msg. No. 258;

Stephen A. Werbel, Ph.D., to the Hawaii Education Council, in accordance with Gov. Msg. No. 259;

Brian T. Tamamoto to the Filipino 75th Anniversary Commission, in accordance with Gov. Msg. No. 260;

Candace K. Lee to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 261;

Sidney K.E. Leong to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 262;

Naomi R.N. Losch to the King Kamehameha Celebration Commission, in accordance with Gov. Msg. No. 263;

Nancy L. Kemp to the Library Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 265;

Lillian A. Lum to the Library Advisory Commission, City and County of Honolulu, in accordance with Gov. Msg. No. 266;

Katherine S. Hanley to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 267;

Sandra G. Shiroma to the Library Advisory Commission, County of Hawaii, in accordance with Gov. Msg. No. 268;

Barton H. Nagata to the Library Advisory Commission, County of Kauai, in accordance with Gov. Msg. No. 269;

Marina Pascua to the Library Advisory Commission, County of Kauai, in accordance with Gov. Msg. No. 270;

Elizabeth Ann Aulsebrook to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 271;

Barbara F. Kusuda to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 272;

Jitsuo Matsubara to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 273;

Kenichi Nakata to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 274;

Mildred Okuda to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 275;

Mikio Sato to the Library Advisory Commission, County of Maui, in accordance with Gov. Msg. No. 276;

Karen L. Ah Mai to the Hawaii Public Broadcasting Authority, in accordance with Gov. Msg. No. 277;

Luann S. Dawson to the Hawaii Public Broadcasting Authority, in accordance with Gov. Msg. No. 278; and

Myra H. Meatoga to the Hawaii Public Broadcasting Authority, in accordance with Gov. Msg. No. 279.

By unanimous consent, action on Stand. Com. Rep. No. 1230 and Gov. Msg. Nos. 256, 257, 258, 259, 260, 261, 262,

263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 279 was deferred until Friday, April 20, 1979.

Senators O'Connor, Yim and Ushijima, for the majority of the Committees on Judiciary, Economic Development and Intergovernmental Relations, presented a joint report (Stand. Com. Rep. No. 1231), recommending that Senate Resolution No. 431 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1231 and S.R. No. 431, entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON THE CONCEPT OF TRANSFER OF DEVELOPMENT RIGHTS", was deferred until Friday, April 20, 1979.

Senators Carpenter and O'Connor, for the majority of the Committees on Health and Judiciary, presented a joint report (Stand. Com. Rep. No. 1232), recommending that Senate Resolution No. 85 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1232 and S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE UNITED STATES TO ALLOW THE USE OF HEROIN FOR MEDICAL PURPOSES", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1233), recommending that Senate Resolution No. 129, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1233 and S.R. No. 129, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF ADULT DAY ACTIVITY FOR THE DEVELOPMENTALLY DISABLED", was deferred until Friday, April 20, 1979.

Senators Carpenter and Hara, for the Committees on Health and Ecology, Environment and Recreation, presented a joint report (Stand. Com. Rep. No. 1234), recommending that Senate Resolution No. 365, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1234 and S.R. No. 365, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO ESTABLISH A PROGRAM OF ENVIRONMENTAL MONITORING FOR POSSIBLE RADIOACTIVE CONTAMINATION OF MARINE LIFE

IN AND AROUND PEARL HARBOR", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1235), recommending that Senate Resolution No. 403, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1235 and S.R. No. 403, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE U.S. CONGRESS TO REVIEW APPROPRIATIONS UNDER THE PUBLIC HEALTH SERVICE ACT, SECTION 314D", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1236), recommending that Senate Resolution No. 404 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1236 and S.R. No. 404, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE PEOPLE OF THE STATE WHO ARE UNABLE TO BEAR THE BURDEN OF HEALTH CARE COSTS AND WHO DO NOT QUALIFY FOR STATE AID", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1237), recommending that Senate Resolution No. 405, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1237 and S.R. No. 405, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF USING THE DECLARATION METHOD IN DETERMINING ELIGIBILITY FOR FAMILY PLANNING SERVICES", was deferred until Friday, April 20, 1979.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 1238), recommending that Senate Resolution No. 263, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1238 and S.R. No. 263, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO ESTABLISH GENERAL STANDARDS OR CRITERIA FOR EMPLOYEES NOT COVERED UNDER THE PROVISIONS OF CHAPTER 89, HAWAII REVISED STATUTES", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1239), recommending

that Senate Concurrent Resolution No. 87 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1239 and S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HEALTH INFORMATION NEEDS OF THE STATE OF HAWAII AND THE RECOMMENDATION OF PERTINENT LEGISLATION THEREFOR", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1240), recommending that Senate Concurrent Resolution No. 90 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1240 and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1241), recommending that Senate Concurrent Resolution No. 91, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1241 and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF PUBLIC PURCHASING FOR PRIVATE NONPROFIT HEALTH CARE FACILITIES", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1242), recommending that Senate Concurrent Resolution No. 95, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1242 and S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A RESIDENTIAL CARE HOME FACILITY AT HALE MOHALU, PEARL CITY", was deferred until Friday, April 20, 1979.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1243), recommending that Senate Resolution No. 407, as amended in S.D. 1, be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1243 and S.R.

No. 407, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF A RESIDENTIAL CARE HOME FACILITY AT HALE MOHALU, PEARL CITY", was deferred until Friday, April 20, 1979.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1244), recommending that Senate Resolution No. 444 be referred to the Committee on Legislative Management.

By unanimous consent, action on Stand. Com. Rep. No. 1244 and S.R. No. 444, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES TO CONDUCT AN INTERIM STUDY ON THE STATE HOUSING PLAN", was deferred until Friday, April 20, 1979.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 1245), recommending that Senate Resolution No. 446 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1245 and S.R. No. 446, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE APPLICABILITY OF THE CONCEPT OF LAND READJUSTMENT FOR THE KAKAOKO AREA", was deferred until Friday, April 20, 1979.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1246), recommending that the Senate advise and consent to the nominations of the following:

Herman J. Gerber, S.M., to the State Post-Secondary Education Commission, in accordance with Gov. Msg. No. 379;

Robin F. Loomis to the State Post-Secondary Education Commission, in accordance with Gov. Msg. No. 380;

Robert M. Fujimoto to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 382;

Gerard A. Jervis to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 383;

Michael J. Moriarty to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 384;

Stanley Y. Mukai to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 385; and

Ambrose J. Rosehill to the Board of Regents, University of Hawaii, in accordance with Gov. Msg. No. 386.

By unanimous consent, action on Stand. Com. Rep. No. 1246 and Gov. Msg. Nos.

379, 380, 382, 383, 384, 385 and 386 was deferred until Friday, April 20, 1979.

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1247), recommending that the Senate advise and consent to the nomination of Derl W. Green to the Board of Cosmetology, in accordance with Gov. Msg. No. 146.

By unanimous consent, action on Stand. Com. Rep. No. 1247 and Gov. Msg. No. 146 was deferred until Friday, April 20, 1979.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1248), recommending that Senate Concurrent Resolution No. 82, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1248 and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was deferred until Friday, April 20, 1979.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1249), recommending that Senate Resolution No. 354, as amended in S.D. 1, be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 1249 and S.R. No. 354, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was deferred until Friday, April 20, 1979.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 1250), recommending that the Senate advise and consent to the nomination of Hideto Kono as Director of the Department of Planning and Economic Development, in accordance with Gov. Msg. No. 51.

By unanimous consent, action on Stand. Com. Rep. No. 1250 and Gov. Msg. No. 51 was deferred until Friday, April 20, 1979.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1251), recommending that the Senate advise and consent to the nomination of George A.L. Yuen as Director of the Department of Health, in accordance with Gov. Msg. No. 47.

By unanimous consent, action on Stand. Com. Rep. No. 1251 and Gov. Msg. No. 47 was deferred until Friday, April 20, 1979.

Senator Carpenter, for the majority of the Committee on Health, presented a report (Stand. Com. Rep. No. 1252), recommending that the Senate advise and consent to the nomination of George A.L. Yuen to the Statewide Health Coordinating Council, in accordance with Gov. Msg. No. 292.

By unanimous consent, action on Stand. Com. Rep. No. 1252 and Gov. Msg. No. 292 was deferred until Friday, April 20, 1979.

MATTERS DEFERRED FROM APRIL 17, 1979

Conference Committee Report No. 18
(H.B. No. 1232, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 18 and H.B. No. 1232, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 19
(H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 19 and H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 20
(H.B. No. 181, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20 and H.B. No. 181, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 21
(H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 21 and H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY

COMMITTEES ON THE STATUS OF WOMEN", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 22 (H.B. No. 1588, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 22 and H.B. No. 1588, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 23 (H.B. No. 80, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23 and H.B. No. 80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 24 (H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24 and H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 25 (H.B. No. 520, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 25 and H.B. No. 520, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 26 (H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 26 and H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 27 (H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 28 (H.B. No. 166, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28 and H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 29 (H.B. No. 82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 29 and H.B. No. 82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 30 (H.B. No. 173, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30 and H.B. No. 173, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 31 (H.B. No. 479, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 31 and H.B. No. 479, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 32 (H.B. No. 531, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32 and H.B. No. 531, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 33 (H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33 and H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", was deferred until Friday, April 20, 1979.

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

By unanimous consent, action on Conf. Com. Rep. No. 34 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", was deferred until Friday, April 20, 1979.

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

By unanimous consent, action on Conf. Com. Rep. No. 35 and H.B. No. 2, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 36
(H.B. No. 48, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 36 and H.B. No. 48, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 37
(H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 37 and H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 38
(S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 38 and S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 39
(S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 39 and S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 40
(S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40 and S.B. No.

1703, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 41
(H.B. No. 451, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 41 and H.B. No. 451, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 42
(H.B. No. 1216, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 42 and H.B. No. 1216, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM COMMERCIAL CODE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 43
(H.B. No. 1386, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 43 and H.B. No. 1386, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 44
(S.B. No. 692, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 44 and S.B. No. 692, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MESSAGE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 45
(S.B. No. 694, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 45 and S.B. No. 694, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 46
(S.B. No. 695, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 46 and S.B. No. 695, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 47
(H.B. No. 102, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 47 and H.B. No. 102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 48 (H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 48 and H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 49 (S.B. No. 581, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 49 and S.B. No. 581, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 50 (H.B. No. 14, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 50 and H.B. No. 14, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 51 (S.B. No. 77, S.D. 3, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 51 and S.B. No. 77, S.D. 3, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 52 (S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52 and S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 53 (H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 53 and H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FARM LOANS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 54 (S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 54 and S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 55 (H.B. No. 98, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 55 and H.B. No. 98, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 56 (H.B. No. 99, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 56 and H.B. No. 99, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 57 (H.B. No. 421, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 57 and H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 58 (H.B. No. 643, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 58 and H.B. No. 643, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 59 (S.B. No. 181, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 59 and S.B. No. 181, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 60 (S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 60 and S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 61 (H.B. No. 923, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 61 and H.B. No. 923, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 62 (H.B. No. 1634, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 62 and H.B. No. 1634, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 63 (S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 63 and S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 64 (H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 64 and H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 65 (H.B. No. 732, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 65 and H.B. No. 732, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 66 (H.B. No. 1667, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 66 and H.B. No. 1667, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 67 (S.B. No. 1043, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 67 and S.B. No. 1043, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDING OF INTEREST IN CIVIL CASES", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 68 (H.B. No. 95, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 68 and H.B. No. 95, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 69 (H.B. No. 282, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 69 and H.B. No. 282, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 70 (H.B. No. 723, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 70 and H.B. No. 723, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 71 (S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 71 and S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 72 (S.B. No. 1230, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 72 and S.B. No. 1230, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 73
(H.B. No. 92, H.D. 2, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 73 and H.B. No. 92, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 74
(H.B. No. 1716, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 74 and H.B. No. 1716, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 75
(H.B. No. 38, H.D. 2, S.D. 3, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 75 and H.B. No. 38, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 76
(S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 76 and S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME COMMISSION", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 77
(H.B. No. 890, H.D. 1, S.D. 3, C.D. 1):

By unanimous consent, action on

Conf. Com. Rep. No. 77 and H.B. No. 890, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 78
(H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 78 and H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", was deferred until Friday, April 20, 1979.

Conference Committee Report No. 79
(H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 79 and H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", was deferred until Friday, April 20, 1979.

MATTER DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1176
(S.R. No. 278, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 1176 and S.R. No. 278, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF PATIENT RIGHTS AND INFORMED CONSENT TO HEALTH CARE TREATMENT", was deferred until Friday, April 20, 1979.

ADJOURNMENT

At 11:55 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 12:05 o'clock a.m., Friday, April 20, 1979.

SIXTIETH DAY

Friday, April 20, 1979

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, convened at 12:05 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.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 19, 1979

Standing Committee Report No. 1217
(S.R. No. 250, S.D. 1):

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, Stand. Com. Rep. No. 1217 was adopted and S.R. No. 250, S.D. 1, entitled: "SENATE RESOLUTION URGING ESTABLISHMENT OF INTERN WORK-EXPERIENCE PROGRAMS IN THE AGRICULTURAL CURRICULA AT THE MANOA AND HILO CAMPUSES OF THE UNIVERSITY OF HAWAII", was adopted.

Standing Committee Report No. 1218
(S.R. No. 251, S.D. 1):

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, Stand. Com. Rep. No. 1218 was adopted and S.R. No. 251, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE APPOINTMENT OF AN ADVISORY COMMITTEE TO STUDY AND RECOMMEND IMPROVEMENTS IN THE AGRICULTURAL EDUCATION PROGRAMS OF THE UNIVERSITY OF HAWAII", was adopted.

Standing Committee Report No. 1219
(S.R. No. 268, S.D. 1):

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, Stand. Com. Rep. No. 1219 was adopted and S.R. No. 268, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE HAWAIIAN HIGHER EDUCATION COUNCIL", was adopted.

Standing Committee Report No. 1220
(S.R. No. 432, S.D. 1):

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, Stand. Com. Rep. No. 1220 was adopted and S.R. No. 432, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO RECOGNIZE THE EXCEPTIONAL ACCOMPLISHMENTS OF THE ENVIRONMENTAL STUDIES PROGRAM", was adopted.

Standing Committee Report No. 1221
(S.R. No. 142, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1221 was adopted and S.R. No. 142, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY EXAMINING THE EFFECTS OF CRIMES AGAINST PROPERTY", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1222
(S.R. No. 416):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1222 was adopted and S.R. No. 416, entitled: "SENATE RESOLUTION RELATING TO TOUR BUSES ON NUUANU PALI DRIVE", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1223
(S.R. No. 488):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1223 was adopted and S.R. No. 488, entitled: "SENATE RESOLUTION REQUESTING AN INTERIM STUDY ON MONOPOLIES AND THE RESTRAINT OF TRADE", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1224
(S.R. No. 96):

On motion by Senator Campbell, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 1224 was adopted and S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING INCLUSION OF CURRICULA RELATING TO EPILEPSY IN HEALTH EDUCATION PROGRAMS IN THE PUBLIC SCHOOL SYSTEM", was referred to the Committee on Ways and Means.

Standing Committee Report No. 1225
(S.R. No. 369):

On motion by Senator Campbell, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 1225 was adopted and S.R. No. 369, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY OF THE SCHOOL FOOD SERVICES PROGRAM", was adopted.

Standing Committee Report No. 1226
(S.R. No. 306):

On motion by Senator Campbell, seconded by Senator Young and carried, Stand. Com. Rep. No. 1226 was adopted and, Roll Call vote having been requested, S.R. No. 306, entitled: "SENATE

RESOLUTION ENCOURAGING SCHOOLS TO UTILIZE SHORELINES FOR INSTRUCTION IN OCEAN STUDIES", was adopted on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 1227 (S.R. No. 434):

On motion by Senator Campbell, seconded by Senator Young and carried, Stand. Com. Rep. No. 1227 was adopted and S.R. No. 434, entitled: "SENATE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO RECONSIDER THE LIMITATION IMPOSED ON JROTC PROGRAMS IN PUBLIC HIGH SCHOOLS", was adopted.

Standing Committee Report No. 1228 (H.C.R. No. 24, H.D. 1):

On motion by Senator Campbell, seconded by Senator Young and carried, Stand. Com. Rep. No. 1228 was adopted and H.C.R. No. 24, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY AND ASSESSMENT OF THE NEED FOR AFTER-SCHOOL PROGRAMS", was adopted.

Standing Committee Report No. 1229 (H.C.R. No. 89, H.D. 1):

On motion by Senator Campbell, seconded by Senator Young and carried, Stand. Com. Rep. No. 1229 was adopted and H.C.R. No. 89, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES PRESIDENT AND CONGRESS TO MORE FULLY FUND EDUCATIONAL PROGRAMS FOR THE HANDICAPPED", was adopted.

Standing Committee Report No. 1230 (Gov. Msg. No. 256, 257, 258, 259, 260, 261, 262, 263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 279):

By unanimous consent action on Stand. Com. Rep. No. 1230 and Gov. Msg. Nos. 256, 257, 258, 259, 260, 261, 262, 263, 265, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 279 was deferred to the evening calendar.

Standing Committee Report No. 1231 (S.R. No. 431):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1231 was adopted and, Roll Call vote having been requested, S.R. No. 431, entitled: "SENATE RESOLUTION REQUESTING THAT INTERIM HEARINGS BE CONDUCTED ON THE CONCEPT OF TRANSFER OF DEVELOPMENT RIGHTS", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 1232 (S.R. No. 85):

By unanimous consent, action on Stand. Com. Rep. No. 1232 and S.R. No. 85 was deferred to the end of the calendar.

At 12:15 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:19 o'clock a.m.

Standing Committee Report No. 1233 (S.R. No. 129, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1233 was adopted and S.R. No. 129, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW OF THE ADEQUACY OF ADULT DAY ACTIVITY FOR THE DEVELOPMENTALLY DISABLED", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1234 (S.R. No. 365, S.D. 1):

Senator Carpenter moved that Stand. Com. Rep. No. 1234 be received and placed on file, seconded by Senator Hara and carried.

Senator Carpenter then moved that S.R. No. 365, S.D. 1, be adopted, seconded by Senator Hara.

At this time, Senator Chong rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak for the adoption of this resolution.

"I'd just like to point out that the Senate Health Committee, two years ago, had a hearing on a similar measure calling for monitoring a possible radioactive contamination in the Pearl Harbor area.

"About two weeks ago, your Senate Health Committee had another very lengthy hearing on this. Over 35 witnesses stepped forward specifically with ... I think this Honorable Body should know, that there were three Navy personnel who had served from three to five years on submarines at Pearl Harbor and elsewhere who stepped forward to tell us that they had absolutely no confidence in the safety of the nuclear submarines coming in and out of Pearl Harbor of which approximately 20 are home-ported.

"Each nuclear submarine is in effect a moving nuclear power station which, if gotten into a melt down situation at Pearl

Harbor, would cause serious problems for the people, especially in the Pearl Harbor area.

"Your Committee on Health, therefore, in recommending the adoption of this important resolution, calls for setting up an environmental monitoring for radioactivity into the civilian areas. The Navy is already doing it on a quarterly basis on base but there's no off-base monitoring system and this is what the thrust of the resolution does.

"I'd just like to point out to this Honorable Body that there is precedence for a state government to check into monitoring close to Navy bases.

"The State of Colorado recently adopted a monitoring program for areas close to their nuclear arms plants. And what happened was that, just last fall it was a state monitoring program that discovered leakage out of one of the arms plants which resulted in the state government banning housing within a few miles of that area. If the state had not undertaken such a monitoring program, it would probably have gone undetected.

"With that, I urge everybody in this Honorable Body to vote for this resolution."

Senator Cayetano then rose to state as follows:

"Mr. President, I speak in favor of this resolution; however, I'd like to point out to the members of this Body that on page 2 of the 'BE IT RESOLVED' clause, that clause reads as follows: '...that the State Department of Health is requested to contract a trained physicist to establish an independent program of regular consistent sampling and analysis...'

"It seems to me that this is a fiscal matter and I take it when the committee drafted this resolution, they expected that the Department of Health would get the funds out of the existing budget."

Senator Chong on a point of clarification stated as follows:

"Mr. President, I'd just like to point out that there is a typographical error there which is picked up in the committee report. It should read, 'trained health physicist,' not 'trained physicist.'

"On page 2 of the committee report the term 'health physicist' is used, a licensed 'health physicist.'

"We have 4 or 5 licensed health physicists in the State of Hawaii that are highly trained, licensed by the federal government to do nuclear radioactive monitoring. They have the equipment to do it.

"With regard to the budgetary situation, Chairman Dante Carpenter in conference ..."

At 12:23 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:25 o'clock a.m.

Senator George then rose to comment as follows:

"Mr. President, in recent days, I think all of us share, not singularly, the experience of having a great many pieces of paper come under our noses.

"I signed this committee report free and clear and I appreciate the opportunity to publicly disassociate myself with it. It was an error on my part. I read it hastily.

"I think we're making conclusions that, as scientifically inexperienced neophytes, we are not capable of drawing and I would really prefer that as politicians we stay in the arena of our own experience and leave these matters to people who understand it better than we do.

"I intend to vote 'no' on this resolution.

"Thank you, Mr. President."

Senator Soares then rose to ask Senator Chong to yield to a question.

Senator Chong replied in the affirmative.

Senator Soares then asked as follows:

"Mr. President, in the second to the last 'BE IT RESOLVED' clause on page 2, it says, '...that the Department of Health, in consultation with the state Department of Defense, establish and revise safety standards and emergency plans for nuclear accidents in the Pearl Harbor area, and report to the Legislature on its standards and emergency plans, 10 days prior to...' next session.

"Can we, Mr. President, can we demand the Defense Department to revise their emergency plans at Pearl Harbor?"

Senator Chong replied as follows:

"Mr. President, we are requesting that the Department of Health, in consultation with the Department of Defense, which is, as you know, the key agency which handles the Civil Defense Program to do just that.

"As you know, during the hearing we had on this issue, it was pointed out that the Department of Defense had

no, I repeat, no evacuation plans for the Pearl Harbor area, and General Siefermann said he would be very happy to work with the Department of Health on this matter."

Senator Soares further inquired as follows:

"Mr. President, I'm just wondering whether or not the state Department (of Health) ever has that power to ask the Department of Defense to revise what might already be planned for Pearl Harbor defense mechanism and didn't know whether or not this resolution would be able to do that?"

Senator Chong then replied: "No, this calls for the civilian...we're talking only about the surrounding civilian area, Mr. President."

Senator Soares thanked Senator Chong for his reply and stated that he is going to vote 'no' on the resolution.

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.R. No. 365, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH TO ESTABLISH A PROGRAM OF ENVIRONMENTAL MONITORING FOR POSSIBLE RADIOACTIVE CONTAMINATION OF MARINE LIFE IN AND AROUND PEARL HARBOR", was adopted on the following showing of Ayes and Noes:

Ayes, 17. Noes, 8 (Carroll, George, O'Connor, Saiki, Soares, Ushijima, Yamasaki and Yee).

Standing Committee Report No. 1235 (S.R. No. 403, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1235 was adopted and S.R. No. 403, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE HAWAII CONGRESSIONAL DELEGATION TO ASK THE U.S. CONGRESS TO REVIEW APPROPRIATIONS UNDER THE PUBLIC HEALTH SERVICE ACT, SECTION 314D", was adopted.

Standing Committee Report No. 1236 (S.R. No. 404):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1236 was adopted and S.R. No. 404, entitled: "SENATE RESOLUTION REQUESTING A STUDY ON THE PEOPLE OF THE STATE WHO ARE UNABLE TO BEAR THE BURDEN OF HEALTH CARE COSTS AND WHO DO NOT QUALIFY FOR STATE AID", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1237 (S.R. No. 405, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1237 was adopted and S.R. No. 405, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING AND THE DEPARTMENT OF HEALTH TO STUDY THE FEASIBILITY OF USING THE DECLARATION METHOD IN DETERMINING ELIGIBILITY FOR FAMILY PLANNING SERVICES", was adopted.

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

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

Standing Committee Report No. 1238 (S.R. No. 263, S.D. 1):

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, Stand. Com. Rep. No. 1238 was adopted and S.R. No. 263, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO ESTABLISH GENERAL STANDARDS OR CRITERIA FOR EMPLOYEES NOT COVERED UNDER THE PROVISIONS OF CHAPTER 89, HAWAII REVISED STATUTES", was adopted.

Standing Committee Report No. 1239 (S.C.R. No. 87):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1239 was adopted and S.C.R. No. 87, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF HEALTH INFORMATION NEEDS OF THE STATE OF HAWAII AND THE RECOMMENDATION OF PERTINENT LEGISLATION THEREFOR", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1240 (S.C.R. No. 90):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1240 was adopted and S.C.R. No. 90, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF SPECIAL PURPOSE REVENUE BONDS FOR HEALTH CARE FACILITIES", was referred to the Committee on Legislative Management.

At 12:33 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:45 o'clock a.m.

Standing Committee Report No. 1241
(S.C.R. No. 91, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1241 was adopted and S.C.R. No. 91, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF PUBLIC PURCHASING FOR PRIVATE NONPROFIT HEALTH CARE FACILITIES", was adopted.

Standing Committee Report No. 1242
(S.C.R. No. 95, S.D. 1):

Senator Carpenter moved that Stand. Com. Rep. No. 1242 be adopted and S.C.R. No. 95, S.D. 1, be adopted, seconded by Senator Campbell.

At this time, Senator Kawasaki rose to speak against the measure as follows:

"Mr. President, relative to Standing Committee Report 1242 (and Standing Committee Report 1243), I will have to vote 'no' on these two resolutions primarily because, to this date, I don't really know how or which of the two sets of figures advanced - one by the administration and one by the Ohana group - I can give credence to. Pending this, I would have to vote 'no' on both of these items."

Senator Anderson then rose to inquire: "Mr. President, as I understand it, these resolutions are being referred to Legislative Management?"

The President replied that that is correct.

Senator Anderson further inquired: "And Legislative Management, for all practical purposes, is a burial ground, is it not?"

The President answered as follows:

"It is until the President, in consultation with the committee chairman to do some interim work, decides to report it out. That is provided, Senator Anderson, in the resolution which gives the President this power which is adopted by this House."

Senator Anderson then remarked as follows:

"Mr. President, I just checked that resolution with the Clerk and while a subject matter committee in the interim has the right to delve into a subject matter, I believe that you cannot use a resolution into the Legislative Management to mandate a department or to put a cost in the department to make a report. So, I wonder if we haven't got the two subjects mixed up?"

The President replied: "No, but I think the President can assign committees to do interim work."

Senator Anderson further asked: "Based on the resolution that's in Legislative Management?"

The President answered: "Whatever the subject matter is with the subject matter committee."

Senator Anderson then asked: "Are you telling me that the President has the authority to move and second and pass a resolution in Legislative Management?"

The President replied that he "does not have that authority, but he has the authority to assign the subject matter committees to do interim work."

Senator Anderson further inquired: "But not necessarily with the basis of that particular resolution?"

And the President replied: "Not necessarily."

Senator Ushijima then rose on a point of inquiry and asked as follows:

"Mr. President, now, are these Senate concurrent resolutions?"

The President replied that that is correct.

Senator Ushijima further stated and asked as follows:

"Mr. President, these are referred to the Legislative Management Committee. Now, if you look at the resolution, it says in the resolved clause that the House concurs with the resolution. We're not sending it over to the House, is that correct?"

The President replied that this is correct.

Senator Ushijima further asked: "It just goes to Legislative Management?"

The President again replied that that is correct.

Senator Ushijima asked: "An S.C.R.?"

The President replied: "An S.C.R."

Senator Ushijima stated: "Well, I must agree with Senator Anderson, this (S.C.R.) must be 'graveyard' then."

At 12:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock a.m.

Senator O'Connor then rose to remark as follows:

"Mr. President, I realize it may be a little late at night but these standing committee reports together with one we passed earlier demonstrate, I believe, a lack of having any rules in this Body as to what should go into a standing committee report, either an S.C.R. or an S.R.

"We passed one earlier where the department was directed to hire a physicist and now we're directing a body or a department to build a building. I just don't think that's the way to draft a committee report.

"Maybe it's just too late at night, but I think maybe we should all look to in the future and following years not to hiring bodies or building buildings in S.C.R.'s and S.R.'s."

Senator Cayetano in defense of the resolution, stated as follows:

"Mr. President, this resolution which comes from the Health Committee, I might point out that the directions stated in the resolution have already been provided for in the budget.

"The monetary amounts recited therein, the direction to construct the facility, are all provided in the operating and CIP sections of the budget, respectively. Therefore, if we pass the budget, this resolution will be somewhat redundant, Senator O'Connor, but no harm done."

Senator O'Connor responded as follows:

"Mr. President, in brief response, there's \$350,000 CIP in the budget and some \$220,000 in operating funds, hardly enough to carry out this resolution."

Senator Abercrombie then stated as follows:

"Mr. President, just speaking in favor, briefly.

"I don't think we're being directed to build a building here. Maybe we ought to read it a little more closely.

"I think what we're really doing here is directing an inspection and then making a relationship with that to the budget. It just makes it more clear, that's all."

The motion was put by the Chair and carried, and Roll Call vote having been requested, Stand. Com. Rep. No. 1242 was adopted and S.C.R. No. 95, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE ESTABLISHMENT OF A RESIDENTIAL CARE HOME

FACILITY AT HALE MOHALU, PEARL CITY", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 24, Noes, 1 (Kawasaki).

Standing Committee Report No. 1243 (S.R. No. 407, S.D. 1):

On motion by Senator Carpenter, seconded by Senator Campbell and carried, Stand. Com. Rep. No. 1243 was adopted and, Roll Call vote having been requested, S.R. No. 407, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE ESTABLISHMENT OF RESIDENTIAL CARE HOME FACILITY AT HALE MOHALU, PEARL CITY", was referred to the Committee on Legislative Management on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Standing Committee Report No. 1244 (S.R. No. 444):

On motion by Senator Young, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 1244 was adopted and S.R. No. 444, entitled: "SENATE RESOLUTION REQUESTING THE SENATE COMMITTEE ON HOUSING AND HAWAIIAN HOMES TO CONDUCT AN INTERIM STUDY ON THE STATE HOUSING PLAN", was referred to the Committee on Legislative Management.

Standing Committee Report No. 1245 (S.R. No. 446):

On motion by Senator Young, seconded by Senator Cayetano and carried, Stand. Com. Rep. No. 1245 was adopted and S.R. No. 446, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE APPLICABILITY OF THE CONCEPT OF LAND READJUSTMENT FOR THE KAKAAKO AREA", was adopted.

Standing Committee Report No. 1246 (Gov. Msg. Nos. 379, 380, 382, 383, 384, 385 and 386):

By unanimous consent, action on Stand. Com. Rep. No. 1246 and Gov. Msg. Nos. 379, 380, 382, 383, 384, 385 and 386 was deferred to later on the calendar.

Standing Committee Report No. 1247 (Gov. Msg. No. 146):

By unanimous consent, action on Stand. Com. Rep. No. 1247 and Gov. Msg. No. 146 was deferred to later on the calendar.

Standing Committee Report No. 1248 (S.C.R. No. 82, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand.

Com. Rep. No. 1248 was adopted and S.C.R. No. 82, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was adopted.

Standing Committee Report No. 1249
(S.R. No. 354, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 1249 was adopted and S.R. No. 354, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A REVIEW AND STUDY OF EXEMPTIONS FROM THE GENERAL EXCISE TAX GIVEN FOR UNRELATED REVENUE PRODUCING ACTIVITIES BY BANKS, INSURANCE COMPANIES AND BUILDING AND LOAN ASSOCIATIONS", was adopted.

Standing Committee Report No. 1250
(Gov. Msg. No. 51):

By unanimous consent, action on Stand. Com. Rep. No. 1250 and Gov. Msg. No. 51 was deferred to later on the calendar.

Standing Committee Report No. 1251
(Gov. Msg. No. 47):

By unanimous consent, action on Stand. Com. Rep. No. 1251 and Gov. Msg. No. 47 was deferred to later on the calendar.

Standing Committee Report No. 1252
(Gov. Msg. No. 292):

By unanimous consent, action on Stand. Com. Rep. No. 1252 and Gov. Msg. No. 292 was deferred to later on the calendar.

FINAL READING

MATTERS DEFERRED FROM APRIL 19, 1979

Conference Committee Report No. 18
(H.B. No. 1232, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 18 and H.B. No. 1232, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 19
(H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 19 and H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 20
(H.B. No. 181, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 20 and H.B. No. 181, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 21
(H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 21 and H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 22
(H.B. No. 1588, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 22 and H.B. No. 1588, S.D. 2, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 23
(H.B. No. 80, H.D. 2, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 23 and H.B. No. 80, H.D. 2, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 24
(H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 24 and H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 25
(H.B. No. 520, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 25 and H.B. No. 520, H.D. 1, S.D. 2, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 26
(H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 26 and H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 27
(H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 27 and H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1, was deferred

to later on the calendar.

Conference Committee Report No. 28
(H.B. No. 166, H.D. 1, S.D. 2, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 28 and H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 29
(H.B. No. 82, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 29 and H.B. No. 82, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 30
(H.B. No. 173, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 30 and H.B. No. 173, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 31
(H.B. No. 479, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 31 and H.B. No. 479, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 32
(H.B. No. 531, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 32 and H.B. No. 531, S.D. 1, C.D. 1, was deferred to later on the calendar.

Conference Committee Report No. 33
(H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 33 and H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1, was deferred to later on the calendar.

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

Senator Cayetano moved that Conf. Com. Rep. No. 34 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 Kawasaki.

At this time, Senator Cayetano rose to speak on the measure and stated as follows:

"Mr. President, just a few remarks in support of this bill.

"Mr. President, first, I'd like to thank the members of the conference committees, both House and Senate, the staff of the respective money committees, you and your staff, Mr. President, for your assistance in preparing this historic document.

"Mr. President, the critical issue set forth in this document, is one of describing the respective roles of the legislature versus the executive. Other events here tonight have highlighted that critical issue. Certainly, the confirmation of the director of the Department of Planning and Economic Development is probably the best example of that.

"Mr. President, the Senate in its version of the budget provided a format which sets forth the priorities of the legislature. And this format was accepted by the House. The format provides a Part A and a Part B.

"In Part A of the budget, we set forth those programs in appropriations which we feel are indispensable and necessary to the safety, health and welfare of the people of our state.

"In Part B, we set forth those programs in appropriations which we feel are important but less urgent.

"The strategy behind this format, Mr. President, is to indicate clearly to the executive our priorities. We have structured the provisos therein to indicate to the executive, that in the event there is a revenue shortfall, that the Governor shall restrict first from Part B before going to Part A.

"The Senate version of the budget, Mr. President, highlighted certain issues which I'd like to program.

"First and foremost was the World Trade Center. This was the major difference between the House and the Senate. The House version was the Governor's version; namely, to fund or appropriate \$8.5 million for capital improvements for the World Trade Center. The Senate version was no funds for those improvements; instead, a deferment of one year. As a compromise, the House and Senate agreed to appropriate \$500,000 for design. However, we have provided also that before said funds can be released, there will be a study by the Legislative Auditor to determine the feasibility of the project and the conclusion results of that study shall be reported to the next legislature.

"Another major issue, Mr. President, was the University of Hawaii. The House position, again, basically, was the Governor's budget and they also added on some programs and positions. The Senate

version was also to call for a management audit.

"The strategy behind the Senate position, Mr. President, was simply that the personnel practices and structure at the University have created a situation where salaries at the University are really out of hand in terms of when you compare them to salaries for comparable positions in other departments throughout the state. As a compromise, the Senate agreed to restore the positions deleted; however, the reduction in funds on the Senate side comprise ... however, the House agreed to three-fourths of the reduction of funds requested by the Senate. Moreover and more importantly, the House agreed to the Senate's request for a management audit.

"Another major item in the budget was the budget for the Hawaii Visitor's Bureau. Again, there was a major difference between the House and the Senate.

"The House position was, namely, the Governor's budget. The Senate position was that the funding should be restored to a fifty-fifty proposition. As a compromise, we restored the first year to the Governor's budget and the second year, we held the Senate position and cut approximately \$500,000 from the HVB budget.

"Both House and Senate budgets, Mr. President, were designed to come below the Governor's expenditure ceiling, and for the first time in history, in recent history, this was accomplished.

"For example, in Fiscal Year 1980, our operating budget is approximately \$2.7 million under the Governor's expenditure ceiling. For Fiscal Year 1981, we are approximately \$9.7 million under.

"As for capital improvements, our budget is approximately a million dollars under the Governor's budget.

"In conclusion, I believe we have accomplished our goals and I believe that the Senate's position is clearly set forth in this budget. We have clearly set our priorities. We have shown fiscal responsibility by coming in with a budget that is substantially less than the executive's.

"Mr. President, this budget conference, I'm told by veterans, was probably the shortest and the least rancorous in modern legislative history. And this budget represents a product which is the result of both Houses of the legislature.

"This budget, Mr. President, could not have been accomplished without the spirit of cooperation between the House and Senate.

"In closing, I'd like to thank especially Representative Suwa, the Chairman of the House Finance Committee, for his understanding. I think his years of experience showed very clearly and he was very, very helpful and accommodating of the Senate position.

"Again, with those remarks, I ask my colleagues to vote 'yes' on this bill.

"Thank you."

Senator Campbell then added his comments on the measure, as follows:

"Mr. President, this budget marks an important milestone in the history of this legislature. I want to congratulate the Chairman and members of the Ways and Means Committee for fiscal innovation and creativity.

"Mr. President, I would be remiss if I did not refer to the fact that your leadership as President created the climate that made all of this possible.

"While the budget is laudatory, it has some deficiencies -- it does not provide for the retention of 3 on 2 teams in our public schools, and funding for Future Farmers of America. It is weak in the areas of bus aides for transportation of our handicapped children.

"One of the very significant benchmarks accomplished by this budget is the funding implementation of our anti-substitution law. At long last, the people of this state -- old and young -- can save thousands of dollars in medical expenses by purchasing low cost generic drugs.

"I was fortunate to have represented this legislature at the First National Conference on Generic Drugs. It was at this conference that the impetus was given to repeal our anti-substitution law. I am proud to have played a role in lowering the cost of medical drugs for the People of Hawaii.

"I urge a unanimous vote in favor of this. Thank you."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 34 was adopted 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", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:05 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:07 o'clock a.m.

MATTERS DEFERRED FROM
EARLIER ON THE CALENDAR

Conference Committee Report No. 18
(H.B. No. 1232, S.D. 1, C.D. 1):

On motion by Senator Yim, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 18 was adopted and H.B. No. 1232, S.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, 25. Noes, none.

Conference Committee Report No. 19
(H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 19 was adopted and H.B. No. 1647, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 20
(H.B. No. 181, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Chong, seconded by Senator Yim and carried, Conf. Com. Rep. No. 20 was adopted and H.B. No. 181, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER LAW", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 21
(H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Ushijima, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 21 was adopted and H.B. No. 1557, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 22
(H.B. No. 1588, S.D. 2, C.D. 1):

On motion by Senator Abercrombie, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 22 was adopted and H.B. No. 1588, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEGREE GRANTING INSTITUTIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 23
(H.B. No. 80, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Toyofuku, seconded by Senator Hara and carried, Conf. Com. Rep. No. 23 was adopted and H.B. No. 80, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 24
(H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Mizuguchi, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 24 was adopted and H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 25
(H.B. No. 520, H.D. 1, S.D. 2, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 25 be adopted and H.B. No. 520, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Chong.

At this time, Senator Soares rose to speak against the measure and stated as follows:

"Mr. President, I have had the problem of facing this bill now for the last six years -- this minor's consent measure -- and there's a very strong personal philosophy with me as a strong believer in the family unit.

"While I realize that the conferees have spent a lot of time and have brought it back to probably as best shape as possible, I still feel very concerned that this bill will, no doubt in my mind, create a break in the family unit.

"I don't see how a minor patient of

thirteen years of age can really believe that he can tell his doctor that he should or should not talk to his parents about his problems or her problems.

"I realize that the discretion lies with the doctor but I do believe that this still will cause some real problems in the family unit.

"I also find it very difficult that if the doctor does bill a minor of thirteen years of age and he/she can't find a way to get the money to pay the bill, the minor has either got to borrow it or steal it.

"So, Mr. President, it's pretty late right now but I do want to conclude by saying that any bill that I come across that has any possibility of breaking down what I feel so strongly in -- the family unit, I will be objecting to and I want to vote 'no' on this bill."

Senator Carpenter then rose to speak in favor of the measure and stated as follows:

"Mr. President, I'd just like to say that I think this bill has been around for many, many years and I don't doubt the good intentions of the Honorable Senator who just previously spoke to the question, but to those who might think that this is a minors' rights bill, it is not. The discretion is still with the treating physician and I think that has been very carefully guarded in this particular document before us this evening.

"There is no attempt here to break up or to try to break up any family life. It is only to try to accommodate a problem that exists within our community to the best extent possible without incurring additional break ups and accommodating those who have already broken up, who have no other form of communication to alleviate a problem that is within this community. And this is a serious attempt to try to accommodate that problem in the best way possible with all due discretion being exercised by the physician."

Senator Soares further commented as follows:

"Mr. President, I appreciate the comments by the committee chairman and I respect it very highly. I do believe, however, that in the event a parent, a good parent, or a close parent does have or does find out from someone else that his or her daughter has been treated by a physician without their knowledge that this might lead to a breakup in that unit because of that action. I realize that there are some already with that problem, so I just want to raise that point."

Senator Campbell also rose to speak against the measure and stated as follows:

"Mr. President, I applaud the attempts on the part of the Senate-House conferees to come to grips with one of the most serious problems facing this Senate this year -- this is the dilemma of providing family counseling services to minors without running the risk of seriously damaging the family unit as a beacon in our society.

"Mr. President, I have expressed my concerns relating to the weaknesses of this bill at a previous session. I don't intend to repeat those at this meeting.

"I do have new concerns related to the amended version of the bill.

"This bill, as amended, gives the treating physician complete discretion over releasing information concerning medical treatment of the minor. I have grave doubts that many doctors have the expertise in family counseling which this bill assigns to them.

"Furthermore, who is going to pay for the medical treatment given to these minors -- a cost that could be considerable? The bill makes the minor responsible for the cost. Since it is very difficult for minors to earn money for this purpose without the knowledge of their parents, aren't we encouraging youngsters to get money illegally to pay for the medical treatment they seek?

"The final reason I am strongly urging this Body to reject this bill is because the conference draft has rendered the measure somewhat indefensible.

"As I said several days ago on this floor, the intent -- not the effect -- of the Senate version of the bill was laudatory. It sought to reduce venereal disease and unwanted pregnancies by allowing minors to receive medical treatment and counseling without telling their parents -- the doctor could not release medical treatment and counseling information without the consent of the minor. The conference draft has given the doctor the discretion in releasing information. I wonder how many minors are going to a doctor concerning their private social problems if they know the doctor is likely to tell their parents? Not many, I don't think.

"Since this bill has lost the provision that supported its original intent and since this Senate should go on record as strongly supporting the family unit as a potent force in our community, I urge the defeat of this measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 25 was adopted and H.B. No. 520, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Ajifu, Anderson, Campbell, Carroll, Hara, Kawasaki, Soares, Takitani, Toyofuku, Ushijima, Yamasaki and Yee).

Conference Committee Report No. 26 (H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 26 was adopted and H.B. No. 1322, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Chong).

Conference Committee Report No. 27 (H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 27 was adopted and H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII WING, CIVIL AIR PATROL", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 28 (H.B. No. 166, H.D. 1, S.D. 2, C.D. 1):

Senator Carpenter, moved that Conf. Com. Rep. No. 28 be adopted and H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Campbell.

At this time, Senator Campbell rose to speak in favor of the bill and stated: "Mr. President, this bill is a milestone, in my judgment, in the area of medical cost containment for the people of Hawaii and I'm just simply proud to be a part of the impetus that brought it about. I urge my colleagues to vote for it."

The motion was put by the Chair and carried and Conf. Com. Rep. No. 28 was adopted and H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO FOOD, DRUGS AND COSMETICS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 29 (H.B. No. 82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 29 was adopted and H.B. No. 82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 30 (H.B. No. 173, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 30 was adopted and H.B. No. 173, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 31 (H.B. No. 479, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Yim and carried, Conf. Com. Rep. No. 31 was adopted and H.B. No. 479, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY OPTOMETRISTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 32 (H.B. No. 531, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 32 was adopted and H.B. No. 531, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Cayetano and Hara).

Conference Committee Report No. 33
(H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 33 was adopted and H.B. No. 1459, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM APRIL 19, 1979

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

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

Ayes, 25. noes, none.

Conference Committee Report No. 36
(H.B. No. 48, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 36 was adopted and H.B. No. 48, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 37
(H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1):

On motion by Senator Young, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 37 was adopted and H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", having been read throughout, passed Final Reading by not less than two-thirds of all the members to which the Senate is entitled, on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 38
(S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 38 was adopted and S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII FOOD, DRUG, AND COSMETIC ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 39
(S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Campbell, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 39 was adopted and S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 40
(S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 41
(H.B. No. 451, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Conf. Com. Rep. No. 41 was adopted and H.B. No. 451, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROMOTING A DANGEROUS DRUG", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 42
(H.B. No. 1216, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Takitani and carried, Conf. Com. Rep. No. 42 was adopted and H.B. No. 1216, H.D. 1, 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, 25. Noes, none.

Conference Committee Report No. 43
(H.B. No. 1386, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 43 was adopted and H.B. No. 1386, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 44
(S.B. No. 692, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Campbell and carried, Conf. Com. Rep. No. 44 was adopted and S.B. No. 692, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF MESSAGE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 45
(S.B. No. 694, H.D. 1, C.D. 1):

Senator Cobb moved that Conf. Com. Rep. No. 45 be adopted and S.B. No. 694, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yim.

At this time, Senator Cobb rose to speak on the measure as follows:

"Mr. President, we discovered a drafting error in the bill. I've checked with the Revisor of Statutes and our attorneys and have been asked to make the following Journal entry.

"I'd like the Journal to reflect the effective date of this Act in Section 4 which is stated incorrectly.

"The intent of the conference committee is clearly set out in the conference committee report. The conferees agreed to extend the repeal date of the Collection Agency Board until 31 December 1980.

"The intent of the committee was to provide that the new chapter of regulating collection agencies would go into effect automatically upon the repeal date of the board. In order to do this, Section 1 of the bill should state that it should take effect upon approval and Section 2 of the bill should take effect on December 31, 1980.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 45 was adopted and S.B. No. 694, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCY BOARD", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:19 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:26 o'clock a.m.

Conference Committee Report No. 46 (S.B. No. 695, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Conf. Com. Rep. No. 46 was adopted and S.B. No. 695, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELEVATOR MECHANICS LICENSING BOARD", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 47 (H.B. No. 102, H.D. 1, S.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 47 be adopted and H.B. No. 102, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Takitani.

At this time, Senator Kawasaki rose to speak against the measure and stated as follows:

"Mr. President, at the risk of being charged with practicing law without a license, I must object to this bill again on the premise that this is very alien to the concept of the Fourteenth Amendment of the Federal Constitution, treating all classes of property owners equally, giving them equal protection.

"I can't see as to how our courts are going to allow us to permit the lands of landowners whose lands are five acres or less to be possessed by squatters for a prescribed number of years by adverse possession, but exempt landowners whose lands are in excess of five acres, exempt them from the possession of their lands

by use of the adverse possession vehicle. I don't see how this is ever going to pass a constitutional test and for that reason, I vote against it."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 47 was adopted and H.B. No. 102, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUIETING TITLE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Carroll, Chong and Kawasaki).

Conference Committee Report No. 48 (H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 48 and H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 49 (S.B. No. 581, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Ushijima, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 49 was adopted and S.B. No. 581, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 50 (H.B. No. 14, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Conf. Com. Rep. No. 50 was adopted and H.B. No. 14, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 51 (S.B. No. 77, S.D. 3, H.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Hara and carried, Conf. Com. Rep. No. 51 was adopted and S.B. No. 77, S.D. 3, H.D. 1, C.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.

Conference Committee Report No. 52 (S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 52 and S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 53 (H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Hara and carried, Conf. Com. Rep. No. 53 was adopted and H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FARM LOANS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 54 (S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 54 and S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 55 (H.B. No. 98, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 55 was adopted and H.B. No. 98, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SALARY COMMISSION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 56 (H.B. No. 99, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 56 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, 1 (Carroll).

Conference Committee Report No. 57 (H.B. No. 421, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 57 and H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 58 (H.B. No. 643, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator Cayetano, seconded by Senator Kuroda and carried, Conf. Com. Rep. No. 58 was adopted and H.B. No. 643, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 59 (S.B. No. 181, S.D. 2, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 59 was adopted and S.B. No. 181, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROSECUTION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 60 (S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Chong and carried, Conf. Com. Rep. No. 60 was adopted and S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 61 (H.B. No. 923, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Campbell, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 61 was adopted and H.B. No. 923, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 62 (H.B. No. 1634, H.D. 1, S.D. 1,

C.D. 1):

On motion by Senator O'Connor, seconded by Senator Takitani and carried, Conf. Com. Rep. No. 62 was adopted and H.B. No. 1634, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 63 (S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Takitani and carried, Conf. Com. Rep. No. 63 was adopted and S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 64 (H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1):

Senator Hara moved that Conf. Com. Rep. No. 64 be adopted and H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yim.

At this time, Senator Kawasaki rose to speak on the measure as follows:

"Mr. President, I voted against this bill when it emerged as a Senate draft but now that Oahu county is not going to be treated as a stepchild -- all counties are going to be treated equally, I'm going to vote for this bill."

The motion was put by Chair and carried, and Conf. Com. Rep. No. 64 was adopted and H.B. No. 1215, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 65 (H.B. No. 732, S.D. 2, C.D. 1):

Senator Yim moved that Conf. Com. Rep. No. 65 be adopted and H.B. No. 732, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

Senator Kawasaki then rose to speak against the measure and stated as follows:

"Mr. President, I am voting 'no' for this bill because I'm a little concerned about the term of the loans.

"These loans are now up to a maximum of \$100,000 to businessmen. We provide that they are not required, at the judgment of the director of the agency administering these loans, to make any payments; not a single monthly payment for five years -- as long as five years. In addition to that, the loan runs twenty years at 7½%, permanently fixed as the interest rate.

"My concern is that there is a possibility of some of these businessmen borrowing \$100,000 from the state and because they happen to be in a good business at a good time, they're possibly able to pay back the loan of \$100,000 within five years or within ten years, but because they are allowed to carry the loan for a period of twenty years and, human beings being what they are, they would have the tendency to prolong the loan as long as they can; possibly use the money for something else, which has happened in other types of loans -- the fishing vessel loans, some farm loans. I'm afraid, if we do not prescribe at least a lower minimum, possibly ten years, to be extended at the discretion of the director of the agency administering these loans, there will be abuses by these people not returning the amount of the loan when they are able to in a shorter time, thereby allowing someone else to borrow that money when they need it.

"These restrictions are not written into this law and for that reason I will have to vote 'no' on the bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 65 was adopted and H.B. No. 732, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL LOAN PROGRAM", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Conference Committee Report No. 66 (H.B. No. 1667, S.D. 1, C.D. 1):

Senator Chong moved that Conf. Com. Rep. No. 66 be adopted and H.B. No. 1667, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Yim.

At this time, Senator Chong rose to clarify an omission on the bill, as follows:

"Mr. President, I would like the Journal to reflect that in typing the bill and committee report of this administration bill, the bracketing was inadvertently omitted on page 1 of the bill, lines 9 through 12, the phrase, '...a common carrier by motor vehicle, a contract carrier by motor vehicle or a private carrier by motor vehicle, all as defined in section 271-4,' should have been bracketed out. The same phrase should be bracketed on page 1 of the Conference Committee Report."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 66 was adopted and H.B. No. 1667, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY LAW", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 1:34 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:41 o'clock a.m.

Conference Committee Report No. 67 (S.B. No. 1043, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Ushijima and carried, Conf. Com. Rep. No. 67 was adopted and S.B. No. 1043, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AWARDED OF INTEREST IN CIVIL CASES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Carroll and Soares).

Conference Committee Report No. 68 (H.B. No. 95, H.D. 2, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 68 was adopted and H.B. No. 95, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Carroll and Soares).

Conference Committee Report No. 69 (H.B. No. 282, H.D. 1, S.D. 2, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cayetano and carried, Conf. Com. Rep. No. 69 was adopted and H.B. No. 282, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Carroll).

Conference Committee Report No. 70
(H.B. No. 723, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Chong and carried, Conf. Com. Rep. No. 70 was adopted and H.B. No. 723, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 71
(S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1):

On motion by Senator Carpenter, seconded by Senator O'Connor and carried, Conf. Com. Rep. No. 71 was adopted and S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTION TO LIABILITY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 72
(S.B. No. 1230, H.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Conf. Com. Rep. No. 72 was adopted and S.B. No. 1230, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Abercrombie, Cayetano and Chong).

Conference Committee Report No. 73
(H.B. No. 92, H.D. 2, S.D. 2, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 73 be adopted and H.B. No. 92, H.D. 2, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

At this time, Senator Carroll rose to state as follows:

"Mr. President, I just want to make one remark for the record.

"Mr. President, this is of course the mandate of the Constitutional Convention. It is my firm belief that we do not need an intermediate appellate court in this state and I look to the time when we can eradicate through fiat of the voting populous, this particular measure. But, in spite of that, because of that mandate, I will vote 'aye'."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 73 was adopted and H.B. No. 92, H.D. 2, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 19. Noes, 6 (Anderson, Carpenter, Cobb, Kawasaki, Soares and Yim).

Conference Committee Report No. 74
(H.B. No. 1716, S.D. 1, C.D. 1):

On motion by Senator O'Connor, seconded by Senator Takitani and carried, Conf. Com. Rep. No. 74 was adopted and H.B. No. 1716, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMBLEMS AND SYMBOLS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 75
(H.B. No. 38, H.D. 2, S.D. 3, C.D. 1):

Senator Campbell moved that Conf. Com. Rep. No. 75 be adopted and H.B. No. 38, H.D. 2, S.D. 3, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

At this time, Senator Campbell rose to make some brief remarks in favor of the measure and stated as follows:

"Mr. President, at last, we have a reapportioned Board of Education which will be effectuated by this bill and we certainly hope that it will meet the constitutional test. I urge my colleagues to vote 'aye'."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 75 was adopted and H.B. No. 38, H.D. 2, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Conference Committee Report No. 76 (S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 76 be adopted and S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ushijima.

At this time, Senator Kawasaki rose on a point of inquiry addressed to the Chairman of the Judiciary Committee, as follows:

"Mr. President, I note that the conference committee draft, unfortunately, eliminated the immunity provisions requested by the Crime Commission and consented to by the Judiciary Committee and the Senate position.

"According to the committee report there are some immunity provisions in the present statutes. Would this suffice to give the staff of the Crime Commission reasonable immunities from civil suits?"

Senator O'Connor, Chairman of the Judiciary Committee, then replied as follows:

"Mr. President, a large amount of research on the part of the staffs was involved in this matter and the Attorney General had written an opinion which cited the Hawaii case on Medeiros vs. Kondo, 55 Hawaii 499, which reflects a limited liability protection for people similar to the Crime Commission members. Crime Commission members would therefore be covered by that, which would give them protection from liable or slander suits unless their actions, in the scope of their work, were motivated by malice, or not otherwise for a proper purpose.

"In conference committee, it was believed by the conferees that this limited liability protection, which certainly covers the Crime Commission members in the legitimate actions which they proposed to us during committee meetings and, therefore, was believed that that protection plus the qualified privilege which would exist for the staff members, all of which is indicated in the Conference Committee Report, would certainly cover adequately for the purposes they need the members and staff for the Crime Commission."

Senator Kawasaki then remarked:
"Mr. President, with that conference committee opinion entered into the Senate Journal, I will vote for this bill."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 76 was adopted and S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A CRIME

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

Ayes, 25. Noes, none.

Conference Committee Report No. 77 (H.B. No. 890, H.D. 1, S.D. 3, C.D. 1):

On motion by Senator Young, seconded by Senator Carpenter and carried, Conf. Com. Rep. No. 77 was adopted and H.B. No. 890, H.D. 1, S.D. 3, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kawasaki).

Conference Committee Report No. 78 (H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 78 and H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 79 (H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 79 be adopted and H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Cayetano.

At this time, Senator Abercrombie rose to speak against the measure and stated as follows:

"Mr. President, I realize all the work that's gone into this bill. I've spoken at length with the chairmen in both Houses on this bill but just as was indicated earlier in respect of the bill with the appellate court, that while one might not like the consequences of the convention, unless one could honestly feel that what was done was, per se, unconstitutional, that is to say, when one was voting in trying to pass measures or associate oneself with measures which one could believe to be constitutional in the first place, if you couldn't find a basis for believing it unconstitutional, there's not a real basis for voting against it.

"In this particular instance, however, if you would refer to page 4 of the Conference Committee Report, I think you will see outlined my basic objection which still has not and, which I have articulated previously, has still not been overcome in the conference draft to my satisfaction in terms of what I believe to be equitable.

"For the elucidation of those who do not have it, it indicates in the 'Contribution Limits. . . the campaign contributions from a person have been limited to \$2,000 for primary, special primary, or general election.' However, Section 3 in the same instance indicates that the candidate and his immediate family may not contribute in the aggregate more than \$50,000 in an election year to the candidate's campaign.

"I didn't like the \$2,000 limitation, as I feel that if there is a first amendment observance to be met in terms of campaign spending that if one was equal with everyone else in a campaign, in an amount that could be thought by reasonable people to reflect what is necessary to conduct a campaign on a scale that could be again reasonably arrived at by reasonable people, that everyone would be equal within it and one could live with it and still maintain one's fidelity to the first amendment.

"However, to tell people how much they can receive in respect of that spending limit, to limit them in that, it seems to me, clearly violates any sound constitutional basis for promulgating this bill.

"When, in addition, you add a section which indicates that if your family is wealthy that you can call upon those resources up to \$50,000, as opposed to the \$2,000 limitation for everyone else who is outside the family, I think that it is an invitation to, not only to persons of wealth or who have access to wealth through their family to run for office and to be sustained in their election, and to discourage others from running for office. Not only does it do that, but it indicates that those who do not have those resources will by definition be starting off at a disadvantage.

"It also means that should someone be fortunate enough to find people who would be willing to contribute more than \$2,000 and publicly associate themselves with that contribution. That is to say, to have their names entered with the Campaign Spending Commission with the amount of money that they contributed to the candidate so that anyone who wish could go into the office as they can do now and discover who it was that gave money and presumably then be able to discover what their business is and what their association is with the candidate, etc., and thus put themselves on the public line in respect of any bills that passed or conflicts of interest. They'll be able to draw upon that information to make any assertions in that area that they wish.

"If someone is lucky enough, fortunate enough, to find people who are willing to contribute more than \$2,000, they

will not be able to take advantage of that.

"I foresee a situation in which there might be attempts made to spread out contributions, in respect of \$2,000 plus, in order to make the \$2,000 contribution limit in terms of the fine point, the fine letter of the law, but violated at the very least, in spirit.

"I'm not sure what the consequences, legally, would be for such a thing taking place. I don't know if it amounts to a conspiracy or if it amounts to sound management of one's potential contributors in respect of the law; but, I think, we are inviting that kind of subterfuge much as we do in the sense of the prohibition laws that existed.

"So, in conclusion, I would have to vote against this bill on the basis that it is rank discrimination against those who do not have the financial resources within a family and has a chilling effect and will have a chilling effect on the willingness of people to run for office, especially in the face and opposition of wealth, which the potential candidate may believe may easily be brought to bear against them as opposed to their capacity to raise funds."

Senator O'Connor then rose to speak in favor of the measure and stated as follows:

"Mr. President, I had intended to make a long and involved speech concerning the measure but will instead simply respond to the good and learned Senator from Manoa. But, first, I would like to thank very much all of the members of the Judiciary Committee, the conference committee members and the members of the staff that worked so long and put in so many long and hard hours in drafting and reworking this bill. It's been reworked now about five times, I think.

"In response to the Senator from Manoa's comments, first, there's absolutely nothing unconstitutional about the campaign contribution unless it's in this bill.

"The bill follows exactly the mandate in the Supreme Court case of Buckley vs. Valeo. In that case the Supreme Court found that the \$1,000 contribution limit for members of the Congress was constitutional and I might point out to the Senator from Manoa that our limit is not \$2,000, it's \$2,000 for the primary and then another \$2,000 for the general. So his savior can still come to his aid next time with another \$2,000 in the general election and it will still fall within the limits in the bill.

"The aggregate which is allowed a

candidate and his immediate family in this particular measure is a new situation for Hawaii. In earlier laws we place no limit at all upon the utilization of a person's own money in an election. There was some controversy in the committee concerning that and because of certain practices in this community and others, other communities where certain candidates have spent an inordinately large amount of their own money to essentially buy office, it was strongly felt that some limit should be placed on the use of money, particularly for the larger elections and that's why a limit for a candidate and his family was placed at \$50,000. That, too, would be constitutional under the Buckley vs. Valeo decision.

"There are many other factors in this bill, many other parts of it that are very detailed. I can tell all the members that the bill as drafted today and as placed before them does fall within the mandates that we were best able to ascertain from a constitutional standpoint.

"In other words, that fall is not violative, as best we can determine of the United States Constitution, either in the contribution section or in the section which places limits on spending, as that section is voluntary.

"I urge all to vote in favor of it."

Senator Carroll then rose to speak against the measure and stated as follows:

"Mr. President, I'd like to ask that the remarks which I made against House Bill 1671, H.D. 1, S.D. 2, be incorporated by reference for today's Journal and I would just like to add that in the measure that is before us tonight, which is amended, that we're talking about a maximum amount of public funds available to a candidate for the office of governor, lieutenant governor or mayor in any election year, not exceeding one-fifth or 20% of the total expenditure limit for each office. And in a gubernatorial year, we're talking about approximately \$500,000 times the total number of candidates, which is a significant amount of money. And I doubt seriously if the man in the street who voted theoretically for those constitutional amendments had any idea about the case holdings of Buckley vs. Valeo and I really have serious doubts if many of the constitutional convention delegates really understood that case and what its provisions provided.

"I think, as I said earlier, to require the taxpayers of this state to carry the burden of political campaigns on their shoulders in this time of need and the time when people are stretching their dollars to the absolute minimum, is really a very unjust thing for us to do. I would

urge that we vote against this measure."

Senator Abercrombie then rose to further state, as follows:

"Mr. President, just by way of rebuttal, I thought I had noted that there are three elections, primary, and there's another one, not just primary and general, but special primary.

"Perhaps if one of the members leave for a higher office there might be one of those special primaries coming up and for someone who might want to get into that one, they might like to do it, but I want to point out that I might not have, although I am delighted that the Judiciary Committee Chairman wishes me so well in the general election, but if I can't get by the primary, I might not have an opportunity to be saved in the general election. And perhaps the generous angel that we hope will appear, whose name is not Sammy Amalu on the check, would be more appropriate at a time when you needed that person most. And this is what I'm trying to get at.

"I appreciate what's being done here and even if I accepted the constitutionality question, as being resolved by the good Senator's assurances to me, I would still then rise to speak against it on the grounds of it being unfair, and I do think it is pertinent to the passage of laws as to whether we are treating each other fairly.

"I think Mr. Solzhenitsyn has made an excellent point among many in an address that he delivered last year, which received wide coverage in the press, about our reliance on legalisms to the detriment of justice, to the point that where we can -- if we can find something is legal or can find a way in which to accommodate something within a legal system -- that we may safely ignore some of the wider implications as to whether it is in fact just.

"I appreciate the concern that was reflected in Section 3 -- it is a change from the previous, but I don't think that it alters my essential point especially in respect of elections other than the major offices in which there will be a chilling and intimidating effect of the idea of \$50,000 in family money versus those who do not have that kind of access and in turn may have one or two people who would be willing to sacrifice, even at the \$2,000 level or above, in order to hope to assist the election efforts of those whom they truly believe would be able to serve our people."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 79 was adopted and H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Abercrombie, Ajifu, Anderson, Carpenter, Carroll, Hara, Kawasaki, Soares, Toyofuku and Yee).

At 2: 05 o'clock a.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 11: 30 o'clock a.m., this morning.

MORNING SESSION

The Senate reconvened at 11:55 o'clock a.m., with all Senators present.

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

Senator Saiki introduced a group of second and third grade students from Kamehameha Schools, accompanied by their teachers, Mrs. Nora Ann Neet and Mrs. Ruby Lowe.

Senator Carpenter then introduced Councilwoman Merle Lai, Hawaii County Council, and Ms. Abbie Napeahi, Commissioner, Hawaiian Homes Commission.

Senator Carpenter also introduced a group of individuals from the Hawaii County Economic Opportunity Council, District Council Planning Committee Board members: Marsha Masters, Eddie Kuahiwini, Jr., Anna Cariaga, Lloyd Fuerte, Annie Breighaupt, Brian Nishimura, Dorothy Nobriga, Mildred Guerrero, Vern Kaaukai and Frank de Jesus.

Senator Campbell introduced a group of fourth grade students from Salt Lake Elementary School, escorted by their teachers, Mrs. Yim, Mrs. Lau, Mrs. Komasu and Ms. Jane Watanabe.

Senator Anderson introduced Abbie and Frank Moon, longtime friends from the Windward District.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. No. 482 and 483) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 482), informing the Senate that on April 17, 1979, he signed the following bill into law:

H.B. No. 1631 as Act 7, entitled: "RELATING TO THE PROGRESSIVE NEIGHBORHOODS PROGRAM",

was placed on file.

A message from the Governor (Gov. Msg. No. 483), transmitting various reports prepared by the Department of Land and Natural Resources in response to the following resolutions, which were adopted in 1978:

Senate Resolution No. 136, Requesting the Development of the State's Water Supplies and Systems to Support Agriculture;

Senate Resolution No. 352, Relating to a Report on the Quantity and Quality of Water Resources in the State of Hawaii; and

House Resolution No. 507, Relating to a Review of Agricultural Water Rates on Oahu;

was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 656 to 701) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 656), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1, H.D. 1, was adopted by the House; and H.B. No. 1, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 657), returning Senate Concurrent Resolution No. 43, S.D. 1, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 658), returning Senate Concurrent Resolution No. 53, S.D. 1, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 659), transmitting House Concurrent Resolution No. 138, H.D. 1, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

By unanimous consent, H.C.R. No. 138, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION PROVIDING FOR THE OPERATION OF A COMMITTEE TO STUDY GOVERNMENTAL TORT LIABILITY DURING THE

INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1979 AND THE CONVENING OF THE REGULAR SESSION OF 1980", was referred to the Committee on Legislative Management.

A communication from the House (Hse. Com. No. 660), transmitting House Concurrent Resolution No. 183, which was adopted by the House of Representatives on April 19, 1979, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE SECOND ANNUAL MACADAMIA NUT FESTIVAL AND ACKNOWLEDGING AND COMMENDING THE LEADERSHIP OF THE HAWAIIAN HOLIDAY MACADAMIA NUT COMPANY IN PROMOTING THE EVENT AND HAWAII'S DEVELOPING MACADAMIA NUT INDUSTRY", was adopted.

A communication from the House (Hse. Com. No. 661), informing the Senate that the amendments proposed by the Senate to House Bill No. 1677 were agreed to by the House; and H.B. No. 1677, S.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 662), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 80, H.D. 2, was adopted by the House; and H.B. No. 80, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 663), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 82, H.D. 1, was adopted by the House; and H.B. No. 82, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 664), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 92, H.D. 2, was adopted by the House; and H.B. No. 92, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 665), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate

to House Bill No. 95, H.D. 2, was adopted by the House; and H.B. No. 95, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 666), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 99, H.D. 1, was adopted by the House; and H.B. No. 99, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 667), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 102, H.D. 1, was adopted by the House; and H.B. No. 102, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 668), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 166, H.D. 1, was adopted by the House; and H.B. No. 166, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 669), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 173, H.D. 1, was adopted by the House; and H.B. No. 173, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 670), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 282, H.D. 1, was adopted by the House; and H.B. No. 282, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 671), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 421, H.D. 1, was adopted by the House; and H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 678), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate

A communication from the House (Hse. Com. No. 684), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1432, H.D. 1, was adopted by the House; and H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 697), 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 Senate Bill No. 1049, S.D. 1, was adopted by the House; and S.B. No. 1049, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 698), 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 Senate Bill No. 1230 was adopted by the House; and S.B. No. 1230, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 699), 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 Senate Bill No. 1539, S.D. 1, was adopted by the House; and S.B. No. 1539, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 700), 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 Senate Bill No. 1634, S.D. 2, was adopted by the House; and S.B. No. 1634, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

A communication from the House (Hse. Com. No. 701), 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 Senate Bill No. 1682, S.D. 1, was adopted by the House; and S.B. No. 1682, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 19, 1979, was placed on file.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 489 to 516) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 489), entitled: "SENATE RESOLUTION COMMENDING THE HAWAIIAN ASSOCIATION OF FUTURE FARMERS OF AMERICA ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Ajifu, Campbell, Yamasaki, Kuroda, Takitani, Saiki, Toyofuku, Soares, Carpenter, O'Connor, Yee, Mizuguchi, Hara, Young, Cayetano, Carroll, Chong, George, Ushijima, Cobb, Yim, Kawasaki and Abercrombie.

On motion by Senator Ajifu, seconded by Senator Anderson and carried, S.R. No. 489 was adopted.

At this time, Senator Ajifu remarked as follows:

"Mr. President, this morning the Future Farmers were up in the Governor's

Office. The Governor had proclaimed April 20th as Future Farmers of America Week; this weekend the Future Farmers are holding their annual convention, the 50th Anniversary celebration."

Senator Ajifu then introduced the state officers of the Hawaii Association of Future Farmers of America, as follows: State President Ernest Barreira; Vice President Vincent Bani; Secretary Aaron Kamaunu; Treasurer Justin Godbehere; Reporter Douglas Duarte; Sentinel Jason Hashimoto, accompanied by their National President Mark Sanborn and State Advisor Mr. Thomas Hatakeyama, and presented certified copies of the resolution to all of the officers and the advisor.

At 12:01 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.

A resolution (S.R. No. 490), entitled: "SENATE RESOLUTION COMMENDING AND CONGRATULATING JERRY PERREIRA FOR HIS VOLUNTEER SERVICES TO OUR COMMUNITY DURING THE PAST TWO YEARS", was jointly offered by Senators Chong, Kuroda, Hara, Campbell, Anderson, Takitani, Young, Yim, George, Cobb, Toyofuku, Yamasaki, O'Connor, Ushijima, Mizuguchi, Carpenter, Abercrombie, Carroll, Yee, Ajifu, Soares, Saiki, Kawasaki and Wong.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 490 was adopted.

A resolution (S.R. No. 491), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE HAWAII CHAPTER OF THE AMERICAN NATURAL HYGIENE SOCIETY FOR THEIR EDUCATIONAL ACTIVITIES", was jointly offered by Senators Chong, Kuroda, Hara, Campbell, Anderson, Cobb, Toyofuku, Young, Wong, Takitani, Yim, O'Connor, Carpenter, Cayetano, Yamasaki, Ushijima, Yee, Ajifu, Abercrombie, Soares, Saiki and Kawasaki.

On motion by Senator Chong, seconded by Senator Kuroda and carried, S.R. No. 491 was adopted.

A resolution (S.R. No. 492), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING THE HUNGER PROJECT FOR ITS ACTIONS TO END WORLD STARVATION BY 1997", was jointly offered by Senators Chong, Kuroda, Hara, Campbell, Saiki, Anderson, Takitani, Yim, O'Connor, Mizuguchi, Young, Kawasaki, Wong, Soares, Carpenter, Ajifu, Cobb, Abercrombie, Cayetano, Yamasaki, Ushijima and Toyofuku.

Senator Chong moved that S.R. No. 492 be adopted, seconded by Senator Kuroda.

At this time, Senator Abercrombie rose to speak against the resolution and stated as follows:

"Mr. President, I think that a good portion of the 'whereas' clauses in this congratulatory resolution are incorrect. I think they give a false impression of what is involved in the so-called Hunger Project.

"I think that when it gets into the 'Be It Resolved' area where it talks about momentous actions to end world starvation, as far as I know, will determine, the only momentous actions are to increase the pocketbooks of the people that are running it.

"This whole thing is nothing but a diversion from the real issues that are involved where there are people who do not have enough to eat, whether an economic system that encourages that circumstance world-wide as well as in this country, while there may be motivations in some of the people who have been suckered into joining it, that are laudatory.

"For this legislature to go on record as approving of and extending congratulations to what I consider to be nothing but a group of people who are lining their own pockets, I think, is entirely out of line."

Senator Chong then read the eighth, ninth and tenth 'whereas' clauses of the resolution and, in general rebuttal to the previous speaker, stated as follows:

"Mr. President, I'd like to point out that the major purpose of this particular project, which is taking hold throughout the country, is to get Americans aware of the fact that we have a major problem in the world. Not only here in America but in the world. That we in the United States who consume the bulk of our resources have not adequately or are not aware of the fact that we have not adequately shared some of our tremendous wealth.

"When that \$3.00 donation is requested, it goes back to get other Americans to be aware of this fact so that we can, together as a nation, accept our responsibilities in the world."

Senator Abercrombie further remarked as follows:

"Mr. President, I think it's disingenuous to read something from Mr. R. Buckminster Fuller when it has no connection with the points that I was raising about the

money that it solicited on the basis of appealing to people's sense of humanity or sense of guilt or sense of desire to participate in something which would genuinely alleviate world hunger.

"I think it's disingenuous then to associate the President of the United States by saying that he concurs with the message and goal. I suppose you could take anything to the President of the United States and get him to concur with almost anything by taking something out of context and associating with it. It is quite clear that what happens in this organization is, that is a constant roundlet -- a circular motion of taking money and paying salaries and continue to then take this message out which goes back into the organization.

"I have not been able to discover a single instance, including participation by myself because I wanted to make sure that I knew what I was talking about in one of these so-called seminars that were held in connection with this Hunger Project, so that I was not speaking merely from hearsay.

"I have not been able to discover a single thing that does not do anymore than as happened with other charities in the past, unfortunately, in which people's emotions are appealed to and the only profit that is made is by the people who are pushing the deal."

The motion was put by the Chair and carried, and Roll Call vote having been requested, S.R. No. 492, was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Carroll, George, Hara and Kawasaki).

A resolution (S.R. No. 493), entitled: "SENATE RESOLUTION EXTENDING CONDOLENCES AND DEEPEST SYMPATHY TO THE FAMILY OF DR. GEORGE WOOLLARD", was jointly offered by Senators Abercrombie, Hara, Chong, Yim, Ushijima, Cobb, Yamasaki, Kuroda, Soares, Carroll, Mizuguchi, Kawasaki, Campbell, George, Saiki, Ajifu, Takitani, Toyofuku, Young, Yee, Carpenter, Cayetano and O'Connor.

On motion by Senator Abercrombie, seconded by Senator Hara and carried, S.R. No. 493 was adopted.

A resolution (S.R. No. 494), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS AND BEST WISHES FOR THE HAWAII INTERNATIONAL POWERLIFTING CHAMPIONSHIPS", was jointly offered by Senators Abercrombie, Hara, Mizuguchi, Takitani, Carpenter, Cobb, Toyofuku, George, Cayetano, Ajifu, Chong, Yamasaki, Young, Soares, Carroll, Yim and Anderson.

Senator Abercrombie moved that S.R. No. 494 be adopted, seconded by Senator Hara.

At this time, Senator Kawasaki rose to state as follows:

"Mr. President, while I fully intend to vote for this resolution, there's a nagging question that I have. I'd like to address some questions to the sponsor of this resolution."

Senator Abercrombie replied: "If I can lift the questions up, I'll be delighted to."

Senator Kawasaki then inquired as follows:

"Mr. President, among the events listed are three, that is to say, an event in squatting, bench pressing and dead lifting and I notice also that there are eight contestants from the State of Hawaii. I just wanted to know whether Senator Abercrombie is one of the eight contestants from Hawaii who's either going to squat on, bench press, or dead lift David Trask in the meantime?"

Senator Abercrombie replied as follows:

"That's a fair question."

"I'm not sure that we'll be there for that reason. I was thinking more that we might be there to arm wrestle, however, we may be preempted."

"Maybe Senator Anderson and I will be in the preliminary on that and Mr. Trask will then take on the winner, two out of three."

"I do want to indicate that, however, that in respect of the power lifting tournament there, that we do have the honor of one of the people that's involved, that being Gus Rethwisch who some of you may have seen on CBS television over recent weeks on the World's Strongest Man Contest. He came in fifth in the contest. He is from Hawaii. He's an old friend of mine from the UH; started lifting weights with some of the athletic teams up at UH and has grown from the little shrimp of a guy that I knew at UH, into someone who now weighs 350 pounds, and who'll be there to see that I am protected if that caucasion does come about."

Senator Cayetano then remarked as follows:

"Mr. President, if Senator Abercrombie is entering this contest, I don't think he'll have to train too much because from what I understand, Mr. Trask is quite a lightweight."

The motion was put by the Chair and carried, and S.R. No. 494 was adopted.

A resolution (S.R. No. 495), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO ANTHONY HAZLETT ON HIS SELECTION AS A RECIPIENT OF THE SHELL OIL CENTURY III LEADERSHIP PROGRAM AWARD", was jointly offered by Senators Toyofuku, Kuroda, Chong, Cayetano, Anderson, Yamasaki, Ushijima, Kawasaki, Campbell, Carpenter, Takitani, Soares, Hara, Young, Cobb, Carroll, Saiki, Ajifu, Yee, George, Yim, Abercrombie, Mizuguchi and O'Connor.

On motion by Senator Toyofuku, seconded by Senator Kuroda and carried, S.R. No. 495 was adopted.

A resolution (S.R. No. 496), entitled: "SENATE RESOLUTION COMMENDING THE FIRST-PLACE WINNERS IN THE 25TH ANNUAL HAWAII INDUSTRIAL ARTS FAIR", was jointly offered by Senators Ajifu, George, Carroll, Saiki, Ushijima, Toyofuku, Yamasaki, Hara, Cobb, Takitani, Carpenter, Mizuguchi, Soares, Campbell, Chong, Young, Kawasaki, Cayetano, Anderson and Abercrombie.

On motion by Senator Ajifu, seconded by Senator George and carried, S.R. No. 496 was adopted.

A resolution (S.R. No. 497), entitled: "SENATE RESOLUTION COMMEMORATING THE SILVER JUBILEE CELEBRATION OF THE JAPANESE WOMEN'S SOCIETY OF HONOLULU", was jointly offered by Senators Young, George, Saiki, Carpenter, Yamasaki, Wong, Yim, Campbell, Hara, Kawasaki, Kuroda, Mizuguchi and Toyofuku.

On motion by Senator Young, seconded by Senator George and carried, S.R. No. 497 was adopted.

A resolution (S.R. No. 498), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE MILILANI TOWN JAYCEES FOR THEIR OUTSTANDING COMMUNITY SERVICE", was jointly offered by Senators Young, Cayetano, Carpenter, Yamasaki, Wong, Toyofuku, Ajifu, Campbell, Takitani, Kuroda, Yim, Mizuguchi and Hara.

On motion by Senator Young, seconded by Senator Cayetano and carried, S.R. No. 498 was adopted.

A resolution (S.R. No. 499), entitled: "SENATE RESOLUTION HONORING ROBERT R. DUNAWAY A DEDICATED HUMANITARIAN AND TIRELESS COMMUNITY SERVICE WORKER", was jointly offered by Senators Wong, Kuroda, Cobb, Yamasaki, George, Saiki, Carpenter, Young, Yim, Mizuguchi, Carroll, Anderson, Chong, Cayetano,

Abercrombie, Kawasaki, Ajifu, Takitani, Hara, Soares, O'Connor, Toyofuku and Campbell.

On motion by Senator Kawasaki, seconded by Senator Kuroda and carried, S.R. No. 499 was adopted.

A resolution (S.R. No. 500), entitled: "SENATE RESOLUTION CONGRATULATING PAUL KATSUSO MIHO ON HIS RETIREMENT", was jointly offered by Senators Yee, Abercrombie, Takitani, Cobb, Hara, Yamasaki and Yim.

Senator Yee moved that S.R. No. 500 be adopted, seconded by Senator Anderson.

At this time, Senator Abercrombie rose to speak in favor of the resolution and stated as follows:

"Mr. President, I'd like to speak in favor of this resolution by noting that Mr. Miho, if you will look at one of the 'whereas' clauses, indicates that he was with the YMCA, where he served for over 20 years as resident manager of the University YMCA in Manoa; I can't imagine the number of people that Mr. Miho has helped and encouraged over the years.

"It has been almost 20 years since I met him, two decades, and I know that his kindness, his courtesy and encouragement to me was not the exception, but rather the rule of him. I congratulate him in his retirement and most certainly congratulate him in whatever endeavors he's going to be taking place in now."

The motion was put by the Chair and carried, and S.R. No. 500 was adopted.

A resolution (S.R. No. 501), entitled: "SENATE RESOLUTION CONGRATULATING THE IOLANI VARSITY SOCCER TEAM ON WINNING THE STATE CHAMPIONSHIP", was jointly offered by Senators Yee, Abercrombie, Takitani, Cobb, Hara, Yamasaki and Yim.

On motion by Senator Yee, seconded by Senator Anderson and carried, S.R. No. 501 was adopted.

A resolution (S.R. No. 502), entitled: "SENATE RESOLUTION RECOGNIZING AND CONGRATULATING MR. MAX ROFFMAN AS BEING CHOSEN AS A REPRESENTATIVE FOR THE KOKUA COUNCIL FOR SENIOR CITIZENS, AT A WHITE HOUSE BRIEFING WITH THE PRESIDENT OF THE UNITED STATES", was jointly offered by Senators Carpenter, Kuroda, Young, George, Cobb, Takitani, Cayetano, Soares, Toyofuku, Mizuguchi, Yamasaki, Wong, Ushijima, Campbell, Yee, Chong, Hara, Carroll, Saiki, O'Connor, Kawasaki, Abercrombie and Yim.

On motion by Senator Carpenter, seconded by Senator Kuroda and carried, S.R. No. 502 was adopted.

A resolution (S.R. No. 503), entitled: "SENATE RESOLUTION RECOGNIZING MR. YUKIO NISHIMOTO FOR HIS MANY ACCOMPLISHMENTS IN THE STATE OF HAWAII", was jointly offered by Senators Carpenter, Chong, Kuroda, Young, Yamasaki, George, Takitani, Cayetano, Soares, Toyofuku, Mizuguchi, Wong, Ushijima, Campbell, Yee, Saiki, Cobb, Abercrombie, Hara, Carroll, O'Connor, Kawasaki and Yim.

On motion by Senator Carpenter, seconded by Senator Chong and carried, S.R. No. 503 was adopted.

A resolution (S.R. No. 504), entitled: "SENATE RESOLUTION CONGRATULATING MISS HAWAII OF CALIFORNIA FOR 1979, TRICIA KEALANA TOM, AND HER COURT", was jointly offered by Senators Carpenter, Wong, Takitani, Toyofuku, Anderson, Ajifu, Cobb, Saiki, Hara, Kawasaki, Cayetano, Young, Chong, Yim, Campbell, Soares, Yamasaki, Carroll, Kuroda, O'Connor, Ushijima, Mizuguchi, George and Abercrombie.

On motion by Senator Carpenter, seconded by Senator Takitani and carried, S.R. No. 504 was adopted.

A resolution (S.R. No. 505), entitled: "SENATE RESOLUTION CONGRATULATING JANICE KILBEY FOR BEING SELECTED THE 1979 TRUMAN SCHOLAR FROM HAWAII", was jointly offered by Senators George, Ajifu, Takitani, Yamasaki, Carpenter, O'Connor, Chong, Saiki, Campbell, Carroll, Young and Toyofuku.

On motion by Senator George, seconded by Senator Ajifu and carried, S.R. No. 505 was adopted.

A resolution (S.R. No. 506), entitled: "SENATE RESOLUTION CONGRATULATING DORA WANG FOR WINNING SHELL OIL'S CENTURY III LEADERS CONTEST", was jointly offered by Senators George, Anderson, Ajifu, Takitani, Yamasaki, Carroll, Ushijima, Hara, Abercrombie, O'Connor, Saiki, Chong, Kuroda, Campbell, Cayetano, Cobb, Carpenter, Young and Toyofuku.

On motion by Senator George, seconded by Senator Anderson and carried, S.R. No. 506 was adopted.

A resolution (S.R. No. 507), entitled: "SENATE RESOLUTION CONGRATULATING AND COMMENDING THE IOLANI SCHOOL VARSITY BASEBALL TEAM FOR WINNING THE INTERSCHOLASTIC LEAGUE OF HONOLULU'S BASEBALL CHAMPIONSHIP",

was jointly offered by Senators Yee, Cobb, Takitani, Yamasaki, Hara and Yim.

On motion by Senator Yee, seconded by Senator Carroll and carried, S.R. No. 507 was adopted.

A resolution (S.R. No. 508), entitled: "SENATE RESOLUTION RETURNING ALL BILLS, CONCURRENT RESOLUTIONS, AND RESOLUTIONS TO THE CLERK'S DESK", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 508 was adopted.

A resolution (S.R. No. 509), entitled: "SENATE RESOLUTION RELATING TO STANDING AND SPECIAL COMMITTEES AUTHORIZED TO CONDUCT HEARINGS DURING THE INTERIM BETWEEN THE ADJOURNMENT OF THE REGULAR SESSION OF 1979 AND THE CONVENING OF THE REGULAR SESSION OF 1980", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 509 was adopted.

A resolution (S.R. No. 510), entitled: "SENATE RESOLUTION REGARDING COMPLETION OF THE WORK OF THE TENTH LEGISLATURE SUBSEQUENT TO THE ADJOURNMENT THEREOF", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 510 was adopted.

A resolution (S.R. No. 511), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO DESIGNATE THE EMPLOYEES WHO WILL WORK AFTER ADJOURNMENT", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 511 was adopted.

A resolution (S.R. No. 512), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO EXPEND FUNDS AFTER ADJOURNMENT", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded Senator Anderson and carried, S.R. No. 512 was adopted.

A resolution (S.R. No. 513), entitled: "SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THIS SENATE FOR THE SIXTIETH DAY", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 513 was adopted.

A resolution (S.R. No. 514), entitled: "SENATE RESOLUTION RELATING TO THE PRINTING OF THE JOURNAL OF THE SENATE", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 514 was adopted.

A resolution (S.R. No. 515), entitled: "SENATE RESOLUTION EXPRESSING APPRECIATION TO THE MINISTERS OF RELIGION FOR THEIR INSPIRATIONAL PRAYERS", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 515 was adopted.

A resolution (S.R. No. 516), entitled: "SENATE RESOLUTION EXPRESSING DEEPEST APPRECIATION TO THE MEMBERS OF THE VARIOUS MEDIA FOR THEIR COVERAGE OF THE ACTIVITIES OF THE TENTH LEGISLATURE, REGULAR SESSION OF 1979", was jointly offered by Senators Mizuguchi and Anderson.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, S.R. No. 516 was adopted.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1253) informing the Senate that Senate Resolution Nos. 477 to 488 and Standing Committee Report Nos. 1103 to 1252 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

At 12:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:24 o'clock p.m.

ORDER OF THE DAY

MATTERS DEFERRED
FROM APRIL 18, 1979

FINAL READING

Senate Bill No. 599, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, S.B. No. 599, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Abercrombie).
Excused, 2 (Cobb and Yim).

THIRD READING

Standing Committee Report No. 1074
(H.B. No. 742, H.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 1074 was adopted and H.B. No. 742, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cobb and Yim).

Standing Committee Report No. 1075
(H.B. No. 867):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 1075 was adopted and H.B. No. 867, entitled: "A BILL FOR AN ACT RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Cobb and Yim).

At 12:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:34 o'clock p.m.

Standing Committee Report No. 1076
(H.B. No. 1211, H.D. 1):

On motion by Senator O'Connor, seconded by Senator Mizuguchi and carried, Stand. Com. Rep. No. 1076 was adopted and H.B. No. 1211, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1077
(H.B. No. 1656, H.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1077 was adopted and H.B. No. 1656, H.D. 1, entitled: "A

BILL FOR AN ACT RELATING TO UNAUTHORIZED VEHICLES ON SCHOOL AND LIBRARY GROUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 1079
(H.B. No. 288):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 1079 was adopted and H.B. No. 288, entitled: "A BILL FOR AN ACT RELATING TO VITAL STATISTICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

MATTERS DEFERRED FROM APRIL 19, 1979

THIRD READING

Standing Committee Report No. 797 (H.B. No. 4):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 797 was adopted and H.B. No. 4, 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.

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

The Senate reconvened at 12:34 o'clock p.m.

FINAL READING

Senate Bill No. 1611, S.D. 2, H.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1611, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PREMARITAL EXAMINATIONS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At this time, Senator Abercrombie introduced to the members of the Senate Mr. Bill Nelson of the Hawaiian Association

of the AAU, who is assisting in the Hawaii International Powerlifting Championships to which a resolution was adopted earlier in the day.

At 12:35 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

Senate Bill No. 1752, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1752, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Abercrombie and Carroll).

Standing Committee Report No. 1113 (Gov. Msg. Nos. 387, 388, 389 and 390):

Senator Young moved that Stand. Com. Rep. No. 1113 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Factory-Built Housing Advisory Board as follows:

Robert McFarlane, term to expire December 31, 1982;

Tom T. Nekota, term to expire December 31, 1982;

Gary K. S. Siu, term to expire December 31, 1982, and

Maurice H. Yamasato, term to expire December 31, 1981,

seconded by Senator Cayetano.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1114 (Gov. Msg. Nos. 391 and 392):

Senator Young moved that Stand. Com. Rep. No. 1114 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Hawaii Community Development

Authority as follows:

Helen K. Griffin, term to expire December 31, 1982, and

Yoshio Yanagawa, term to expire December 31, 1982,

seconded by Senator Cayetano.

Roll Call having been ordered, 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. 1115 (Gov. Msg. Nos. 393, 394 and 395):

Senator Young moved that Stand. Com. Rep. No. 1115 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Hawaiian Homes Commission as follows:

Hazel K. Kauahikaua, term to expire December 31, 1982;

Colette Y. Machado, term to expire December 31, 1980, and

Jubilee M. Moikeha, term to expire December 31, 1982,

seconded by Senator Cayetano.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1116 (Gov. Msg. Nos. 396, 397 and 398):

Senator Young moved that Stand. Com. Rep. No. 1116 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Young then moved that the Senate advise and consent to the nominations to the Advisory Council for Housing and Construction Industry as follows:

Chew Hoy Lee, term to expire December 31, 1982;

Richard S. Matsunaga, term to expire December 31, 1982, and

Nancy T. Taylor, term to expire December 31, 1982,

seconded by Senator Cayetano.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1117
(Gov. Msg. No. 399):

Senator Toyofuku moved that Stand. Com. Rep. No. 1117 be received and placed on file, seconded by Senator Yamasaki and carried:

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Edward K. Fujimoto, Ph.D., to the State Advisory Council for Children and Youth, term to expire December 31, 1979, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1118
(Gov. Msg. No. 400):

Senator Toyofuku moved that Stand. Com. Rep. No. 1118 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Roger K. Katsutani to the State Advisory Council for Children and Youth, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1119
(Gov. Msg. No. 401):

Senator Toyofuku moved that Stand. Com. Rep. No. 1119 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Karen Anne Oshiro to the State Advisory Council for Children and Youth, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1120
(Gov. Msg. No. 402):

Senator Toyofuku moved that Stand. Com. Rep. No. 1120 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Geraldine O.Y. Ung to the State Advisory Council for Children and Youth, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1121
(Gov. Msg. No. 403):

Senator Toyofuku moved that Stand. Com. Rep. No. 1121 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku moved that the Senate advise and consent to the nomination of Morgan B. White to the State Advisory Council for Children and Youth, term to expire December 31, 1980, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1122
(Gov. Msg. No. 405):

Senator Toyofuku moved that Stand. Com. Rep. No. 1122 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Kenneth Tanaka to the Civil Service Commission, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1123
(Gov. Msg. No. 406):

Senator Toyofuku moved that Stand. Com. Rep. No. 1123 be received and placed on file, seconded by Senator

Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Rosalina S. Domondon to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1124 (Gov. Msg. No. 407):

Senator Toyofuku moved that Stand. Com. Rep. No. 1124 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Merl W. Hawthorne to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1125 (Gov. Msg. No. 408):

Senator Toyofuku moved that Stand. Com. Rep. No. 1125 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Rose Horner to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1126 (Gov. Msg. No. 409):

Senator Toyofuku moved that Stand. Com. Rep. No. 1126 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Theodore D. Hussey to

the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1127 (Gov. Msg. No. 410):

Senator Toyofuku moved that Stand. Com. Rep. No. 1127 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Shimeji Kanazawa to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1128 (Gov. Msg. No. 411):

Senator Toyofuku moved that Stand. Com. Rep. No. 1128 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Harry K. Takara to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1129 (Gov. Msg. No. 412):

Senator Toyofuku moved that Stand. Com. Rep. No. 1129 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Masaichi Tasaka to the Policy Advisory Board for Elderly Affairs, term to expire December 31, 1982, seconded by Senator Yamasaki.

Roll Call having been ordered, the

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1130
(Gov. Msg. No. 413):

Senator Toyofuku moved that Stand. Com. Rep. No. 1130 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Lorna Kakesako to the Hawaii Employment Relations Board, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1131
(Gov. Msg. No. 414):

Senator Toyofuku moved that Stand. Com. Rep. No. 1131 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Dennis K.S. Chun to the Commission on the Handicapped, term to expire December 31, 1980, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1132
(Gov. Msg. No. 415):

Senator Toyofuku moved that Stand. Com. Rep. No. 1132 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Judith Doktor to the Commission on the Handicapped, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1133
(Gov. Msg. No. 416):

Senator Toyofuku moved that Stand. Com. Rep. No. 1133 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Susan Floyd, Ph.D., to the Commission on the Handicapped, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1134
(Gov. Msg. No. 417):

Senator Toyofuku moved that Stand. Com. Rep. No. 1134 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Georgia E. Morikawa to the Commission on the Handicapped, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1135
(Gov. Msg. No. 418):

Senator Toyofuku moved that Stand. Com. Rep. No. 1135 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Wayne K. Miyamoto to the Commission on the Handicapped, term to expire December 31, 1980, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1136
(Gov. Msg. No. 419):

Senator Toyofuku moved that Stand. Com. Rep. No. 1136 be received and

placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of E. John McConnell to the Labor and Industrial Relations Appeals Board for a ten-year term, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1137
(Gov. Msg. No. 420):

Senator Toyofuku moved that Stand. Com. Rep. No. 1137 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Robert H. Kessner, Ph.D., to the Advisory Commission on Manpower and Full Employment, term to expire December 31, 1979, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1138
(Gov. Msg. No. 421):

Senator Toyofuku moved that Stand. Com. Rep. No. 1138 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Cherlyn K. Logan to the Advisory Commission on Manpower and Full Employment, term to expire December 31, 1979, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1139
(Gov. Msg. No. 422):

Senator Toyofuku moved that Stand. Com. Rep. No. 1139 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the

nomination of Guy R. Tateishi to the Advisory Commission on Manpower and Full Employment, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1140
(Gov. Msg. No. 423):

Senator Toyofuku moved that Stand. Com. Rep. No. 1140 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of James Brown to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1141
(Gov. Msg. No. 424):

Senator Toyofuku moved that Stand. Com. Rep. No. 1141 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Michael L. Joy to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1142
(Gov. Msg. No. 425):

Senator Toyofuku moved that Stand. Com. Rep. No. 1142 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of James D. Williams to the Board of Trustees, Hawaii Public Employees Health Fund, term to expire December 31, 1982, seconded by Senator Yamasaki.

Roll Call having been ordered, the

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1143
(Gov. Msg. No. 426):

Senator Toyofuku moved that Stand. Com. Rep. No. 1143 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Ruth M. Ono to the Board of Vocational Rehabilitation, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1144
(Gov. Msg. No. 427):

Senator Toyofuku moved that Stand. Com. Rep. No. 1144 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Paul Pladera to the Board of Vocational Rehabilitation, term to expire December 31, 1979, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1145
(Gov. Msg. No. 428):

Senator Toyofuku moved that Stand. Com. Rep. No. 1145 be received and placed on file, seconded by Senator Yamasaki and carried.

Senator Toyofuku then moved that the Senate advise and consent to the nomination of Terrance W.H. Tom to the Board of Vocational Rehabilitation, term to expire December 31, 1982, seconded by Senator Yamasaki.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1146
(Gov. Msg. Nos. 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247 and 248):

Senator Hara moved that Stand. Com. Rep. No. 1146 be received and placed on file, seconded by Senator Abercrombie and carried.

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

Noboru Iwami to the Environmental Council, term to expire December 31, 1980;

Eugene S. Kaneshiro, Eugene M. Kawaguchi, M.D., Mohammad A. Khan, Ph.D., and Carol H. Maehara to the Environmental Council, terms to expire December 31, 1982;

Dorothy R. Babineau to the Environmental Quality Commission, term to expire December 31, 1980;

Cornelius Choy, Marvin T. Miura, Ph.D., and Tom H. Takano to the Fish and Wildlife Advisory Committee, City and County of Honolulu, terms to expire December 31, 1980;

Allan K. Ikawa, Wayne S. Ogata and Jose E. Soriano, to the Fish and Wildlife Advisory Committee, County of Hawaii, terms to expire December 31, 1980;

Larry K.K. Saito, Jeffrey G. Bryant and Goro Sadaoka to the Fish and Wildlife Advisory Committee, County of Kauai, terms to expire December 31, 1980;

Ronald E. Kula and Christy Mamiya to the Fish and Wildlife Advisory Committee, County of Maui, terms to expire December 31, 1980;

Raymond Y. Sugita to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire December 31, 1979;

James D. Gonsalves and Paul L. Sietz to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1980;

Masaichi Chinen and Brian L. Gray to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1981;

Charles M. Saiki, Frank G. Stone, Jr., Dennis Tulang and Reginald H.F. Young, D.S.C., to the Board of Certification

of Operating Personnel in Wastewater Treatment Plants, terms to expire December 31, 1982; and

Dennis A. Daugherty and Gail T. Kiriū to the Pacific War Memorial Commission, terms to expire December 31, 1982;

seconded by Senator Abercrombie.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1148
(Gov. Msg. No. 431):

Senator O'Connor moved that Stand. Com. Rep. No. 1148 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of James A. King to the Commission to Promote Uniform Legislation, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1149
(Gov. Msg. No. 432):

Senator O'Connor moved that Stand. Com. Rep. No. 1149 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Sophie K. Sheather to the Criminal Injuries Compensation Commission, term to expire December 31, 1980, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1150
(Gov. Msg. No. 433):

Senator O'Connor moved that Stand. Com. Rep. No. 1150 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the

nomination of Daniel S. Ukishima to the Criminal Injuries Compensation Commission, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1151
(Gov. Msg. No. 434):

Senator O'Connor moved that Stand. Com. Rep. No. 1151 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Neil K. Okabayashi to the Hawaii Crime Commission, term to expire June 30, 1980, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1152
(Gov. Msg. No. 435):

Senator O'Connor moved that Stand. Com. Rep. No. 1152 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Elizabeth M. Adams, M.D., to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1153
(Gov. Msg. No. 436):

Senator O'Connor moved that Stand. Com. Rep. No. 1153 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of John J. Blaylock to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

Roll Call having been ordered, the

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1154
(Gov. Msg. No. 437):

Senator O'Connor moved that Stand. Com. Rep. No. 1154 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Paul M. DeSilva to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1155
(Gov. Msg. No. 438):

Senator O'Connor moved that Stand. Com. Rep. No. 1155 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Harold J. Falk, Jr., to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1156
(Gov. Msg. No. 439):

Senator O'Connor moved that Stand. Com. Rep. No. 1156 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Yoshimi Hayashi to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1157
(Gov. Msg. No. 440):

Senator O'Connor moved that Stand. Com. Rep. No. 1157 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Halo Hirose to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1158
(Gov. Msg. No. 441):

Senator O'Connor moved that Stand. Com. Rep. No. 1158 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Michael M. Kakesako to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1159
(Gov. Msg. No. 442):

Senator O'Connor moved that Stand. Com. Rep. No. 1159 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Lawrence K. Koseki to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1160
(Gov. Msg. No. 443):

Senator O'Connor moved that Stand. Com. Rep. No. 1160 be received and

placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Gerald S. Matsunaga to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1161
(Gov. Msg. No. 444):

Senator O'Connor moved that Stand. Com. Rep. No. 1161 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Togo Nakagawa to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1162
(Gov. Msg. No. 445):

Senator O'Connor moved that Stand. Com. Rep. No. 1162 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Robert T. Omura to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1163
(Gov. Msg. No. 446):

Senator O'Connor moved that Stand. Com. Rep. No. 1163 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the

nomination of Theodore I. Sakai to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1164
(Gov. Msg. No. 447):

Senator O'Connor moved that Stand. Com. Rep. No. 1164 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Robert J. Stillwell to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1165
(Gov. Msg. No. 448):

Senator O'Connor moved that Stand. Com. Rep. No. 1165 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of George W.Y. Tom to the Intake Service Center Advisory Board, term to expire December 6, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1166
(Gov. Msg. No. 449):

Senator O'Connor moved that Stand. Com. Rep. No. 1166 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of George J. Chouljian to the Hawaii Paroling Authority, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1167
(Gov. Msg. No. 450):

Senator O'Connor moved that Stand. Com. Rep. No. 1167 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Shota Sakai to the Board of Registration, Island of Oahu, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 1168
(Gov. Msg. No. 451):

Senator O'Connor moved that Stand. Com. Rep. No. 1168 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Yuriko N. Tasaka to the Board of Registration, Kauai and Niihau, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1169
(Gov. Msg. No. 452):

Senator O'Connor moved that Stand. Com. Rep. No. 1169 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Miriam K. Kahalekai to the Board of Registration, Maui, Molokai, Lanai and Kahoolawe, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1170
(Gov. Msg. No. 453):

Senator O'Connor moved that Stand. Com. Rep. No. 1170 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Norma Jean China to the Commission on the Status of Women, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1171
(Gov. Msg. No. 454):

Senator O'Connor moved that Stand. Com. Rep. No. 1171 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Ruth Fujimoto to the Commission on the Status of Women, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1172
(Gov. Msg. No. 455):

Senator O'Connor moved that Stand. Com. Rep. No. 1172 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Priscilla Hayashi to the Commission on the Status of Women, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1173
(Gov. Msg. No. 456):

Senator O'Connor moved that Stand. Com. Rep. No. 1173 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Althea Momi Kamau to the Commission on the Status of Women, term to expire December 31, 1981, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1174 (Gov. Msg. No. 457):

Senator O'Connor moved that Stand. Com. Rep. No. 1174 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of William G.S. Mau to the Commission on the Status of Women, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1175 (Gov. Msg. No. 458):

Senator O'Connor moved that Stand. Com. Rep. No. 1175 be received and placed on file, seconded by Senator Cobb and carried.

Senator O'Connor then moved that the Senate advise and consent to the nomination of Judy T. Makinodan to the Commission on the Status of Women, term to expire December 31, 1982, seconded by Senator Cobb.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1179 (Gov. Msg. Nos. 249, 250, 251, 252, 253, 254 and 255):

Senator Yim moved that Stand. Com. Rep. No. 1179 be received and placed on file, seconded by Senator Carpenter.

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

Charles W. Duke to the Land Use Commission, term to expire December 31, 1982;

William W. L. Yuen to the Land Use Commission, term to expire December 31, 1982;

William H. Hindle, M.D., to the Commission on Population and the Hawaiian Future, term to expire December 31, 1981;

Harvey N. Kai to the Commission on Population and the Hawaiian Future, term to expire December 31, 1982;

Mutsuo Hashimoto to the Commission on the Year 2000, term to expire December 31, 1982;

Keith P. Hudson to the Commission on the Year 2000, term to expire December 31, 1982, and

Lehua F. Salling to the Commission on the Year 2000, term to expire December 31, 1982,

seconded by Senator Carpenter.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1180 (Gov. Msg. No. 49):

Senator Yim moved that Stand. Com. Rep. No. 1180 be received and placed on file, seconded by Senator Carpenter.

Senator Yim then moved that the Senate advise and consent to the nomination of Susumu Ono to the position of Chairman of the Board of Land and Natural Resources, term to expire December 31, 1982, seconded by Senator Carpenter.

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

Ayes, 25. Noes, none.

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

"Mr. President, my point of personal privilege rests on what I believe to be a dereliction on the prosecutorial entities

in this state; namely, the Attorney General and the City Prosecutor of the City and County of Honolulu. They have not acted in the best interest of the people of this state and have affected this legislature in terms of what it may properly expect of the Constitutional Convention.

"Based on what I considered reliable information, that members of the 1978 Constitutional Convention and/or their employees, committed widespread pilfering of 'Con Con' supplies, from major furniture items, down to miscellaneous office supplies, such as paper, I filed a formal complaint with the Honolulu Police Department on October 5th, 1978.

"I have attempted to pursue this matter for months with all available law enforcement agencies. In this attempt, I have exhausted every avenue available to me as an elected public official but more importantly, as a citizen.

"It is obvious that supplies, including furniture items, were stolen outright and that this is a well-known fact. However, no one is willing to pursue the matter. The basis for not pursuing this matter by the City and County of Honolulu lies on the specious ground that the furniture company involved is completely unwilling to provide a copy of the furniture manifest, and, at the same time, the prosecutorial staffs of the State and City are unwilling to demand, through their respective powers, such a manifest. This manifest will clearly show the gap which exists between what furniture was released to the Con Con and what was returned.

"There can be but one answer and one answer only -- that both the Attorney General and the City Prosecutor of the City and County of Honolulu are obviously afraid of the political consequences of pursuing former Con Con delegates and/or Con Con staff.

"This situation is the equivalent to not pursuing a robber because the person robbed would like to pretend that the robbery never occurred. In a private instance, there is an understandable fear of retribution. However, in this case there is public money involved and public trust abused. It is my hope, at this point, that former Con Con delegates not involved will come forward, as this now is the sole recourse available.

"I, personally, do not possess the legal authority to command the inventory manifest. I, as any other citizen, have to rely on the appropriate prosecutorial arms of government.

"I consider this a classic civics lesson for every young person who is in this building and for every young person

who reads of this and for every young person who may see this in the Journal, that if you have the political power you can get away with anything, including theft.

"This matter, in my judgment, is a public disgrace which will always cloud the proceedings of the Constitutional Convention which has just passed and of future Constitutional Conventions in the public mind."

Senator O'Connor also rose on a point of personal privilege and stated as follows:

"Mr. President, I would like to respond briefly to an article appearing in the front page of this morning's Advertiser.

"The article had to do with House Bill No. 438 which this Body passed yesterday, which has to do with the offense of rape.

"The article gives the direct impression that something occurred in the conference committee on this particular bill which was either underhanded or nefarious or unusual in some regard. And I'd like to set the record straight as this bill was introduced in January of this year -- both companion bills in the House and Senate.

"At the time of this introduction, the material which is discussed in the newspaper article this morning was in the bill; to wit, a definition was changed which would in fact make the bill no longer applicable in a situation where ... or would make the law no longer applicable in a situation where husband and wife are involved in a rape circumstance. It would in fact allow a wife for second degree rape to charge her husband with a rape.

"That's the way the bill was introduced in January; it was tracked through both Houses, lots of hearings; it passed from House to Senate in that form; it went back from Senate to House in the same form; the bill went to conference on an entirely different point having nothing to do with that particular issue.

"In that matter, the House and Senate versions were identical and that matter was not a conference item, nor was it discussed. And for the Advertiser this morning to say that something happened in that conference or that things occurred in the conference, is absolutely contrary to the facts ... and I'd simply like to set the credibility of the conferees before this Body, and at rest as far as any issue on this matter is concerned, because that bill as we voted on it, is exactly the same bill that's been around here on this particular point for three months. Everyone has had a chance to look at

it for three months, including the reporters.

"Thank you very much, Mr. President."

Senator Abercrombie added his remarks and stated as follows:

"Mr. President, in respect of the previous speaker's remarks, I have found myself, this term, this session, in more instances than I care to be, voting in opposition to the desires and to the conclusions as reached by the Chairman of the Judiciary Committee.

"However, I wish to state at this time that, if there is any chairman in this entire legislature who is more open to discussion, more willing to deal with any point, at any time, on any level, no matter how trivial it may seem to some, or how profound it may seem to others, it is the Chairman of the Judiciary Committee.

"It is impossible for me to believe that he would engage in anything other than the most open and searching concern over any item in any bill, in respect of his responsibility as Judiciary Chairman. More especially where the Constitutional Convention items are coming forward, with all the complications that were involved in that, perhaps, one might only have to look back to the changes in the Probate Code which he was involved in and with the Penal Code itself which he was involved in, to find a more complicated series of matters to be dealt with in a short time.

"Under those circumstances, I think he has not only done a remarkable job, but I think that he has provided us with an excellent example of what hard work and clear thinking can provide in a legislature."

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

The Senate reconvened at 12:51 o'clock p.m.

Senator Kawasaki then rose to comment as follows:

"Mr. President, just a brief comment relative to the points made by the two previous speakers.

"I would say that they not be overly preoccupied and concerned about the inaccurate reporting of the morning paper -- this is only further evidence of their rising profits and deteriorating quality that I've seen in the last ten years."

Senator Abercrombie added his remarks

as follows:

"Mr. President, I wonder whether Senator Kawasaki means by rising profits, that as a result of this law, there will be more work for lawyers."

At 12:52 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 8:00 o'clock p.m., this evening.

EVENING SESSION

The Senate reconvened at 9:05 o'clock p.m., with all Senators present.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 484 to 487) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 484), transmitting an annual report of the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, prepared by the Department of Health pursuant to Section 329-3, Hawaii Revised Statutes, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 485), transmitting a report on the implementation of the State Plan for Substance Abuse which was prepared by the Department of Health pursuant to Section 2, Act 190, Session Laws of Hawaii, 1975, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 486), transmitting a status report prepared by the Department of Health in response to House Resolution No. 100, H.D. 1 (1979), which requested a progress report on the development of the Health Functional Plan, was referred to the Committee on Health.

A message from the Governor (Gov. Msg. No. 487), informing the Senate of the withdrawal of the nomination of Carl A. Carlson, Jr. to the Board of Regents, University of Hawaii, term to expire December 31, 1982, in accordance with Governor's Message No. 381, was placed on file.

In compliance with Gov. Msg. No. 487, the nomination listed under Gov. Msg. No. 381 was returned.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 702 to 723) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 702), informing the Senate that on April 20, 1979, the Speaker had discharged the Managers on the part of the House on the following measures:

House Bill No. 1639, H.D. 1, S.D. 1;
Senate Bill No. 1096, S.D. 2, H.D. 1;
Senate Bill No. 1097, S.D. 2, H.D. 1;
Senate Bill No. 1098, S.D. 2, H.D. 1;
Senate Bill No. 1099, S.D. 2, H.D. 1;
Senate Bill No. 1100, S.D. 2, H.D. 1;
Senate Bill No. 1101, S.D. 2, H.D. 1;
Senate Bill No. 1102, S.D. 2, H.D. 1;
Senate Bill No. 1103, S.D. 2, H.D. 1;
Senate Bill No. 1104, S.D. 2, H.D. 1;
Senate Bill No. 1105, S.D. 2, H.D. 1;
Senate Bill No. 1106, S.D. 2, H.D. 1;
Senate Bill No. 1108, S.D. 2, H.D. 1, and
Senate Bill No. 1742, S.D. 1, H.D. 1,

was placed on file.

A communication from the House (Hse. Com. No. 703), informing the Senate that the amendments proposed by the Senate to House Bill No. 3, H.D. 1, were agreed to by the House; and H.B. No. 3, H.D. 1, S.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 704), informing the Senate that the amendments proposed by the Senate to House Concurrent Resolution No. 79, H.D. 1, were agreed to by the House; and H.C.R. No. 79, H.D. 1, S.D. 1, was Finally Adopted in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 705), 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 Senate Bill No. 77, S.D. 3, was adopted by the House; and S.B. No. 77, S.D. 3, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 706), 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 Senate Bill No. 694 was adopted by the House and S.B. No. 694, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 707), 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 Senate Bill No. 1091, S.D. 1, was

adopted by the House; and S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 708), 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 Senate Bill No. 1373, S.D. 1, was adopted by the House; and S.B. No. 1373, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 709), 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 Senate Bill No. 1657, S.D. 2, was adopted by the House; and S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 710), 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 Senate Bill No. 1680, S.D. 1, was adopted by the House; and S.B. No. 1680, S.D. 1, H.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 711), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2, H.D. 1, was adopted by the House; and H.B. No. 2, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 712), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 14, H.D. 1, was adopted by the House; and H.B. No. 14, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 713), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 38, H.D. 2, was adopted by the House; and H.B. No. 38, H.D. 2, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 714), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 48, H.D. 2, was adopted by the House; and H.B. No. 48, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 715), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 98, H.D. 2, was adopted by the House; and H.B. No. 98, H.D. 2, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 716), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 732 was adopted by the House; and H.B. No. 732, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 717), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 890, H.D. 1, was adopted by the House; and H.B. No. 890, H.D. 1, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 718), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1252, H.D. 2, was adopted by the House; and H.B. No. 1252, H.D. 2, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 719), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1473, H.D. 1, was adopted by the House; and H.B. No. 1473, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 720), informing the Senate that the report of the Committee on Conference

on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1642, H.D. 1, was adopted by the House; and H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 721), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1671, H.D. 1, was adopted by the House; and H.B. No. 1671, H.D. 1, S.D. 2, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 722), informing the Senate that the report of the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 1686, H.D. 2, was adopted by the House; and H.B. No. 1686, H.D. 2, S.D. 3, C.D. 1, passed Final Reading in the House of Representatives on April 20, 1979, was placed on file.

A communication from the House (Hse. Com. No. 723), returning Senate Bill No. 1721, S.D. 2, which passed Third Reading in the House of Representatives on April 20, 1979, was placed on file.

SENATE RESOLUTION

A resolution (S.R. No. 517), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO JONATHAN OTA ON HIS VICTORY IN THE 12TH ANNUAL HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION GOLF TOURNAMENT", was jointly offered by Senators Toyofuku, Hara, Yamasaki, Takitani, Campbell, Kuroda, Anderson, Chong, Mizuguchi, Cayetano, Yee, George, Yim, Carroll, Saiki, Ushijima, Ajifu, Abercrombie, Carpenter, Kawasaki, Soares, Cobb, Young, O'Connor and Wong, and was read by the Clerk.

On motion by Senator Toyofuku, seconded by Senator Hara and carried, S.R. No. 517 was adopted.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 19, 1979

House Concurrent Resolution No. 171:

By unanimous consent, H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO ENFORCE REGULATIONS REQUIRING THE CONDUCT OF SAFETY INSTRUCTION PROGRAMS", was placed on file.

House Concurrent Resolution No. 173:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO TAKE NECESSARY ACTIONS TO ENHANCE THE CONSERVATION OF THE 'O'OPU NAKEA'", was adopted.

House Concurrent Resolution No. 177:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO A GUARANTEED STUDENT LOAN PROGRAM", was adopted.

Senate Concurrent Resolution No. 27, H.D. 1:

Senator Hara moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 27 and S.C.R. No. 27, H.D. 1, be adopted, seconded by Senator George.

At this time, Senator George rose to inquire about the amendment and Senator Hara replied that "the amendment was a correction in the third 'whereas' clause -- there was a typographical error of 1952 instead of 1942, which was the correct date."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.C.R. No. 27 and S.C.R. No. 27, H.D. 1, 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 Finally adopted.

Senate Concurrent Resolution No. 52, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 52 and S.C.R. No. 52, H.D. 1, be adopted, seconded by Senator Yamasaki.

At this time, Senator Toyofuku rose to clarify the amendment and stated that "the resolution has been amended to emphasize the applicability of this resolution to the employees of the University of Hawaii."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.C.R. No. 52 and S.C.R. No. 52, H.D. 1, entitled: "SENATE CONCURRENT

RESOLUTION REQUESTING A REVIEW BY THE STATE AND COUNTY GOVERNMENTS OF CERTAIN EMPLOYMENT PRACTICES AND PROCEDURES", was Finally adopted.

Senate Concurrent Resolution No. 57, S.D. 1, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the Senate agreed to the amendments proposed by the House to S.C.R. No. 57, S.D. 1, and S.C.R. No. 57, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING IMMEDIATE ACTION ON THE COMPENSATION PLANS OF SECRETARIAL CLASSES WITHIN THE CIVIL SERVICE", was Finally adopted.

Senate Concurrent Resolution No. 60, H.D. 1:

Senator Ushijima moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 60 and S.C.R. No. 60, H.D. 1, be adopted, seconded by Senator Kuroda.

At this time, Senator Ushijima rose to clarify the amendment and stated as follows:

"The amendment is clearly set forth in paragraph 5 of House Standing Committee Report No. 1198 which states that the House has amended the concurrent resolution to more adequately describe Hawaii's existing planning efforts and that a description of Hawaii's activities and the envisioned role of the proposed Temporary Federal Intergovernmental Planning Commission is also included.

"In other words, the House has improved the resolution."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.C.R. No. 60 and S.C.R. No. 60, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING A TEMPORARY FEDERAL INTERGOVERNMENTAL PLANNING COMMISSION FOR HAWAII", was Finally adopted.

At 9:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:15 o'clock p.m.

At this time, Senator Kuroda introduced to the members of the Senate and the ladies and gentlemen in the gallery Governor George R. Ariyoshi and Mrs. Ariyoshi, accompanied by the newly appointed and confirmed Director of Land and Natural Resources, Mr. Susumu Ono.

Senate Concurrent Resolution No. 70,
S.D. 1, H.D. 1:

Senator Toyofuku moved that the Senate agree to the amendments proposed by the House to S.C.R. No. 70, S.D. 1, and S.C.R. No. 70, S.D. 1, H.D. 1, be adopted, seconded by Senator Yamasaki.

Senator Toyofuku then rose to clarify the amendment and stated as follows:

"Mr. President, there are two amendments involved here. One adds clarifying language and the other amendment names additional recipients of the resolution, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the Minority Leader of the United States House of Representatives."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.C.R. No. 70, S.D. 1, and S.C.R. No. 70, S.D. 1, H.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING AN EXEMPTION FROM THE AVERAGE WAGE PROVISIONS FOR CERTAIN COMPREHENSIVE EMPLOYMENT AND TRAINING ACT PARTICIPANTS", was Finally adopted.

House Concurrent Resolution No. 102,
H.D. 2:

By unanimous consent, H.C.R. No. 102, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONSIDER A GENERAL AVIATION AIRPORT AT POAMOHO, OAHU AND TO PURSUE THE JOINT USE OF WHEELER AIR FORCE BASE", was placed on file.

House Concurrent Resolution No. 124,
H.D. 1:

By unanimous consent, H.C.R. No. 124, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING IMPLEMENTATION OF THE BLUE STAR MEMORIAL HIGHWAY PROGRAM IN HAWAII", was placed on file.

House Concurrent Resolution No. 133:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REPORT ON THE FEASIBILITY OF ESTABLISHING A HEALTH INFORMATION SYSTEM", was adopted.

House Concurrent Resolution 165, H.D.
1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.C.R.

No. 165, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE HONOKAA HOSPITAL DEVELOPMENT PROJECT BE ASSIGNED THE HIGHEST PRIORITY AND THAT THE DEVELOPMENT PROJECT PROCEED AS EXPEDITIOUSLY AS POSSIBLE", was adopted.

House Concurrent Resolution No. 168:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO GRANT ADDITIONAL FUNDS TO THE STATE OF HAWAII CRIPPLED CHILDREN SERVICES PROGRAM FOR THE TREATMENT AND CARE OF IMMIGRANT CHILDREN", was adopted.

House Concurrent Resolution No. 162:

On motion by Senator Takitani, seconded by Senator Hara and carried, H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONTINUING OPERATION OF THE KOHALA FEED AND FORAGE RESEARCH PROJECT OF THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES OF THE UNIVERSITY OF HAWAII", was adopted.

House Concurrent Resolution No. 169:

By unanimous consent, H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PERSONNEL SERVICES TO SPEED RECRUITMENT PRACTICES AND THE RELEASE OF FUNDS TO STIMULATE EMPLOYMENT", was placed on file.

House Concurrent Resolution No. 172:

By unanimous consent, H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF FEDERALLY REQUIRED SECURITY PROGRAMS AT STATE TRANSPORTATION FACILITIES", was placed on file.

Standing Committee Report No. 1184
(Gov. Msg. No. 293):

By unanimous consent, action on Stand. Com. Rep. No. 1184 and Gov. Msg. No. 293 was deferred to the end of the calendar.

Standing Committee Report No. 1185
(Gov. Msg. Nos. 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365,

366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, and 377):

Senator Kuroda moved that Stand. Com. Rep. No. 1185 be received and placed on file, seconded by Senator Cayetano and carried.

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

Junedale U. Hashimoto, Elizabeth D. Menor and James T. Miyahara, Ph.D., to the Advisory Commission on Drug Abuse and Controlled Substances, terms to expire December 31, 1982;

John R. Penebacker to the Advisory Commission on Drug Abuse and Controlled Substances, term to expire December 31, 1979;

Robert M. Gibson, D.D.S., Amelia R. Jacang, M.D., and Thomas Y. Kobara, M.D., to the Board of Health, terms to expire December 31, 1982;

Cayetano Gerardo, Jerrold M. Michael, Ronald I. Taketa, Ira Vanterpool and Pauline W. Yim to the Statewide Health Coordinating Council, terms to expire December 31, 1982;

Leland K. W. Chang to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1982;

Donald I. Dunn to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1980;

Faith Lee, Winifred S. Thompson, Mary D. Vergara and Gerald H. B. Wong, D.D.S., to the East Honolulu Subarea Health Planning Council, terms to expire December 31, 1982;

Carolyn K. Yamada to the East Honolulu Subarea Health Planning Council, term to expire December 31, 1980;

Ted Adres and Sandra L. Chung to the West Honolulu Subarea Health Planning Council, terms to expire December 31, 1980;

Judith A. Hartner, M.D., Angeline Heffner, Lynn K. Murakami, J. Abraham, R. Pasadaba and Janice L. Rios to the West Honolulu Subarea Health Planning Council, terms to expire December 31, 1982;

Ralph Elikan to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1980;

Wallace T. Hirai to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1982;

Karen S. Isobe and Haulani Croft Leal to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1979;

Reginald S. Lee to the Central Oahu Subarea Health Planning Council, term to expire December 31, 1981;

Shirley B. Matutino, Theodore A. Remaly and Ira Vanterpool to the Central Oahu Subarea Health Planning Council, terms to expire December 31, 1982;

Mary Jane Amundson to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1980;

Carl T. Hamada to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1981;

Ronald T. Hayashi, Nancy T. Higa and Kuhio Mahaulu, Sr., to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1982;

Clifford E. Miller to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1980;

Mary K. Salter to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1979;

Myron L. Tong and Rebecca L. Uu to the Windward Oahu Subarea Health Planning Council, terms to expire December 31, 1982;

John H. Wooley to the Windward Oahu Subarea Health Planning Council, term to expire December 31, 1979;

Marion A. Metz to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1982;

Barbara E. Miguel to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1980;

Gregory Solomon to the Waianae Coast Subarea Health Planning Council, term to expire December 31, 1982;

Mary Evangelista to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1982;

Mildred M. Guerrero and Gennie L. Kinney to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1979;

Ellen I. Kusano to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1982;

Nellie Metcalf to the Hawaii County Subarea Health Planning Council,

term to expire December 31, 1979;

Reynold Mishina and Steven L. Raiser, D.V.M., to the Hawaii County Subarea Health Planning Council, terms to expire December 31, 1982;

Harland R. Reed to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1981;

Mimi B. Warsh to the Hawaii County Subarea Health Planning Council, term to expire December 31, 1982;

Virginia Beck to the Kauai County Subarea Health Planning Council, term to expire December 31, 1982;

Josephine C. Duvauchelle to the Kauai County Subarea Health Planning Council, term to expire December 31, 1979;

Cayetano Gerardo, Hilda H. Inouye, Gilbert N. Fernandes, Malcolm Fernandez and Saturnino Medrano to the Kauai County Subarea Health Planning Council, terms to expire December 31, 1982;

Virginia A. Rapozo to the Kauai County Subarea Health Planning Council, term to expire December 31, 1981;

Virgilio R. Agcolicol and Sidney B. Clark, M.D., to the Maui County Subarea Health Planning Council, terms to expire December 31, 1982;

Kathleen R. Johnson to the Maui County Subarea Health Planning Council, term to expire December 31, 1979;

Corazon E. Masicampo and Masaichi Ono to the Maui County Subarea Health Planning Council, terms to expire December 31, 1982;

Jo-Ann T. Ridao to the Maui County Subarea Health Planning Council, term to expire December 31, 1979;

Dorothy Romson to the Maui County Subarea Health Planning Council, term to expire December 31, 1982;

Laureen Tanaka-Sanders to the Maui County Subarea Health Planning Council, term to expire December 31, 1980;

Pauline Torrecer to the Maui County Subarea Health Planning Council, term to expire December 31, 1979;

Maurice L. Brodsky, M.D. and Rachel S. Chang to the County Hospital Management Advisory Committee, City and County of Honolulu, terms to expire December 31, 1982;

Charles H. Hustace, Jr. and Moon Soo Park, M.D., to the County Hospital

Management Advisory Committee, County of Hawaii, terms to expire December 31, 1982;

Donna M. Schulze to the County Hospital Management Advisory Committee, County of Kauai, term to expire December 31, 1982;

Joseph E. Andrews, M.D. and Norman H. Muranaka to the County Hospital Management Advisory Committee, County of Maui, terms to expire December 31, 1982;

Paul A. DeMare, M.D., to the Board of Radiologic Technologists, term to expire December 31, 1982, and

Edith LaRae Clements, Kathleen E. Gartrell, George H. Green, D.D.S., Nellie T. Hiyane, Clifford M. Horita, Roy F. Kuboyama, M.D., Carol Matsuzaki, Ralph M. Murakami, Gay M. Okada, Patricia K. Osgood, R.N., Dean J. Tajima, O.D., Gilfred Tanabe, Ph.D., Stephanie A. Terlep, Henry K. Tominaga, Ed.D. and William Y. Yamada to the School Health Services Advisory Committee, terms to expire May 31, 1980,

seconded by Senator Cayetano.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1187 (Gov. Msg. Nos. 459, 460, 461, 462, 463, 464, 465, 466, 467 and 468):

Senator Mizuguchi moved that Stand. Com. Rep. No. 1187 be received and placed on file, seconded by Senator Yim and carried.

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

Alan D. Beldin, James J. Fujita, Isamu Kaneda, Yuzuru Kanno, Elizabeth H. Rossall, Samuel S. Suzuki and Wayne K. Tsukiyama to the State Highway Safety Council, terms to expire December 31, 1982;

James E. Oda, M.D., to the Medical Advisory Board, term to expire December 31, 1980;

Dorothy Wells Lum to the Commission on Transportation, term to expire December 31, 1981, and

Mark K. Tanaka to the Commission on Transportation, term to expire December 31, 1982,

seconded by Senator Yim.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1202 (Gov. Msg. Nos. 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 173, 174, 175, 176, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, and 220):

Senator Cobb moved that Stand. Com. Rep. No. 1202 be received and placed on file, seconded by Senator Chong and carried.

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

Efrain Andrews, Jerome H. Ongies and Phyllis N. T. Shea to the Board of Public Accountancy, terms to expire December 31, 1982;

Larry S. Tamanaha to the Board of Public Accountancy, term to expire December 31, 1980;

John T. Nakajima to the Board of Acupuncture, term to expire December 31, 1982;

Clinton K. Akana to the Board of Barbers, term to expire December 31, 1981;

Virginia M. Lau to the Board of Barbers, term to expire December 31, 1980;

Patsy Yorimoto to the Board of Barbers, term to expire December 31, 1982;

Seiji Naya, Ph.D., to the Boxing Commission, term to expire December 31, 1982;

Richard A. Sanderson and Jack C. Wada to the CATV Advisory Committee, terms to expire December 31, 1982;

Patrick V. Caires to the Cemetery and Mortuary Board, term to expire December 31, 1982;

Clifford H. Dodo to the Cemetery and Mortuary Board, term to expire December 31, 1981;

Alice K. Hahn and Mervyn E. Masumura

to the Cemetery and Mortuary Board, terms to expire December 31, 1982;

Mavelyn Kim to the Board of Chiropractic Examiners, term to expire December 31, 1980;

Francisco V. Mariano to the Board of Chiropractic Examiners, term to expire December 31, 1981;

Brian M. O'Brien, D.C., to the Board of Chiropractic Examiners, term to expire December 31, 1982;

Roy H. Tanaka, D.C., to the Board of Chiropractic Examiners, term to expire December 31, 1979;

Alan G. Meyers, Sr., Kenneth S. Shioi and Harry M. Ushijima to the Contractors License Board, terms to expire December 31, 1982;

Warren J. Makalii to the Board of Cosmetology, term to expire December 31, 1981;

Louise K. McKee to the Board of Cosmetology, term to expire December 31, 1982;

Betty Kernaghan and Masao Nakashima to the Credit Union Review Board, terms to expire December 31, 1982;

Dan W. Anderson, Ph.D., and Philip J. Bossert, Ph.D., to the Advisory Committee on Degree Granting Institutions, terms to expire December 31, 1981;

Robert L. Cushing to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1982;

Jeanne N. Michael to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1980;

Rev. David H. Schuyler, S.M., to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1982;

Lionel Y. Tokioka to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1980;

Chatt G. Wright to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1982;

Christ P. Zivalich, Jr., to the Advisory Committee on Degree Granting Institutions, term to expire December 31, 1980;

Edward T. K. Au, D.D.S., and Ben H. Hirano, D.D.S., to the Board of Dental Examiners, terms to expire December 31, 1982;

Naomi R. Correa to the Board of Dental

Examiners, term to expire December 31, 1981;

Thomas J. Jelf to the Board of Dental Examiners, term to expire December 31, 1980;

George K. Hall, Pedro E. Racelis, Jr., and George R. Rodrigues, Jr., to the Board of Electricians and Plumbers, terms to expire December 31, 1982;

Robert Y. Mito and Alfred S. L. Yuen to the Elevator Mechanics Licensing Board, terms to expire December 31, 1982;

John Primacio to the Board of Registration of Professional Engineers, Architects, and Surveyors, term to expire December 31, 1981;

Walter K. Tagawa and Aileen S. Tokujo to the Board of Registration of Professional Engineers, Architects, and Surveyors, terms to expire December 31, 1982;

Alan T. Doi and Russell M. Solomon to the Board of Hearing Aid Dealers and Fitters, terms to expire December 31, 1982;

Richard W. Melton to the Board of Massage, term to expire December 31, 1982;

Kenneth Nakamatsu to the Board of Massage, term to expire December 31, 1981;

Sharon M. Young to the Board of Massage, term to expire December 31, 1980;

Malcolm K. Crosby and John H. C. Kim, M.D., to the Board of Medical Examiners, terms to expire December 31, 1982;

Edward I. Cleveland to the Motor Vehicle Industry Repair Board, term to expire December 31, 1982;

David S. DeLuz, Sr., and Clarence H. Oka to the Motor Vehicle Industry Licensing Board, terms to expire December 31, 1982;

Randall D. Souza to the Motor Vehicle Repair Industry Board, term to expire December 31, 1981;

Alan S. Totoki to the Motor Vehicle Repair Industry Board, term to expire December 31, 1982;

Pacita A. Aguila and Edward J. Madison, N.D., to the Board of Examiners in Naturopathy, terms to expire December 31, 1982;

Roxeanne C. Clark to the State Board

of Nursing, term to expire December 31, 1981;

Ralph J. King to the State Board of Nursing, term to expire December 31, 1980;

Virginia S. K. Kam to the Board of Dispensing Opticians, term to expire December 31, 1982;

Rev. Robert F. Meyer to the Board of Dispensing Opticians, term to expire December 31, 1981;

Ronald H. Nagano to the Board of Dispensing Opticians, term to expire December 31, 1980;

Glenn T. Shigemura to the Board of Dispensing Opticians, term to expire December 31, 1982;

David R. DeCosta to the Board of Examiners in Optometry, term to expire December 31, 1981;

Stanley M. Kuriyama to the Board of Examiners in Optometry, term to expire December 31, 1980;

Ronald R. Reynolds, O.D., to the Board of Examiners in Optometry, term to expire December 31, 1981;

Stanley J. Yamane, O.D., to the Board of Examiners in Optometry, term to expire December 31, 1982;

Alan R. Becker, D.O., to the Board of Osteopathic Examiners, term to expire December 31, 1982;

Douglas H. Kaya, Jr., to the Board of Osteopathic Examiners, term to expire December 31, 1981;

Stella Satake to the Board of Osteopathic Examiners, term to expire December 31, 1980;

James E. DeMello to the Board of Pharmacy, term to expire December 31, 1982;

William G. Joor, Jr., to the Board of Pharmacy, term to expire December 31, 1981;

Walter W. Oshima to the Board of Pharmacy, term to expire December 31, 1982;

Finn Anonsen to the Board of Pilot Commissioners, term to expire December 31, 1981;

James K. Dowling to the Board of Pilot Commissioners, term to expire December 31, 1982;

David B. K. Lyman, III, to the Board

of Pilot Commissioners, term to expire December 31, 1980;

Jack S. Annon, Ph.D., to the Board of Certification for Practicing Psychologists, term to expire December 31, 1982;

Janet S. Ishikawa, Ph.D., to the Board of Certification for Practicing Psychologists, term to expire December 31, 1980;

Patricia N. Reile to the Board of Certification for Practicing Psychologists, term to expire December 31, 1981;

Ramon M. Tanaka to the Board of Certification for Practicing Psychologists, term to expire December 31, 1982;

Francis N. Kauhane, Jr., to the Real Estate Commission, term to expire December 31, 1980;

George A. Morris to the Real Estate Commission, term to expire December 31, 1982;

Gregg T. Yamanaka to the Real Estate Commission, term to expire December 31, 1981;

Gladys Park and Gaile A. Sykes to the Board of Speech Pathology and Audiology, terms to expire December 31, 1981;

Lester G. Naito, D.V.M., to the Board of Veterinary Examiners, term to expire December 31, 1982;

Joyce L. Oblow to the Board of Veterinary Examiners, term to expire December 31, 1981;

Al K. Takayama, D.V.M., to the Board of Veterinary Examiners, term to expire December 31, 1982, and

Letitia N. Uyehara to the Board of Veterinary Examiners, term to expire December 31, 1980,

seconded by Senator Chong.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1230 (Gov. Msg. Nos. 256, 257, 258, 259, 260, 261, 262, 263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278 and 279):

Senator Campbell moved that Stand. Com. Rep. No. 1230 be received and placed on file, seconded by Senator Young and carried.

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

Ramona H. Hao to the Hawaii Educational Council, term to expire December 31, 1982;

Edward K. Hasegawa to the Hawaii Educational Council, term to expire December 31, 1982;

Leatrice T. Kakesako to the Hawaii Educational Council, term to expire December 31, 1982;

Stephen A. Werbel, Ph.D., to the Hawaii Educational Council, term to expire December 31, 1982;

Brian T. Tamamoto to the Filipino 75th Anniversary Commission, term to expire December 31, 1981;

Candace K. Lee to the King Kamehameha Celebration Commission, term to expire December 31, 1982;

Sidney K. E. Leong to the King Kamehameha Celebration Commission, term to expire December 31, 1982;

Naomi R. N. Losch to the King Kamehameha Celebration Commission, term to expire December 31, 1982;

Nancy L. Kemp to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1982;

Lillian A. Lum to the Library Advisory Commission, City and County of Honolulu, term to expire December 31, 1982;

Katherine S. Hanley to the Library Advisory Commission, County of Hawaii, term to expire December 31, 1982;

Sandra G. Shiroma to the Library Advisory Commission, County of Hawaii, term to expire December 31, 1982;

Barton H. Nagata to the Library Advisory Commission, County of Kauai, term to expire December 31, 1982;

Marina Pascua to the Library Advisory Commission, County of Kauai, term to expire December 31, 1982;

Elizabeth Ann Aulsebrook to the Library Advisory Commission, County of Maui, term to expire December 31, 1981;

Barbara F. Kusuda to the Library Advisory Commission, County of Maui, term to expire December 31, 1982;

Jitsuo Matsubara to the Library Advisory Commission, County of Maui, term to expire December 31, 1982;

Kenichi Nakata to the Library Advisory Commission, County of Maui, term to expire December 31, 1981;

Mildred Okuda to the Library Advisory Commission, County of Maui, term to expire December 31, 1982;

Mikio Sato to the Library Advisory Commission, County of Maui, term to expire December 31, 1980;

Karen L. Ah Mai to the Hawaii Public Broadcasting Authority, term to expire December 31, 1984;

Luann S. Dawson to the Hawaii Public Broadcasting Authority, term to expire December 31, 1984; and

Myra H. Meatoga to the Hawaii Public Broadcasting Authority, term to expire December 31, 1984,

seconded by Senator Young.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1246 (Gov. Msg. Nos. 379, 380, 382, 383, 384, 385 and 386):

Senator Abercrombie moved that Stand. Com. Rep. No. 1246 be received and placed on file, seconded by Senator Ushijima and carried.

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

Herman J. Gerber, S.M., to the State Post-Secondary Education Commission, term to expire December 31, 1981;

Robin F. Loomis to the State Post-Secondary Education Commission, term to expire December 31, 1982;

Robert M. Fujimoto to the Board of Regents, University of Hawaii, term to expire December 31, 1981;

Gerard A. Jervis to the Board of Regents, University of Hawaii, term to expire December 31, 1980;

Michael J. Moriarty to the Board of Regents, University of Hawaii, term to expire December 31, 1980, and

Stanley Y. Mukai and Ambrose J. Rosehill to the Board of Regents, University of Hawaii, terms to expire December 31, 1982,

seconded by Senator Ushijima.

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

Ayes, 25. Noes, none.

Standing Committee Report No. 1247 (Gov. Msg. No. 146):

By unanimous consent action on Stand. Com. Rep. No. 1247 and Gov. Msg. No. 146 was deferred to the end of the calendar.

Standing Committee Report No. 1250 (Gov. Msg. No. 51):

Senator Yim moved that Stand. Com. Rep. No. 1250 be received and placed on file, seconded by Senator Cayetano and carried.

Senator Yim then moved that the Senate advise and consent to the nomination of Hideto Kono to the position of Director of Planning and Economic Development, term to expire December 6, 1982, seconded by Senator Carpenter.

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

Ayes, 24. Noes, 1 (Abercrombie).

At 9:23 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:25 o'clock p.m.

At this time, Senator Kuroda introduced to the members of the Senate Mayor Herbert T. Matayoshi of the County of Hawaii.

Standing Committee Report No. 1251 (Gov. Msg. No. 47):

By unanimous consent, action on Stand. Com. Rep. No. 1251 and Gov. Msg. No. 47 was deferred to the end of the calendar.

Standing Committee Report No. 1252 (Gov. Msg. No. 292):

By unanimous consent, action on Stand. Com. Rep. No. 1252 and Gov. Msg. No. 292 was deferred to the end of the calendar.

At 9:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:29 o'clock

p.m.

Standing Committee Report No. 1204
(S.R. No. 265, S.D. 2):

Senator Carpenter moved that Stand. Com. Rep. No. 1204 be adopted and S.R. No. 265, S.D. 2, be adopted, seconded by Senator Campbell.

At this time, Senator Saiki rose to ask the Chairman of the Committee on Health to yield to a question and Senator Carpenter replied in the affirmative.

Senator Saiki then stated and inquired as follows:

"Mr. President, this resolution requests development and formulation of patient's rights standards.

"On page 2 of the resolution, in one of the 'Be It Resolved' clauses, the Department of Health, Mental Health Division, is directed by this Senate to develop and recommend standards, including patient's rights in regard to electroconvulsive therapy and associated medications -- that means, of course, shock therapy.

"I'd like to ask the Chairman of the Committee on Health whether he feels that by September 1st of this year we are indeed going to develop standards to allow for patients to be able to give permission to their physicians as to whether they can be treated in this fashion, a method, by the way, Mr. President, which is a mode of medical practice?"

Senator Carpenter replied as follows:

"Mr. President, by way of responding to Senator Saiki's question, I believe that we had a great deal of discussion on this resolution in committee. The resolution comes forth in S.D. 2 which is a modification of S.D. 1 and the original resolution.

"I recognize that the words may seem a little bit sticky, but I also recognize, Mr. President, that the recommendation to require the Department of Health, in this case, to come up with standards is one that certainly is not within the purview of the legislature. We cannot order them directly to come up with any particular set of criteria.

"I believe the resolution essentially directs itself to determine whether or not there can indeed be standards developed, whether or not there can indeed be recommendations forthcoming from the various individuals and organizations concerned with the possible development of rights and the ascertaining of rights, and whether or not they can be concised in a short period of time because it is a pressing

subject before the entire state and particularly the medical community.

"Mr. President, I do believe that in this resolution going forth, there can be an amicable resolve and if it is incomprehensible, that if the department in complying with the request before it cannot deliver the product that is essentially asked for, I believe that they can so state. That can be made known to us prior to delivery before the next session."

Senator Saiki then asked a further question of the chairman as follows:

"Mr. Chairman, don't we have another resolution which was adopted to ask the Legislative Reference Bureau to do a complete study of this matter, just as you have explained it?"

Senator Carpenter replied as follows:

"That's correct.

"Senator Saiki, you were right there when we made ... that you, I believe, made several of the motions speaking to three resolutions on the general subject matter of patient's rights, on the general subject matter, speaking on the very concerns which we are asking about right now."

Senator Saiki thanked the chairman then spoke against the resolution as follows:

"Mr. President, after getting these answers from the committee chairman, I still feel very concerned about the three resolutions we have, all on the same topic.

"I do agree that patients should have rights and that we must develop rights for patients so that they will be treated fairly and adequately and be given quality care in our medical system.

"I do support the resolution asking the Legislative Reference Bureau to look into the entire matter of shock therapy and patients' rights. However, this resolution that is before us is premature in that we're asking the Department of Health to go ahead and develop the very standards that we're asking the Legislative Reference Bureau to develop or to study, I should say. So, I feel that this resolution, basically, is not necessary and is going to burden the Department of Health into examining an area in which they really do not have the expertise, in that they must come up with recommendations by September of this year.

"The whole matter arose, Mr. President, when a bill was before us -- and I know I'm not supposed to discuss a bill, but I think the contents or the intent of that bill is very important.

"We had testimony that there is a small segment within the psychiatric community that feels that electroconvulsive shock therapy is not a correct mode of medical practice. It is a minority voice within the psychiatric community. And this gentleman who is a psychiatrist, who came in from California by the way, testified and admitted before the Committee on Health that the best way to do away with this mode of medical practice or a technique within the medical area is to have patients' rights developed and informed consent be mandated, because you and I know very well, just by logic, that a person who is in need of electroconvulsive shock therapy certainly will not be in a position to give informed consent.

"Rather than fight the pros and cons of the essence of the legislation to do away with a mode of medical practice by law by those of us in the legislature, rather than allowing the medical community to face up to this subject, this gentleman wanted to pursue this subterfuge, this manner of going around the subject in order to accomplish his personal concern.

"This resolution, I think, follows that kind of intent and I certainly don't want the Senate to be in support of obviating an issue and mandating that a professional group must follow a mode of practice that we set in law.

"I can support the study of the entire matter, but I would like very much if we were to defer this resolution and allow the other one to come forward. And so I would like to vote 'no' on this resolution."

Senator Carpenter in rebuttal stated as follows:

"Mr. President, the resolution is addressed to the Department of Health. The resolution that the Senator speaks to as being the more desirous one is addressed to the Legislative Reference Bureau for study.

"Mr. President, the Department of Health is the cognizant state agency representing the entire State of Hawaii in all matters related to medical affairs, medical activities, and must be given the charge that is set forth in this particular resolution. To remand it to a Legislative Reference Bureau study is to give it other than the cognizant agency treatment that is requested in this particular resolution to this very vital subject.

"If the Department of Health is incapable of handling this particular subject matter then I suggest that this state is in dire trouble."

The motion was put by the Chair and carried and, Roll Call vote having been requested, Stand. Com. Rep. No. 1204 was adopted and S.R. No. 265, S.D. 2, entitled: "SENATE RESOLUTION REQUESTING DEVELOPMENT AND FORMULATION OF PATIENT'S RIGHTS STANDARDS", was adopted on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Anderson, George, Saiki, Soares and Yee).

Standing Committee Report No. 1232 (S.R. No. 85):

By unanimous consent, action on Stand. Com. Rep. No. 1232 and S.R. No. 85 was deferred to the end of the calendar.

Senator George moved that House Concurrent Resolution No. 5 on the Clerk's desk be adopted, seconded by Senator Anderson.

Senator George then stated:

"Mr. President, I think the first thing I'd like to say is that 81% of the people of this country in a succession upholds Roper, Gallup and other varieties, and they have expressed their support of this particular issue that is before us now. I am referring, for the benefit of those who do not have--I hope I can assume that people have--a copy of (Representative) Jack Suwa's resolution in front of them. It's a resolution calling for the Congress to prepare an amendment to send to the states, a balanced federal budget..."

Senator Yamasaki then rose on a point of order and stated, "Mr. President, my point of order is that that resolution, as I understand it, is still in one of the committees..."

The President then stated:

"Senator Yamasaki, earlier today we passed a resolution returning all bills and resolutions back to the Clerk's desk; and the matter that Senator George raised is correct. The resolution should have been on the Clerk's desk."

Senator Yamasaki then answered, "Mr. President, if you are referring to the resolution to recall all bills and resolutions to the Clerk's office, that would be for after the adjournment of the session."

The President retorted, "No, the wording

did not speak and address itself to the adjournment date. So therefore, the resolution is properly on the Clerk's desk and we're proceeding with allowing Senator George to adopt this resolution."

Senator O'Connor then rose on a point of order and stated:

"Mr. President, I rise on a point of order and also on a point of inquiry. I wonder if the chairman of the committee to which this resolution was referred, has in fact returned the resolution to the Clerk's desk."

The President answered, "Not in fact, but all committee chairmen were told via the resolution that all bills and resolutions be returned to the Clerk's desk."

Senator O'Connor continued, "Mr. President, do I understand then that it is the ruling of the Chair that this resolution is presently on the Clerk's desk?"

The President answered in the affirmative.

Senator Ushijima then rose and stated, "Mr. President, point of order, please. I am chairman of the committee to which that resolution had been referred. I don't think the resolution is on the Clerk's desk... it's locked up in my office. I was wondering why Senator George is speaking about a resolution that is supposed to be in my committee. You need three keys to get into that particular file to get it down here. I am saying that the official jacket is not here and is not before us on the Clerk's desk. I'm just pointing out the truth."

Senator Mizuguchi then rose on a point of order and stated:

"Mr. President, I rise on a point of order. Since the Chairman of the Intergovernmental Relations Committee has stated that this resolution is still in his committee, I believe that the motion to act on this resolution is out of order at this time. The resolution is not on the Clerk's desk and I feel that the speaker is out of order."

The President then answered, "Senator Mizuguchi, the Chair will rule that the motion is out of order."

Senator Anderson then asked, "Mr. President, I rise on a point of information on the point of order. I would like to know what Senate Resolution No. 508 means. This morning we adopted this resolution which, legally, when adopted, called all bills, resolutions and concurrent resolutions back to the Clerk's desk. Mr. President, the bill and the resolutions

of this Body are on the Clerk's desk."

The President answered, "Senator Anderson, there is a point of order which the Chair has sustained that the motion is out of order. If you are dissatisfied with the ruling of the Chair, you can appeal the ruling of the Chair."

Senator Anderson retorted, "Mr. President, I'm not dissatisfied with you. I'm merely trying to clarify a legal question. I'm not arguing for or against the resolution, Mr. President. I would just like to know what this resolution, which we passed this morning, is all about. If the resolution called all bills, resolutions and concurrent resolutions back to the Clerk's desk, then what the speaker is talking about is out of order."

The President then stated, "Senator Anderson, before we take a recess, the Chair has ruled that the motion is out of order. If it is the desire of Senator George or yourself to appeal the ruling of the Chair, you can take that route."

At 10:05 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:07 o'clock p.m.,

Senator George then inquired, "Mr. President, will you yield to a question?"

The President replied, "No, I will not."

Senator Anderson then moved to appeal the ruling of the Chair, seconded by Senator Yee.

The President then stated that the question before the Body was "Shall the decision of the President stand?", and Roll Call vote having been requested, the motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Anderson, Carroll, George, Saiki and Yee).

MATTERS DEFERRED FROM THE MORNING CALENDAR

FINAL READING

Conference Committee Report No. 40 (S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1):

By unanimous consent, action on Conf. Com. Rep. No. 40 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, was deferred to the end of the calendar.

Conference Committee Report No. 48

(H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Mizuguchi, seconded by Senator Takitani and carried, Conf. Com. Rep. No. 48 was adopted and H.B. No. 1432, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDES", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 52 (S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1):

Senator Cayetano moved that Conf. Com. Rep. No. 52 and S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hara.

At this time, Senator Mizuguchi rose to speak in favor of the measure and stated as follows:

"Mr. President, I rise to speak in favor of Senate Bill No. 1092, specifically, in the area of the mass transit funding and I'd like to thank the Chairman of the Ways and Means Committee for supporting the appropriations for the mass transit system because I believe that this was contrary to his personal feelings about the mass transit fixed guideway system for the City and County of Honolulu.

"We need not pass any resolutions, via this particular Body, that we are holding the City and County of Honolulu and the City Council of Honolulu to bring forth the financial data and the financial requirement that will be needed to make a decision in 1980.

"Thank you, Mr. President."

Senator Abercrombie also rose to speak in favor of the measure and stated as follows:

"Mr. President, speaking in favor of the bill, I would like to indicate that such reservations as I had in respect of certain capital improvement funds have been laid aside in my mind due to the kind consideration that I have received from Mr. Ono, the new Director of the Department of Land and Natural Resources and I'm very grateful for that."

Senator Cayetano then added his remarks as follows:

"Mr. President, with respect to the remarks of the Chairman of the Transportation Committee, I might add, the question

of the fixed guideway has been studied, in my opinion, to death by the legislature.

"We spent \$30,000 in 1978 looking at the matter. I hope that by setting a definite lapsing date on this bill come June 30, 1980, that this will be the last that we'll see of this project."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 52 was adopted and S.B. No. 1091, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 54 (S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1):

Senator Takitani moved that Conf. Com. Rep. No. 54 be adopted and S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Hara.

At this time, Senator Carpenter rose to ask for a ruling of the Chair as to a possible conflict of interest as he is an employee of a subsidiary of C. Brewer and Company, and the President ruled that Senator Carpenter was not in conflict.

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 54 was adopted and S.B. No. 1657, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUGAR PRODUCERS CROP LOANS", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Conference Committee Report No. 57 (H.B. No. 421, H.D. 1, S.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 57 be adopted and H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, having been read throughout, pass Final Reading, seconded by Senator Ushijima.

At this time, Senator Abercrombie stated: "Mr. President, I hope the Chairman of the Judiciary Committee will remember my remarks this morning as I vote 'no'."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 57 was adopted and H.B. No. 421, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA", having been read

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

Ayes, 24. Noes, 1 (Abercrombie).

Conference Committee Report No. 78
(H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Hara, seconded by Senator Abercrombie and carried, Conf. Com. Rep. No. 78 was adopted and H.B. No. 1642, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT", having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 1184
(Gov. Msg. No. 293):

Senator Carpenter moved that Stand. Com. Rep. No. 1184 be received and placed on file, seconded by Senator Campbell and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of James L. Swenson to the position of Administrator, State Health Planning and Development Agency, term to expire December 6, 1982, seconded by Senator Carpenter.

At this time, Senator Kawasaki stated, "In view of the conflicting testimony that I've received on this nominee, I will have to vote 'no'."

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

Ayes, 23. Noes, 2 (Kawasaki and Yee).

Standing Committee Report No. 1247
(Gov. Msg. No. 146):

Senator Cobb moved that Stand. Com. Rep. No. 1247 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Derl W. Green to the Board of Cosmetology, term to expire December 31, 1980, seconded by Senator Chong.

At this time, Senator Kawasaki stated that, "Likewise, I received very conflicting testimony at great disparity with each other on this nominee, I will have to vote 'no'."

Senator Yee also rose to speak against the nominee and stated as follows:

"Mr. President, very briefly, I know the Chairman of the Consumer Protection Committee has had two hearings on this matter and because of the personality here involved -- I do not know him but evidently there is a strong split within the cosmetology association, among its members -- that I feel that anyone who serves under a divisive group of that nature would not help their particular business.

"As a result, I am compelled to vote 'no' on this appointment."

Senator Cobb then rose to state as follows:

"Mr. President, just one brief observation.

"The two days of hearings and further on to other bills relating to cosmetology this session, it's been my observation and discovery that the split within the cosmetology group goes far beyond one individual and extends into many areas other than the confirmation of a single individual.

"I would further note that the Board of Cosmetology in a meeting held on April 19th unanimously endorsed Mr. Green for the board."

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

Ayes, 20. Noes, 5 (Ajifu, Carroll, Kawasaki, Toyofuku and Yee).

Standing Committee Report No. 1251
(Gov. Msg. No. 47):

Senator Campbell moved that Stand. Com. Rep. No. 1251 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Campbell then moved that the Senate advise and consent to the nomination of George A. L. Yuen to the position of Director of Health, term to expire December 6, 1982, seconded by Senator Mizuguchi.

At this time, Senator Carpenter rose to speak on the nomination and stated as follows:

"Mr. President, under our democratic system of checks and balances, the Constitution has set up a mechanism through which the Senate may consent to a nomination, if there is adequate justification for such action.

"Gubernatorial nominations have never

before undergone the close and rigorous scrutiny which is now the rule rather than the exception. Make no mistake, Mr. President, my motivation has been neither arrogance or the furtherance of any political vendetta. My motivation is to fulfill the duties I swore to carry out on Opening Day.

"Mr. President, one witness who testified before the Senate Committee on Health hearing on this Governor's Message ideally framed the underlying issue. To paraphrase that statement, I quote, 'No one here is in a position to question the honesty and integrity of this nominee for I have no doubt that he is an honest, sincere and compassionate human being. Of that in itself is not a qualification to serve as Director of the state Department of Health.'

"Just so there's no mistake, Mr. President, I repeat, that my course of action is not the result of questions regarding the nominee's honesty, integrity or humanity, because I, too, am convinced that he possesses these attributes. But there's more -- I'm not here to cite charges or accusations.

"Briefly, good health, healthy health, changing and improving health which we do not have, I believe, is a must for the continuing good health of our children, their children and their children's children. And in order to attain this healthy tomorrow, I believe that changes are needed, that they are a must in these areas -- hospital administration throughout the state, the staffing situation at Leahi Hospital, at Kalaupapa and the almost total lack of preparedness to implement statutory provisions relating to the establishment of statewide emergency medical services system in all counties.

"Also, Mr. President, I would be dishonest to claim that the Hale Mohalu situation was not a part of my decision, but it was not the major factor. In fact, there is no single overriding reason for my action.

"The Department of Health is a \$100 million-a-year operation employing an army of 5,000 capable and well-intentioned persons who need to be lead, motivated and inspired. This can happen if the person who is eventually confirmed as director and if the entire Department of Health accepts challenges, not with reluctance but with relish, not through reaction but through initiative, not by acquiescence but by innovation.

"I've told these things to the Governor and I've told these things to Mr. Yuen. It's what we need, it's what the people of Hawaii deserve, and it's the only resolution that I will accept.

"Mr. President, though we will not all agree tonight, I am convinced that we will vote our consciences. And in accordance with my conscience, I cast my vote against the confirmation of Mr. George Yuen."

Senator Abercrombie also rose to speak against the nomination and stated as follows:

"Mr. President, I think it would be disingenuous of me not to rise and speak my mind in respect of that nomination before us, because my name and that of the nominee have been linked so much for the past 18 months, especially over the issue of Hale Mohalu.

"I do not wish it said that I was, when the situation called for, stood mute and did not explain nor give an explanation further to in public that which I gave to Mr. Yuen when I first learned of his renomination and which I reiterated at the public hearing, and I should say public hearings, that were held in respect of his nomination.

"It is no secret to anyone who has paid any attention to the circumstances surrounding the Hale Mohalu issue, that his vision of what is in the best interest of the patients and my vision of what is in the best interest of the patients as citizens and human beings in this state differ. They differ to a degree that I now find myself in an irreconcilable position with him over that.

"I had hoped for some time, for the better part of a year and a half, that some reconciliation might come. I received my answer in the Ways and Means Committee when Mr. Yuen indicated to us that he had never waived in his desire to move the patients from the Hale Mohalu site in Pearl City to Leahi Hospital, Trotter Wing.

"Under those circumstances, I felt, and I indicated to him at that time, that I felt bad faith had been exercised on his part. I have told him and I have spoken in previous times, some time back with the Governor and Mr. Yuen in attendance, that he has not served the Governor well in this respect.

"I believe, that the advice that has been given the Governor in this matter has been more to the service of the decision that had been made in terms of bureau interest, in terms of a fear that a decision which might be altered in some direction, might indicate rightness or wrongness or winning or losing, as opposed to a reconsideration based upon facts not previously in possession of the Department of Health or in an attitude or an orientation not previously acknowledged by the

Department of Health as being legitimate.

"I rise and speak on these matters because if it was that alone, if it was that alone, I felt that I could not deny Mr. Yuen the opportunity to continue to serve, nor could I cast a negative vote.

"I told that to him at the beginning of the session that my decision would not be made based upon our relationship in respect of Hale Mohalu. He acknowledged that that was the case in the sense that he indicated to me quite clearly that he believed me on that and I meant it sincerely, and I reiterated that at our public hearing and I reiterate it now, for the record.

"I have not changed my mind in that respect one bit. However, I also indicated to him that I had never served on the Health Committee previously. My time in the House was such that the committees I served on did not allow for that to take place. I had had an abiding interest in various and sundry health matters as a peripheral interest in terms of my official responsibilities, but not officially.

"Under the chairmanship of the previous speaker whom I have the greatest admiration for, especially in terms of his willingness to work and dig down to the roots of an issue regardless of the possible consequences of what they might be in terms of politics or in terms of personalities, under the able guidance of the chairman, we pursued the budgetary orientation, in particular, of the Department of Health.

"In that process, Mr. President, it was determined in my mind that the leadership activity in the Department of Health, in which the Hale Mohalu issue is but an aspect, an important aspect to be sure, one which I freely admit, engages my emotions to almost the exclusion of all else in terms of that which I most deeply believe, but does not engage my emotions to the degree that I would give up, nor blank out, nor obscure in my mind, my duty and obligation towards the Governor's nomination.

"I have spoken previously on this floor in terms of what I conceive to be the proper role of advise and consent in respect of a nomination and a subsequent appointment. I need not repeat that tonight. I need reiterate only from that discussion that I held with you previously that it is extremely important that respect be given to the nomination, the choice by whoever the executive is, be it the President of the United States or the Governor or a mayor or any official of executive capacity in the United States of America.

"In turn, it is our duty to comment upon hearings which examine the contest within which that leadership has taken place; and I think, in this instance, it has been made clear by our Governor that he relies in great measure not upon his individual ideas, in respect of what should take place within a department but upon that department head himself or herself, that once having been chosen, that he has granted them, and I think wisely so, such latitude as they think necessary to carry on the proper conduct of their business. He relies upon them, in other words.

"As a result of my examination of that effort as opposed to the question of whether or not there is individual loyalty, whether there is individual preferences, whether there is an appeal to popularity, whether there is an appeal to friendship or any of those possible connotations, it can always be associated if people want to do it, if they wish to obscure the realities of a conscientious effort in respect of a person's nomination.

"Setting all those aside, it is within the purview and the obligation of the Senate to examine then that leadership as has been given in trust by the executive to the department head.

"In that respect then I indicate the following -- the State Hospital in Kaneohe remains in a sad condition that it does not even have accreditation -- that condition has not changed. To be sure, there have been attempts, sporadic attempts, to alter some of the physical conditions there, especially with respect to criminal patients and criminal assignment of criminal inmates, but on the whole, the circumstances which prevail there have not been altered. Leadership has been lacking.

"With respect to the situations as outlined by the previous speaker, I will not go into further, other than to say there has not been serious examination of the role of the personnel in the Department of Health in respect of their emission.

"There has been far too much centralizing of decision-making and then subsequent delay in decision-making which has resulted in circumstances that do no service to the state nor to the mission that the Governor has outlined for the nominee.

"Time after time after time, when questions have been put to the Director of the Department of Health, either in Ways or Means or in Health, he has literally been unable to answer the questions.

"Time after time after time, clarification upon clarification was necessary, in

order to try to arrive at what was even the policy of the Department of Health with respect to many, many matters, including such fundamental situations as the cost of health care. We wrestled with this question in the Ways and Means Committee to a considerable degree and to the great frustration of myself and, I daresay, of other members, in terms of the capacity for the nominee to be able to adequately be able to handle the task.

"Mr. President, it is not an easy thing to request of other people that in a public circumstance they deny the nomination to someone. I think that was also the subject of previous remarks that I have made so I will not continue with that other than to say it is with regret that I urge this course of the rejection of the nomination. But, it is with a clear conscience that I do it, as directed by the previous speaker, because I believe it as sincerely as anything that I have put forward for the consideration of my colleagues here on the floor of this Body of which I am privileged to serve.

"I believe this as sincerely as I ever have, that we need new leadership in that department that will better serve not only executives but the people of this state. To do otherwise, I believe, would be a dereliction of my responsibility and obligation to advise and consent to the Governor of the state in terms of what I believe to be not only in his best interest, where his nominees are concerned, but in our best interest as the people of the State of Hawaii."

Senator O'Connor then rose to speak in favor of the nomination and stated as follows:

"Mr. President, Mr. George Yuen is the first non-M.D. to be the head of the Department of Health of this state.

"Many of us were participants to the change which has affected the law in 1972 which led to Mr. Yuen's appointment. Prior to that change in law, it was the mandate of the laws of this state and of the territory before, that the head of the Department of Health be a medical doctor.

"The review of this Body and of the House, in the years immediately prior to 1972, indicated that the administration of that department had reached such a low ebb that it was time for a change; and at that time, after fierce debate and much blood-letting on the floor of both Houses, the law was changed.

"Mr. Yuen was brought in in 1974 as the first non-M.D. administrator with a tremendous record behind him, primarily as the forthright, able administrator

of the Board of Water Supply for the City and County, where his expertise as an engineer led him to great ability and great stead, and his ability as administrator was forthrightly shown.

"I do not deny some of the comments of my able and knowledgeable colleague from Manoa. The Department of Health in many aspects needs tremendous aid and reorganization. Mr. Yuen has labored for four years in a stable which was created for him over fifty years and his efforts continue. To say that the present situation, in many of the circumstances he's found himself, is a result of his administration is unfortunate because it certainly is not. It is the result of years of administration by people who were simply not administrators. They were good and able doctors but they were not administrators.

"I fully understand the difficulty that the Chairman of the Health Committee finds in reviewing that particular department. I suspect it will take another eight years before that department responds appropriately to able administration.

"I would like to fully commend the Chairman of our Health Committee. I think he is just an outstanding person for having brought this nomination before us despite his own personal feelings on the matter, but by the same token, I believe that Mr. Yuen, given the ability to administer another four years, might well bring that department which needs every ounce of his talent and maybe talent that we just simply don't possess in this state, but every ounce of everyone's talent, to bring it from a terribly dark situation into the brightness of the new politics.

"Therefore, I would urge that all vote for Mr. George Yuen as Director of the Department of Health."

Senator Yee also rose to speak in favor of the nomination and stated as follows:

"Mr. President, I have known George for a great many years and I've known him when he was director of the Board of Water Supply. In that position, which was a nonpolitical office and was run like a semiprivate business, he did an outstanding job. He's brought the water department to a height that it was the envy throughout the United States. He has gained recognition, not only statewide but nationally as well.

"There's no question that he is an outstanding man and he's the first nonprofessional to step into the shoes of director of the Department of Health.

"The Department of Health is one of

the most complicated departments in the state. I know personally -- I served as deputy attorney general for the Department of Health for four years, and I had to advise them on legal matters during the early administration of the territory and early statehood. It's a complicated department in which there are federal funds, state funds, private funds and you're concerned with the entire health and welfare of this state, even down to the county level and the public schools. It's not an easy task.

"It's easy to criticize, gentlemen. It's the easiest thing to do in the world -- to criticize somebody's work -- but try to do something constructive yourself and you'll find that's the most difficult task you've every faced in your life. He's done it well.

"I've talked to many employees in our public hospitals and the Department of Health and the sanitation officers and they all speak very highly of George Yuen, with great regard and respect.

"Hale Mohalu is an emotional issue. He followed the dictates of the legislature, of the administration, in finding the best means to take care of the health of those people. Hence, they were asked to go to Leahi. At that time, most of the patients had agreed to go. There are some there today and they're happy. A few wish to remain where they are and this is the cause of part of the problem. It's not easy to ask all the people to leave, it's a tough job but it has to be done by somebody. Mr. Yuen has had the courage to do it.

"This is the kind of man we need, one who lives by his convictions and for the welfare of the state. I urge you to vote in his behalf."

Senator Cayetano then rose to speak against the confirmation and stated as follows:

"Mr. President, this is not an easy decision for me. In fact, up until the last two weeks of the session, I was of a mind to vote for Mr. Yuen's confirmation. However, the two previous speakers, the Chairman of the Health Committee and the Senator from Manoa, point out my concerns.

"In the Ways and Means Committee, the time we had the budget hearings, I came to the conclusion that Mr. Yuen was not sufficiently apprised of the fiscal condition of the Department of Health.

"In my opinion, the Department of Health is much too important an organization to allow this kind of situation to continue.

"I have high regard for Mr. Yuen as a person, as a man. I like him, I think he's an honest man. But as the previous speaker said, it's sometimes difficult to do constructive things... and I feel that I would be shirking my duty here as a Senator to vote for his confirmation."

Senator Ushijima then rose to speak in favor of the nominee and stated as follows:

"Mr. President, you know I've been around here for quite some time and I've seen administrators come and go. I'd just like to reiterate what my colleague in front of me already stated. That four years ago we changed the law to allow a non-M.D. to be the administrator of the public health area.

"Now, this department, there's no question, is one of the bigger departments of the administration. The problem of health has been of great concern recently -- hospital costs, facilities and everything else and, certainly, just speaking of these matters would just give you an idea as to the tremendous responsibility a man would have in this position.

"George Yuen has served for four years only and I think that he has proven to be an adept administrator, a fellow who can learn, who's had experiences. And I think it's incumbent for us to give him an additional four years to do the kind of job that is necessary, and I think the kind of criticisms that some of the Senators stated on the floor today are the concerns that he takes care of provided he is given the opportunity because he has had the experience, he has the ability, and I'm sure that if we back him up, we certainly will see better health facilities throughout the state.

"I think there will be better communication between the legislature and some of the elected officials. I think there will be a better understanding of the problems that this administration faces and that four years is not sufficient time to give this man the chance for the kind of job that he wants to do. And I'm sure that being the man he is, if we give him the confidence, our advice and our consent tonight, he certainly will be able to do the job. And I'm very confident that he can do it.

"I urge all of you to vote in favor of the nomination of George A. L. Yuen as Director of Health. Thank you."

Senator Abercrombie then rose to state as follows:

"Mr. President, inasmuch as these remarks are part of the official Journal, I feel incumbent that I rise and make a correction in respect of previous commentary, where the situation of Hale Mohalu was concerned.

"I can assure this Body and can document that the exact opposite is true in respect of the case of Hale Mohalu, where patients were concerned in terms where more the overwhelming majority of patients, in fact, literally, all save one did not want to leave there.

"The overwhelming majority do not want to do so today in terms of where they are, Kalaupapa and Hale Mohalu. And it's unfortunate that this kind of situation has been allowed to drag on and on, in terms of misinformation and the constant and incessant defense of statements and positions which have no basis. In fact, because there is an assumption that to do otherwise would somehow put one in the position of having backed down, backed off, backed away, rather than having come to terms and come to grips with a real situation involving human beings in a dynamic circumstance which requires leadership, which requires the kind of dynamic thinking which can cut through to a conclusion and a synthesis of opinion which will have everyone finding themselves with, if not everything that they wish and want to have, but at least the satisfaction that their input was listened to and that a conclusion was reached that could satisfy the fundamental needs and desires of all the parties involved. This, I think, is at the heart of the matter."

Senator Chong then stated as follows:

"Mr. President, as the former chairperson of the Senate Health Committee, I'd like to agree with what the previous speaker just said about Hale Mohalu. I have always been strongly at variance and opposed to Mr. Yuen's stance on this issue. I have noted that in recent weeks he has been or indicated that he would be more flexible and may change some of his viewpoints on that particular issue.

"However, especially in the past two weeks when we're coming down the line on this thing, I had to look at his performance as a whole and he did display tremendous courage over the past four years by going against the medical establishment on many issues. What comes to mind especially, five years ago, he was strongly, in fact it was his bill, in support of the rubella bill which we passed earlier this evening, over the overwhelming, almost solid opposition from the medical association.

"He also strongly supported a much stronger minors' rights bill which we passed in watered down form. But, five years ago, everybody was against this. We had demonstrations at our hearing and he still, forthrightly, came forth and laid his reputation on the line and provided very strong testimony for it.

"In the area of the marijuana study, again a controversial issue, he supported the study which was completed by the School of Public Health.

"A statement was made blaming him for the sorry state of the State Hospital which has not been accredited, this is true; however, they are certified to operate as a mental health facility and, also, most states' hospitals in the mainland, continental United States, might not be accredited but are certificated.

"Lot of the blame on the State Hospital, and I agree with the previous speaker about it, and I'm sure Mr. Yuen would also agree there's lot of problems with it, but a lot of the blame is ours. We simply did not appropriate sufficient funds to bring that facility up to HEW standards.

"So with mixed emotions that I personally had about this issue, I felt he was dead wrong and still feel he's dead wrong with the Hale Mohalu issue, but looking at the big picture over the past five years, I think that I agree with Senator Ushijima -- I think we should let him proceed his fine momentum for it."

Senator Saiki also rose in support of the nomination and stated as follows:

"Mr. President, I guess I'm another one of those people who have been around here a few years and, unlike some of my younger colleagues, I have had the pleasure of serving on the Health Committee in both the House and the Senate -- six years in the House and four years in the Senate. And through those years of sitting on the Committee on Health, I have seen the changes occurring within the Department of Health. These changes have been alluded to by previous speakers.

"To put it very bluntly, the Department of Health, before Mr. Yuen became the administrator, was a scattered kind of a department, with people going in their own directions.

"The department is a large one, it encompasses areas from mental health, the state hospital systems, even down to vital statistics, emergency medical services system, health education, dental

education. There's a myriad of subject areas that we get the Department of Health involved with.

"Since Mr. Yuen has become the administrator, I have seen a sense of cohesiveness developing within the department. I think Mr. Yuen is a capable administrator. He needs our support. He needs to have the money to implement many of his ideas.

"We have all been through difficult fiscal constraints over the past few years and, even here in the legislature, we have not funded the Department of Health as much as we would have liked to and, under those circumstances, it has been difficult for Mr. Yuen to comply with all of the legislative wishes and all of the directions of the administration, meaning the Governor.

"I do share the frustrations, to some extent, of the Chairman of the Committee on Health and some previous speakers in that I too want everything done yesterday, but I know that it cannot be done in that manner. So I would like to ask this Body to endorse George Yuen. Give him the help he needs, support him to build a viable department because, by far, of all of the departments, it is within the area of health care that we are going to be facing some of the more difficult decisions. Health care costs, health delivery systems are going to be of top concern, not only to us but across the nation, and I would like to see George Yuen at the helm of the Department of Health."

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

Ayes, 20. Noes, 5 (Abercrombie, Carpenter, Cayetano, Kawasaki and Yim).

Senator Carpenter then rose to state as follows:

"Mr. President, I hope, by the end of my term, that I can honestly say to Mr. Yuen that I made a mistake this evening and, I hope, that off in the future at that time, the opportunity presents itself for me to do it publicly. Congratulations, Mr. Yuen!"

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

"Mr. President, I'd like to stand on a point of personal privilege in recognizing a gentleman and a statesman.

"Mr. President, two years ago, a committee

chairman held on to an issue and wouldn't release it although the majority of the members of his committee wished the issue to be brought out of committee. Yesterday, last night, we honored a committee chairman for recognizing the wishes of the majority of the people and we honored him -- Senator Yim.

"Tonight, we should honor another gentleman, the chairman of a committee who, realizing that the majority members of his committee wished the issue to come forward on the floor, relented. And I think that we should recognize this gentleman, this statesman, Senator Carpenter, and I'd like to have Ruth Ann (Suzuki) present a lei and recognize Senator Carpenter for being a statesman and a real gentleman."

At 10:52 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:53 o'clock p.m.

At this time, Senator Anderson rose to state as follows:

"Mr. President, I don't wish to dishonor the chairman. I don't wish to demean, to be disrespectful, but the word 'honor,' I really find hard to swallow.

"As the chairman of the committee, like many of you, you have a role and you have a responsibility under the Rules of the Senate, under the Constitution of the State of Hawaii in which you were elected. This idea, this nonsense, that because you released a man to the full Body for a full vote is to be honored. We're supposed to have hearings on the people or the bill or the resolutions sent to us. We're supposed to discuss them.

"Please, don't rule me out of order. You have been doing this for fourteen days now, let me finish, once, please.

"I would like to say once and for all, Mr. President, that for the last two or three weeks, we're all getting uptight, but this nonsense about honoring and leis because we're doing our job is getting just a little heavy.

"It should get to the floor. I would like to vote on all issues for my constituency. I represent some 40,000 people in Windward Oahu and I would like to cast my vote for George Yuen, aye or nay on any other issue, and I don't like the chairman blocking it or denying me the right on philosophical difference or irreconcilable disagreement with the people. It's our job and our role to bring the people here and to discuss them and have full

dialogue. And this is really getting a little heavy, Mr. President, in this new politics where we present leis and honor and TV cameras ..."

Senator Cayetano then rose on a point of personal privilege and stated as follows:

"Mr. President, the Senator from the Windward area is correct. But may I say this -- this was not Senator Carpenter's idea. I would hope that you would show more charity, Senator Anderson, than you have in the past few days, to the members of this Senate."

Senator Anderson then responded as follows:

"Mr. President, I've had charity 'up to here'. I've had charity 'up to here' and I give what I receive."

"I didn't mean to be disrespectful of Senator Carpenter in any way, means or fashion. It wasn't his fault, it wasn't his idea, I'm sure."

"We've pushed and we've tugged and if I've been disrespectful, or if some of you think so, I apologize."

"I think I've been forceful, I think I've been honest, and I think I've been fighting equally as hard for what I believe in as right. I think I'm entitled to my day and my say. We've listened to arguments against people, but we've talked and forgotten about cooperation."

"Mr. Yuen -- I've heard that man sworn at, I've heard him called a liar, I've heard him called every verbal abusive name you can imagine. If I were Mr. Yuen I would tell you to take that job and 'shove it in your ear'."

Senator Abercrombie then rose on a point of order and asked, "... has not Mr. Yuen been confirmed?" and the President replied in the affirmative.

At 10:56 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:57 o'clock p.m.

Standing Committee Report No. 1252 (Gov. Msg. No. 292):

Senator Carpenter moved that Stand. Com. Rep. No. 1252 be received and placed on file, seconded by Senator Campbell and carried.

Senator Carpenter then moved that the Senate advise and consent to the nomination of George A.L. Yuen to the Statewide Health Coordinating Council,

term to expire December 31, 1982, seconded by Senator Campbell.

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

Ayes, 25. Noes, none.

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.

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

"Mr. President, I wish to thank the good Senator, the Majority Leader, for the lei and for the commendation and I wish to also acknowledge the comments of Senator Anderson."

"I would also like to thank Senator Cayetano and I hope that as a result of this effort, that yielding to the wisdom and maturity of the learned Senators in this Body, that I do not indeed become a charity case. Thank you."

Senator Cayetano also rose on a point of personal privilege and stated as follows:

"Mr. President, the hour is getting short. The last two sessions we ... I have seen Senators trade insults in one way or another ... I hope this matter will end ... now. Otherwise, I say this to the Minority, otherwise, we're going to talk about committee attendance, we're going to talk about absences from the legislature and we're going to talk about a lot of things."

Senator Anderson replied: "You let me know where it is, sir, and I'll be there to discuss it with you."

Senator O'Connor then rose on a point of order and stated:

"Mr. President, I rise on a point of order, to change the subject. This is a technical point."

"Earlier, this Body passed Senate Bill No. 181, S.D. 2, H.D. 1, C.D. 1. It had to do with the career criminal program. The matter contained a statement that an individual who is a career criminal shall be the subject of career criminal prosecution if one of many criteria are met."

"For the legislative history of this bill, I would like to enter into the Journal, the fact that the prosecuting attorneys'

offices of the various counties are not mandated to handle in their career criminal areas, in their career criminal divisions, those criminals that fall in this area. And the Attorney General, when he provides monies for this program, can provide monies to those career criminal programs, as he has, without that mandate being in existence.

"In other words, any prosecutor can handle the prosecution of any case at any time, despite this particular measure.

"This is an important measure which will greatly enhance the prosecution of career criminals in this particular jurisdiction."

Standing Committee Report No. 1232
(S.R. No. 85):

Senator Carpenter moved that Stand. Com. Rep. No. 1232 be adopted and S.R. No. 85 be adopted, seconded by Senator Cobb.

At this time, Senator Ushijima rose on several points of inquiry on the measure as follows:

"Mr. Chairman, looking at the title of this resolution, is this about heroin? Is that what we are on? Why limit it only for medical purposes?"

Senator Carpenter answered as follows:

"The question is 'Why limit it to medical purposes?' That happens to be the intent of the resolution -- to use heroin or allow the use of heroin for the use of patients who have terminal illnesses, which would probably last from three to six months, during which time the intractable pains would be eased formidably."

Senator Ushijima then remarked, "I just thought that it might be a good idea to delete 'for medical purposes' ... it might make lots of people happy." And Senator Carpenter replied that the point is well taken.

Senator O'Connor then rose to speak against the measure as follows:

"Mr. President, I'm going to vote against this measure and I'd like to explain my 'no' vote.

"This is purely a technical one. This resolution asks that the U.S. Attorney General consider shifting heroin from Schedule I of dangerous drugs to Schedule II. Because our Uniform Controlled Substances Act is so tightly tied to the Penal Code and because the Schedule I drugs are the most serious drugs and their abuse is the most serious in the community, I oppose the shifting of

heroin entirely from Schedule I to Schedule II.

"I might say that I have no opposition to the intent of the resolution which is, evidently, to use heroin under certain circumstances for cancer patients who are terminally ill, for medical purposes. But the method which is indicated in the resolution is to shift heroin entirely from Schedule I to Schedule II; therefore, I'm going to vote against it."

Senator Abercrombie then rose to state as follows:

"Mr. President, not speaking in rebuttal but rather, I hope, in a measure of clarification to speak to the concerns of the Judiciary Chairman.

"If one will note under the resolution, 'Be It Resolved' clause, that the Attorney General of the United States, Mr. Griffin Bell, is requested to consider removing heroin from Schedule I of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and place it on Schedule II.

"The reason for the word 'consider' is that some of the very concerns that the Senator has raised, in terms of what the considerations may be in terms of Penal Act changes, to the extent that they might be necessary, would be involved in any activity that the attorney general undertakes.

"The medical side of this situation is well documented in research and was presented in detail in committee. That is the reason for having this.

"I also want to indicate to the Body that the reason for it being presented in this fashion is that the Justice Department itself would require the activity of the attorney general in this respect, if it was to take it under consideration.

"We have it before us now because there now is a nationwide effort, again, which was indicated in extensive testimony in the Health Committee -- a nationwide effort underway to attract the attention of the attorney general by such resolutions as these.

"Quite frankly, Mr. President, the rest of the people across the country who have become involved in this movement are watching what is happening here tonight. We have been pioneers in this area. Legislators from all over the country have requested of my office the resolution and are waiting the vote tonight to see whether or not they will have the opportunity to be able to refer to another state which has taken a step in this direction, which is to have the attorney general address

his attention to the problem.

"There's no question that the circumstances alluded to by the Judiciary Chairman will have to have attention paid to them, but it's precisely for those reasons that we need to move this kind of a resolution forward, so that we can come to grips with those very items.

"In the absence of such a resolution, we'll be forever prevented from dealing with the real issue that's involved, which is the relief of intractable pain for those people who cannot otherwise find any relief under any other circumstances other than to obliterate their very sense of existence."

Senator Cobb then rose to state as follows:

"Mr. President, I had signed this resolution with reservations and the reservations that I have are primarily those expressed by the Judiciary Chairman; namely, that if we do achieve, by requesting the attorney general to consider this matter, a change in schedule of control of the substance of heroin.

"It is, first, vitally important that we amend the Hawaii Revised Statutes with respect to the Penal Code because it is tied so closely to that schedule of controlled substances.

"I would add a caveat before supporting this resolution; that we should ask the Attorney General of the United States in such consideration to notify the State of Hawaii sufficiently in advance for us to achieve such a change in the statutes. Otherwise, the effect of such a change done nationally would be to reduce the degree of control that would exist in heroin.

"It is for this reason that I had signed with reservations and I add this remark as a caveat to be addressed to the attorney general, should this take place.

"Medically, I have no objections to the use of any drug or substance to reduce pain as long as it's controlled under medical circumstances. Today, in Hawaii, we allow doctors to prescribe many controlled substances. It's done under very careful control of law and medical training being required.

"The point that has to be addressed to the U.S. Attorney General, in any correspondence accompanying this resolution, is that sufficient degree of notification in advance of such a change, before it is brought about, so that we in Hawaii would have time to change our laws and any other state would have time to change their laws when they're based

on the substances enumerated. Thank you."

Senator Yamasaki also rose to speak on the measure and stated as follows:

"Mr. President, I'm voting against this resolution because I believe that during the last session of the legislature, this Body rejected the resolution proposed by the Health Committee on marijuana. The resolution proposed that marijuana be used for medical purposes and I think that this Body recommitted the bill."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 1232 was adopted and, Roll Call vote having been requested, S.R. No. 85, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE UNITED STATES TO ALLOW THE USE OF HEROIN FOR MEDICAL PURPOSES", was adopted on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, George, Hara, O'Connor, Saiki, Soares, Toyofuku, Ushijima, Yamasaki and Yee).

Conference Committee Report No. 40 (S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1):

Senator O'Connor moved that Conf. Com. Rep. No. 40 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Campbell.

Senator O'Connor then rose to speak on the motion as follows:

"Mr. President, by brief explanation, the constitutional amendment, part of it suggested in this particular bill, has been duplicated in another bill earlier passed, which sets a different percentage for the amount of voters that are required to authorize a constitutional amendment. Therefore, due to that conflict, we have a legal opinion that this matter should not be acted upon."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 40 and S.B. No. 1703, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII CONSTITUTION, TO SPECIFY VOTING PROCEDURE FOR CONSTITUTIONAL AMENDMENTS", were recommitted to the Committee on Conference.

Senator Abercrombie then rose to make the following announcement:

"Mr. President, I have been through sixty days now, virtually sixty days,

we'll reach it shortly, and we have had indications of some of our weariness in the last couple of days that has resulted in some differences of opinions, and I have had the opportunity to have put together something here which can indicate the differences between Republicans and Democrats and I'd like to read it into the record before we adjourn so that we can all be in very strict appraisal of one another as to where these differences are. So this is how to tell Republicans from Democrats:

'Although to the casual glance Republicans and Democrats appear to be almost indistinguishable, here are some hints that should result in positive identification:

'Democrats buy most of the books that have been banned somewhere. Republicans form censorship committees and read them as a group.

'Republicans consume three-fourths of all the rutabaga produced in this country. The remainder is thrown out.

'Republicans usually wear hats and almost always clean their paint brushes.

'Democrats give their worn-out clothes to those less fortunate. Republicans wear theirs.

'Republicans employ exterminators. Democrats step on the bugs.

'Democrats name their children after currently popular sports figures, politicians and entertainers. Republican children are named after their parents or grandparents, according to where the most money is.

'Democrats keep trying to cut down on smoking, but are not successful. Neither are Republicans.

'Republicans tend to keep their shades drawn, although there is seldom any reason why they should. Democrats ought to, but don't.

'Republicans find the financial pages of the newspaper. They read and study the financial pages of the newspaper. Democrats put them in the bottom of the bird cage.

'Most of the stuff you see alongside the road has been thrown out of car windows by Democrats.

'Republicans raise orchids, pure-breeds and eyebrows. Democrats raise poi dogs, kids and taxes.

'Democrats eat the fish they catch. Republicans hang them on the wall.

'Republican boys date Democratic girls. They plan to marry Republican girls, but feel they're entitled to a little fun first.

'Democrats make up plans and then do something else. Republicans follow the plans their grandfathers made.

'Republicans sleep in twin beds -- some even in separate rooms. That is why there are more Democrats.'

"Thank you."

Senator Anderson then remarked, "That was very nice and that should be entered into the Journal." And asked, "What was the last one -- the very last one?"

Senator Ambercrombie replied, "I hesitate to say it because I'm afraid what might come back."

Senator Anderson said, "No, no, please. I just didn't hear it right."

Senator Abercrombie then answered, "Republicans sleep in twin beds -- some even in separate rooms. That is why there are more Democrats."

Senator Anderson then replied, "There are more Democrats, Mr. President, because the Republicans preserve them."

Senator Ajifu then remarked, "Mr. President, a rose is a rose is a rose!"

At this time, Senator George rose to make an announcement and stated as follows:

"Mr. President, in spite of events which transpired here a little bit earlier, I really would like to take this opportunity to say that this is my fifth year in this particular Body. I'm in a somewhat different chair, but I've been here for five years now and I want to say that this has been a thoroughly enjoyable session for me.

"I have felt, really, a sense of a fair participatory democracy for the first time and I want to thank you and my colleagues across the aisle for it."

Senator Carpenter then rose to state as follows:

"Mr. President, being the only member of this Body that was not either a carryover from the House or here before, I'd just like to say that it's been a sincere pleasure for me to be part of this Body. I'm not trying to set any records, but I think we did devise 'the order of the iron okole' as a matter of the formal proceedings, going late into the hour of the ceremonies

on our agenda, and I want to say that I've enjoyed this experience extremely.

"I enjoyed the comradery of many; I've enjoyed the ire and insults of a few and I look forward to more next year. Thank you very much."

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

"With your indulgence, I would like to say a few words.

"Very shortly, the 1979 Regular Session of the Tenth Legislature will adjourn sine die and pass into history. As I think about the activities over the last sixty legislative days, I feel a great sense of pride over the dedication, commitment and hard work put in by all of you; a great sense of satisfaction over your accomplishments in terms of meaningful, substantive legislation that have been passed and a great sense of confidence in your ability to continue on addressing some of the still unresolved issues and problems before the legislature.

"I am deeply honored to serve as your President.

"As you know, the session did not begin auspiciously. We had some organizational difficulties at the beginning which took some time to resolve. This, in turn, prevented us from doing any pre-session work and forced us to work overtime to catch up on our hearings. During the early days of the session, there were some who predicted that the Senate would be unstable, fractious and unproductive. By and large, this has not turned out to be the case.

"To be sure, we have had our share of debates, disagreements and other difficult moments. This is normal and to be expected in the give-and-take of the legislative process. The Senate has been united and a hardworking Body. Full credit must be given to you all - Democrat and Republican, Oahu and Neighbor Island, old-timer and newcomer, one and all - for taking such a positive, cooperative and statesmanlike approach to working together.

"In my Opening Day remarks, I referred to a 'new politics' in the Senate. I promised that the Senate would be a more open, more accessible and a more independent Body. I promised that we would make a special effort to reach out to communicate with and get input from the various sectors of the community. I promised greater fairness in the treatment of minority members and their ideas. I promised that the Senate would be a creative and productive Body.

"At the beginning of the session, I

asked that we be judged at the end for our actions and our accomplishments. With my faith in you, I promised that we would do well.

"You have enabled me to deliver on those promises for which I am grateful.

"This session, the 1979-81 Biennial Budget Session, has given us the opportunity to assert greater fiscal restraint and responsibility and a strict delineation of the legislative intent in the state budgetary and expenditure process.

"We have also passed significant legislation for campaign spending controls, for generic drug substitution, for the establishment of the Office of Hawaiian Affairs, for the updating and conforming of our election laws with the revised State Constitution, for further refinement in our Code of Ethics, for the assistance of our beleaguered sugar industry. The list of accomplishments are long and creditable.

"We have had a good session, a productive session.

"Looking ahead, I see the issues that we will have to address in the coming 1980 session. We will have to face the issue of the proposed rapid transit system; we will have to develop legislation on time-sharing; we will have to deal with the mandates of the revised State Constitution on water and land use. Our greatest challenges still lie before us.

"During the coming interim, work to monitor the implementation of our work, to keep abreast of the new developments and to prepare for the next session will be necessary. Your continued dedication will be required so we can be thoroughly prepared to meet the great challenges ahead.

"I see also an evolving relationship between the legislative and the executive branches of state government, a relationship where we will be more coequal and less dependent and where the constitutional checks and balances will be brought more into play. However, I do not see this necessarily as an adversary relationship as I also see a greater spirit of cooperation and coordination between us and the executive. In this spirit, there have been some very frank and open discussions with the Governor. I look forward to strengthening this relationship between us.

"I would be remiss if I did not acknowledge the hard work and dedication of our Senate staff - the researchers, the secretaries, the messengers, the printshop crew, the custodians, everybody. Needless to say, we would have not been able to function effectively without them.

I'm sure I speak for the whole Senate in extending appreciation to them.

"Finally, in closing, please accept my sincere appreciation for the cooperation, assistance and understanding you have given me during the first session as your President. I've enjoyed this great experience, my Aloha goes to you all and I look forward to working with you in the coming months.

"Thank you very much."

Senator Mizuguchi then rose to express his remarks as follows:

"Mr. President, I would like to thank you for your excellent leadership in the State Senate. It's been a rather new and unique style of leadership. I would like to also thank you and all the members of this Honorable Body for the work and decisions that you have made this session.

"In your closing night remarks, Mr. President, you alluded to our Senate organization, a process that was long and arduous. This made us late in starting. But we overcame many problems, we have forged new alliances under your leadership. We have bridged many of the gaps created among us during the organizational period. And we have refused to allow our late start to interfere with the quality of our legislation.

"In addition, we have been charged with the heavy responsibility of implementing the many new Con Con amendments. At some points, it seemed that the Constitutional Convention had created an entirely new Constitution. We have developed and passed much important legislation in other areas as well. I feel that it has been a fruitful session. I think that we can all be proud to have been a part as Senators in this 1979 Regular Session. I hope that next year, Mr. President, we, Majority and Minority Senators, can continue to work together to create legislation that will improve our state of Hawaii and work for the best interest of the people of this great state.

"Finally, I think that we should not forget, and thank our staffs, as you have done. To the staff, I say, Mahalo Nui Loa for the splendid work and support.

"Thank you, Mr. President."

Senator Anderson added his remarks as follows:

"Mr. President, I had an opportunity to read the 'new politics' tonight while I was sitting here listening to Senator Abercrombie.

"I really find your closing speech and your 'new politics' Opening Day speech pretty much in line.

"It has been a hard session. I think you forecasted that pretty clearly some sixty days ago. You had the foresight to say a number of our members in the Senate are known to be independent legislators, uncommitted, stubborn, etc., etc. It has been a hard session. You have twenty-five very strong, independent individuals in one room, tugging and pushing for legislation, challenging philosophies, ways of life, bringing up total differences in so many ways, trying to find common ground on sometimes very compound and basic and important legislation.

"People on the outside, it's easy to throw stones and ridicule and comment, but they really ought to try this process. It's got to be one of the most difficult in the world -- to bring twenty-five people together. I think you've managed pretty nicely to keep this group working in direction.

"It's our commitment, on this side of the aisle, that we're going to continue to learn to work with the newcomers and the opposing personalities, asking for forgiveness on both sides. When you put people like Cayetano and Abercrombie and Kawasaki and Soares and Ajifu and Anderson into rooms, into arguments, it sometimes looks like a dog and pony show.

"There is much work to do.

"This session has strained my relationship with you to some degree, for that, I apologize.

"We have a role on this side but sometimes I think the Majority forgets and fails to remember what we're here for -- to advocate and keep you in check and Senator George's incident tonight -- while that may have aggravated, it was fair game, it was fair play. That's what we're here for, Mr. President. We have to, because we aren't in the majority, sometimes take measures and do things to bring to the forefront and to the attention and for a vote, any means or measure that we have to.

"We look forward to working in the interim with you. We're going to continue to strive to understand and ask forgiveness on both sides to better understand your philosophies and to work with you and we hope the interim and the next session will be more smoother and more fruitful for all of us.

"Thank you."

Senator Yee then rose to remark as follows:

"Mr. President, as spokesman for the Minority of the Senate here we thank you for your cooperation. We thank you for your effort in trying to balance a juggling game which was not very easy. I think we all admit you had the most difficult job out.

"I also want to thank all of the various committee chairmen for the cooperation that they have shown the Republicans in their committees.

"I'm also very pleased that many Republican ideas, resolutions and bills have passed this Body.

"There's only one thing I regret, many of you former House members that have come over with the first wave and then the second wave, in my twelve years of experience, we always adjourned sine die before the House. Now we're the last to go home.

"Thank you."

At this time, Senator Cayetano rose to make an introduction and stated as follows:

"Mr. President, as you know, this session was my first as Chairman of

the Ways and Means Committee and indeed it was my first of the five sessions I've spent in the legislature on any finance committee.

"We wrapped the budget in record time, I believe. The old-timers tell me that it was probably the shortest budget conference in the history of the legislature. And all of this would not have been possible if it had not been for my colleague on the other side of the House. He's here tonight and I'd like to introduce him to this Body and publicly thank him for his spirit of cooperation and his wisdom, Representative Jack Suwa."

Senator Anderson then rose to express special thanks to Senate Sergeant at Arms Ben Villaflor.

ADJOURNMENT

Senator Mizuguchi moved that the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, adjourn Sine Die, seconded by Senator Anderson and carried.

At 11:38 o'clock p.m., the President rapped his gavel and declared the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1979, adjourned Sine Die.

GOVERNOR'S MESSAGES RECEIVED AFTER THE ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Gov. Msg. No. 488 informing the Senate that on April 23, 1979, he signed the following bills into law:

House Bill No. 158 as Act 8, entitled: "RELATING TO THE PRACTICE OF BARBERING";

House Bill No. 286 as Act 9, entitled: "RELATING TO ADULT CARE HOMES, FAMILY BOARDING HOMES, AND OTHER SIMILAR INSTITUTIONS";

House Bill No. 603 as Act 10, entitled: "RELATING TO THE BOARD OF PHARMACY";

House Bill No. 612 as Act 11, entitled: "RELATING TO PUBLIC ASSISTANCE";

House Bill No. 614 as Act 12, entitled: "RELATING TO THE STATE INFORMATION AGENCY";

House Bill No. 734 as Act 13, entitled: "RELATING TO LIFE AND DISABILITY INSURANCE";

House Bill No. 931 as Act 14, entitled: "RELATING TO THE BOXING COMMISSION"; and

Senate Bill No. 1650 as Act 15, entitled: "RELATING TO CONSOLIDATION AND MERGER OF CORPORATIONS".

Gov. Msg. No. 489 informing the Senate that on May 12, 1979, he signed the following bills into law:

Senate Bill No. 50 as Act 16, entitled: "RELATING TO DISTRICT JUDGES (CONSTITUTIONAL AMENDMENTS OF ARTICLES VI AND XVIII)";

Senate Bill No. 483 as Act 17, entitled: "RELATING TO HOLIDAYS";

Senate Bill No. 615 as Act 18, entitled: "RELATING TO REEMPLOYMENT OF RETIRED PATIENT EMPLOYEES OF THE DEPARTMENT OF HEALTH";

Senate Bill No. 625 as Act 19, entitled: "RELATING TO COMMERCIAL FISHING";

Senate Bill No. 626 as Act 20, entitled: "RELATING TO DESIGNATION OF AGENTS TO SELL FRESHWATER GAME FISH LICENSES";

Senate Bill No. 683 as Act 21, entitled: "RELATING TO DUTIES OF THE DEPARTMENT OF TRANS-

PORTATION";

Senate Bill No. 691 as Act 22, entitled: "RELATING TO THE MOTOR VEHICLE INDUSTRY LICENSING BOARD";

Senate Bill No. 697 as Act 23, entitled: "RELATING TO THE BOXING COMMISSION";

Senate Bill No. 698 as Act 24, entitled: "RELATING TO THE HAWAII REGULATORY LICENSING REFORM ACT";

Senate Bill No. 758 as Act 25, entitled: "RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL";

Senate Bill No. 1117 as Act 26, entitled: "RELATING TO THE STATEWIDE TRANSPORTATION COUNCIL";

Senate Bill No. 1282 as Act 27, entitled: "RELATING TO PENALTIES FOR FALSE STATEMENTS AND REPRESENTATIONS IN REGARD TO UNEMPLOYMENT COMPENSATION";

Senate Bill No. 1315 as Act 28, entitled: "RELATING TO INSURANCE";

Senate Bill No. 1438 as Act 29, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

Senate Bill No. 1439 as Act 30, entitled: "RELATING TO INDUSTRIAL LOAN COMPANIES";

Senate Bill No. 1483 as Act 31, entitled: "RELATING TO EXEMPTION FROM CIVIL SERVICE FOR THE HAWAII HOUSING AUTHORITY TENANT HIRE PROGRAM";

Senate Bill No. 1492 as Act 32, entitled: "RELATING TO THE HAWAII INSURANCE LAW";

Senate Bill No. 1540 as Act 33, entitled: "RELATING TO EQUIPMENT";

Senate Bill No. 1594 as Act 34, entitled: "RELATING TO AIR POLLUTION PERMIT FEES";

Senate Bill No. 1764 as Act 35, entitled: "RELATING TO THE STATE IMMIGRANT SERVICES CENTER";

House Bill No. 598 as Act 36, entitled: "RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)";

House Bill No. 1640 as Act 37, entitled: "RELATING TO THE IMPORTATION OF LIQUOR FOR TRADE SHOWS";

House Bill No. 1355 as Act 38, entitled:
"RELATING TO FISHING"; and

House Bill No. 1673 as Act 39, entitled:
"RELATING TO THE INSTITUTE
FOR MANAGEMENT AND ANALYSIS".

Gov. Msg. No. 490 returning
Senate Bill No. 654, without his
approval, together with his statement
of objections relating to the measure
which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 12, 1979

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 654

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16, Article
III of the Constitution of the State
of Hawaii, I am returning herewith,
without my approval, Senate Bill
No. 654, entitled, 'A BILL FOR AN
ACT RELATING TO THE UNIFORM
SECURITIES ACT (MODIFIED)'.

Senate Bill No. 654, which relates
to the Uniform Securities Act (Modified),
is identical in all respects to House
Bill No. 598. Since it is my intention
to approve and to sign said House
Bill No. 598, I am returning Senate
Bill No. 654 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 disapproval of 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. 654,
entitled 'A BILL FOR AN ACT RELATING
TO THE UNIFORM SECURITIES ACT
(MODIFIED)', passed by the legislature,
was presented to the governor within
the aforementioned period; and

WHEREAS, Senate Bill No. 654 is
identical in all respects to House Bill
No. 598, which latter bill I intend
to approve and to sign into law; and

WHEREAS, my signing of House Bill
No. 598 into law will render Senate Bill
No. 654 unnecessary;

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, giving notice of my plan
to return Senate Bill No. 654 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 May, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 491 informing the Senate
that on May 14, 1979, he signed the
following bills into law:

Senate Bill No. 621 as Act 40, entitled:
"RELATING TO WORKERS' COMPENSATION";

Senate Bill No. 1753 as Act 41, entitled:
"RELATING TO MOTOR CARRIERS";

House Bill No. 21 as Act 42, entitled:
"RELATING TO THE AUDITOR";

House Bill No. 22 as Act 43, entitled:
"RELATING TO COUNTY BONDS";

House Bill No. 580 as Act 44, entitled:
"RELATING TO ADULT EDUCATION
PROGRAM";

House Bill No. 738 as Act 45, entitled:
"RELATING TO INHERITANCE AND ESTATE
TAXES";

House Bill No. 866 as Act 46, entitled:
"RELATING TO REVENUE BONDS";

House Bill No. 1127 as Act 47, entitled:
"RELATING TO THE USE OF CREDIT
CARDS FOR HOSPITAL CHARGES";

House Bill No. 1186 as Act 48, entitled:
"RELATING TO THE BANK EXAMINER";

House Bill No. 1649 as Act 49, entitled:
"RELATING TO AUDIT AND ACCOUNTING";
and

House Bill No. 1686 as Act 50, entitled:
"RELATING TO THE HAWAII HOUSING
AUTHORITY".

Gov. Msg. No. 492 informing the Senate
that on May 16, 1979, he signed the
following bills into law:

Senate Bill No. 15 as Act 51, entitled:
"RELATING TO REAPPORTIONMENT

(CONSTITUTIONAL AMENDMENTS OF ARTICLE IV)";

Senate Bill No. 31 as Act 52, entitled: "RELATING TO PUBLIC ASSISTANCE PAYMENTS (CONSTITUTIONAL AMENDMENTS OF ARTICLE IX, SECTION 3)";

Senate Bill No. 46 as Act 53, entitled: "RELATING TO PUBLIC OFFICE AND EMPLOYMENT (CONSTITUTIONAL AMENDMENTS OF ARTICLE XVI, SECTION 3)";

Senate Bill No. 176 as Act 54, entitled: "RELATING TO ASSISTANCE TO DISPLACED PERSONS";

Senate Bill No. 1118 as Act 55, entitled: "RELATING TO FERRIES";

Senate Bill No. 1389 as Act 56, entitled: "RELATING TO PLANNING AND DEVELOPMENT OF KAUAI";

House Bill No. 23 as Act 57, entitled: "RELATING TO STATE BONDS";

House Bill No. 187 as Act 58, entitled: "RELATING TO PLANNING";

House Bill No. 581 as Act 59, entitled: "RELATING TO THE STATE LIBRARIAN";

House Bill No. 583 as Act 60, entitled: "RELATING TO ENVIRONMENTAL QUALITY AND LITTER CONTROL";

House Bill No. 588 as Act 61, entitled: "RELATING TO THE HAWAII EMPLOYMENT SECURITY LAW";

House Bill No. 1666 as Act 62, entitled: "RELATING TO TAXATION";

Senate Bill No. 666 as Act 63, entitled: "RELATING TO RECOVERY OF OVERPAYMENTS OF PUBLIC ASSISTANCE";

Senate Bill No. 670 as Act 64, entitled: "RELATING TO PROCEDURES FOR ADOPTION, AMENDMENT OR REPEAL OF RULES";

Senate Bill No. 1303 as Act 65, entitled: "RELATING TO ADOPTION OF CHILDREN";

Senate Bill No. 1737 as Act 66, entitled: "RELATING TO WORKERS' COMPENSATION";

House Bill No. 498 as Act 67, entitled: "RELATING TO THE POWERS OF BOARDS OF DIRECTORS";

House Bill No. 936 as Act 68, entitled: "RELATING TO NO-FAULT INSURANCE";

House Bill No. 982 as Act 69, entitled:

"RELATING TO THE BUDGET";

House Bill No. 1526 as Act 70, entitled: "RELATING TO BEVERAGE CONTAINER REQUIREMENTS";

House Bill No. 1576 as Act 71, entitled: "RELATING TO SPECIFIC POWERS OF INDUSTRIAL LOAN COMPANIES";

House Bill No. 1659 as Act 72, entitled: "RELATING TO WASTEWATER TREATMENT PERSONNEL"; and

House Bill No. 1687 as Act 73, entitled: "RELATING TO CONVEYANCE TAX".

Gov. Msg. No. 493 informing the Senate that on May 17, 1979, he signed the following bill into law:

House Bill No. 1200 as Act 74, entitled: "RELATING TO TAXATION".

Gov. Msg. No. 494 informing the Senate that on May 18, 1979, he signed the following bills into law:

Senate Bill No. 692 as Act 75, entitled: "RELATING TO THE BOARD OF MASSAGE";

Senate Bill No. 694 as Act 76, entitled: "RELATING TO THE COLLECTION AGENCY BOARD";

Senate Bill No. 919 as Act 77, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";

Senate Bill No. 1043 as Act 78, entitled: "RELATING TO AWARDING OF INTEREST IN CIVIL CASES";

Senate Bill No. 1049 as Act 79, entitled: "RELATING TO NOISE";

Senate Bill No. 1238 as Act 80, entitled: "RELATING TO MEDICAL TORTS";

Senate Bill No. 1539 as Act 81, entitled: "RELATING TO EXCEPTION TO LIABILITY";

Senate Bill No. 1680 as Act 82, entitled: "RELATING TO A CRIME COMMISSION";

Senate Bill No. 1682 as Act 83, entitled: "RELATING TO FORFEITURE OF PROPERTY USED IN ILLEGAL GAMBLING";

Senate Bill No. 1727 as Act 84, entitled: "RELATING TO OFFENSES AGAINST THE PERSON";

House Bill No. 742 as Act 85, entitled: "RELATING TO DRIVER LICENSING";

House Bill No. 1211 as Act 86, entitled: "RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII";

House Bill No. 1653 as Act 87, entitled:

"RELATING TO THE SALE OF AGRICULTURAL AND VEGETABLE SEEDS"; and

House Bill No. 1668 as Act 88, entitled: "RELATING TO THE SALE AND USE OF PESTICIDES".

Gov. Msg. No. 495 informing the Senate that on May 19, 1979, he signed the following bills into law:

Senate Bill No. 5 as Act 89, entitled: "RELATING TO TWELVE MEMBER JURY (CONSTITUTIONAL AMENDMENT)";

Senate Bill No. 6 as Act 90, entitled: "RELATING TO JURY TRIAL IN CIVIL MATTERS (CONSTITUTIONAL AMENDMENTS OF ARTICLE 1, SECTION 13)";

Senate Bill No. 42 as Act 91, entitled: "RELATING TO CODE OF ETHICS (CONSTITUTIONAL AMENDMENT OF ARTICLE XIV)";

Senate Bill No. 481 as Act 92, entitled: "RELATING TO CRIMINAL INJURIES COMPENSATION";

Senate Bill No. 581 as Act 93, entitled: "RELATING TO HORIZONTAL PROPERTY REGIMES";

House Bill No. 599 as Act 94, entitled: "RELATING TO THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS"; and

House Bill No. 1206 as Act 95, entitled: "RELATING TO THE LANDLORD-TENANT CODE".

Gov. Msg. No. 496 informing the Senate that on May 21, 1979, he signed the following bill into law:

House Bill No. 1674 as Act 96, entitled: "RELATING TO DRUGS".

Gov. Msg. No. 497 informing the Senate that on May 22, 1979, he signed the following bills into law:

Senate Bill No. 45 as Act 97, entitled: "RELATING TO OFFICIAL LANGUAGES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV)";

Senate Bill No. 182 as Act 98, entitled: "RELATING TO SENTENCING";

Senate Bill No. 1373 as Act 99, entitled: "RELATING TO THE DEPARTMENT OF EDUCATION: MAKING SUPPLEMENTARY APPROPRIATIONS OUT OF GENERAL REVENUES TO COVER CERTAIN DEFICIENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1979";

House Bill No. 3 as Act 100, entitled: "RELATING TO THE RELIEF OF CERTAIN CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 4 as Act 101, entitled: "RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR";

House Bill No. 1449 as Act 102, entitled: "RELATING TO UNION LABELS"; and

House Bill No. 1695 as Act 103, entitled: "RELATING TO THE ESTABLISHMENT OF A CENTENNIAL COMMISSION ON SCANDINAVIANS COMING TO HAWAII".

Gov. Msg. No. 498 informing the Senate that on May 25, 1979, he signed the following bills into law:

Senate Bill No. 181 as Act 104, entitled: "RELATING TO CRIMINAL PROSECUTION";

House Bill No. 1140 as Act 105, entitled: "RELATING TO STATUTORY REVISION; AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, CORRECTING REFERENCES, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS";

House Bill No. 1386 as Act 106, entitled: "RELATING TO CRIMES";

House Bill No. 1432 as Act 107, entitled: "RELATING TO MOPEDS";

House Bill No. 1646 as Act 108, entitled: "RELATING TO HIGHWAY SAFETY";

House Bill No. 1647 as Act 109, entitled: "RELATING TO ADDITIONAL SUPPORT TO THE UNIVERSITY OF HAWAII FROM EXTRAMURAL FUNDS";

House Bill No. 1716 as Act 110, entitled: "RELATING TO EMBLEMS AND SYMBOLS";

House Bill No. 92 as Act 111, entitled: "RELATING TO THE JUDICIARY";

House Bill No. 451 as Act 112, entitled: "RELATING TO PROMOTING A DANGEROUS DRUG";

House Bill No. 531 as Act 113, entitled: "RELATING TO PROFESSIONAL ENGINEERS, ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS";

House Bill No. 544 as Act 114, entitled: "RELATING TO INDUSTRIAL CARCINOGENS";

House Bill No. 723 as Act 115, entitled: "RELATING TO FRAUDULENT CLAIMS SUBMITTED AGAINST THE STATE";

House Bill No. 748 as Act 116, entitled:
"RELATING TO HORIZONTAL PROPERTY
REGIMES";

House Bill No. 923 as Act 117, entitled:
"RELATING TO OFFENSES AGAINST
PROPERTY RIGHTS";

Senate Bill No. 1409 as Act 118,
entitled: "RELATING TO THE GOVERNOR'S
AGRICULTURE COORDINATING
COMMITTEE";

House Bill No. 1667 as Act 119,
entitled: "RELATING TO MOTOR
CARRIER SAFETY LAW";

Senate Bill No. 1721 as Act 120,
entitled: "ESTABLISHING A TWENTIETH
ANNIVERSARY HAWAII STATEHOOD
CELEBRATION COMMITTEE"; and

House Bill No. 82 as Act 121, entitled:
"RELATING TO THE HAWAII REGULATORY
LICENSING REFORM ACT".

Gov. Msg. No. 499 informing
the Senate that on May 26, 1979, he
signed the following bills into law:

Senate Bill No. 11 as Act 122,
entitled: "RELATING TO PRIMARY
ELECTIONS (CONSTITUTIONAL
AMENDMENTS OF ARTICLE II,
SECTION 8)";

Senate Bill No. 627 as Act 123,
entitled: "RELATING TO MINIMUM
SIZES OF FISH";

Senate Bill No. 1752 as Act 124,
entitled: "RELATING TO PUBLIC
ACCOUNTANCY";

House Bill No. 38 as Act 125, entitled:
"RELATING TO THE BOARD OF
EDUCATION";

House Bill No. 57 as Act 126, entitled:
"RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY";

House Bill No. 181 as Act 127, entitled:
"RELATING TO MOTOR CARRIER
LAW";

House Bill No. 188 as Act 128, entitled:
"RELATING TO CORPORATIONS";

House Bill No. 282 as Act 129, entitled:
"RELATING TO CRIMINAL HISTORY
RECORD INFORMATION";

House Bill No. 288 as Act 130, entitled:
"RELATING TO VITAL STATISTICS";

House Bill No. 479 as Act 131, entitled:
"RELATING TO ADVERTISING
BY OPTOMETRISTS";

House Bill No. 589 as Act 132, entitled:

"RELATING TO WORKERS' COMPENSATION";

House Bill No. 643 as Act 133, entitled:
"RELATING TO ELECTIONS";

House Bill No. 732 as Act 134, entitled:
"RELATING TO THE HAWAII CAPITAL
LOAN PROGRAM";

House Bill No. 1588 as Act 135, entitled:
"RELATING TO DEGREE GRANTING INSTI-
TUTIONS";

House Bill No. 1627 as Act 136, entitled:
"RELATING TO ELDERLY AFFAIRS";

House Bill No. 1654 as Act 137, entitled:
"RELATING TO AQUACULTURE LOANS";
and

House Bill No. 1656 as Act 138, entitled:
"RELATING TO UNAUTHORIZED VEHICLES
ON SCHOOL AND LIBRARY GROUNDS".

Gov. Msg. No. 500 returning Senate
Bill No. 1634 without his approval, together
with his statement of objections relating
to the measure which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

May 30, 1979

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1634

Honorable Members
Tenth 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. 1634, entitled, 'A Bill
for an Act Relating to the Hawaii Food,
Drug, and Cosmetic Act.'

The purpose of this bill is to amend
Part III, 'FROZEN FOOD PRODUCTS,'
of Chapter 328, Hawaii Revised Statutes,
to add a new section to define the phrase,
'thawed food,' and to amend the consumer
notification requirements for the sale
of 'thawed food.' Although I have no
objection to the clarifications attempted
to be made by this bill, the title of this
bill expressly states that this bill relates
to the 'Hawaii Food, Drug, and Cosmetic
Act,' which is Part I (Sections 328-1
to 328-29, inclusive) of Chapter 328, Hawaii
Revised Statutes. Since the body of
this bill relates to Part III and not to
Part I of Chapter 328, it appears that this
bill does not embrace but one subject
as expressed in its title and, therefore,
does not meet the requirements of Section
14 of Article III of the Constitution of
the State of Hawaii.

Because of the constitutional objection,

I believe that this bill cannot become law and I am herewith returning Senate Bill No. 1634.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, Section 16 of Article III of the Constitution of the State of Hawaii requires the Governor 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;

WHEREAS, Senate Bill No. 1634, entitled, 'A Bill for an Act Relating to the Hawaii Food, Drug, and Cosmetic Act,' considered by the Legislature during the 1979 Regular Session, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1634, not embracing but one subject as expressed in its title as required by the Constitution of the State of Hawaii, 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. 1634 with my objections.

DONE at the State Capitol,
Honolulu, State of Hawaii
this 30th day of May, 1979

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 501 informing the Senate that on June 1, 1979, he signed the following bills into law:

Senate Bill No. 9 as Act 139, entitled: "RELATING TO PRIMARY ELECTIONS (CONSTITUTIONAL AMENDMENT OF ARTICLE II, SECTION 4)";

Senate Bill No. 664 as Act 140, entitled: "RELATING TO ASSIGNMENT OF WAGES FOR CHILD SUPPORT";

Senate Bill No. 1169 as Act 141,

entitled: "RELATING TO REGISTRATION OF VEHICLES";

Senate Bill No. 1375 as Act 142, entitled: "RELATING TO GASOLINE";

Senate Bill No. 1611 as Act 143, entitled: "RELATING TO PREMARITAL EXAMINATIONS";

House Bill No. 48 as Act 144, entitled: "RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED";

House Bill No. 100 as Act 145, entitled: "RELATING TO THE STATE MOTTO";

House Bill No. 171 as Act 146, entitled: "RELATING TO MOTOR VEHICLE ACCIDENT REPARATIONS";

House Bill No. 421 as Act 147, entitled: "RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA";

House Bill No. 737 as Act 148, entitled: "RELATING TO THE CONFIDENTIALITY OF TAX RETURNS AND INFORMATION IN TAX RETURNS";

House Bill No. 867 as Act 149, entitled: "RELATING TO APPEALS FROM THE DECISIONS OF THE LIQUOR COMMISSION";

House Bill No. 1322 as Act 150, entitled: "RELATING TO THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY";

House Bill No. 1528 as Act 151, entitled: "RELATING TO THE DISPOSAL OF SOLID WASTES";

House Bill No. 1634 as Act 152, entitled: "RELATING TO COSTS, ATTORNEY'S FEES AND JURY TRIALS UNDER THE STATE TORT LIABILITY ACT";

House Bill No. 1645 as Act 153, entitled: "RELATING TO ABANDONED VESSELS"; and

House Bill No. 1677 as Act 154, entitled: "RELATING TO AQUARIUM FISH PERMITS".

Gov. Msg. No. 502 informing the Senate that on June 4, 1979, he signed the following bills into law:

Senate Bill No. 393 as Act 155, entitled: "RELATING TO CRIMINAL PROCEDURE: DEFERRED ACCEPTANCE OF GUILTY PLEA";

Senate Bill No. 1091 as Act 156, entitled: "RELATING TO THE LAPSING OF CAPITAL IMPROVEMENT FUNDS";

House Bill No. 102 as Act 157, entitled: "RELATING TO QUIETING TITLE";

House Bill No. 281 as Act 158, entitled: "RELATING TO THE EXPENDITURE

OF PUBLIC MONEY AND PUBLIC CONTRACTS";

House Bill No. 287 as Act 159, entitled: "RELATING TO VITAL STATISTICS REGISTRATION";

House Bill No. 595 as Act 160, entitled: "RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT";

House Bill No. 596 as Act 161, entitled: "RELATING TO MOTOR BIKES";

House Bill No. 600 as Act 162, entitled: "RELATING TO PARTNERSHIP FEES";

House Bill No. 601 as Act 163, entitled: "RELATING TO DISPENSING OPTICIANS";

House Bill No. 604 as Act 164, entitled: "RELATING TO THE HAWAII MEDICAL MALPRACTICE UNDERWRITING PLAN";

House Bill No. 616 as Act 165, entitled: "RELATING TO THE HIGHWAY SUPPLIES AND EQUIPMENT ACCOUNT";

House Bill No. 739 as Act 166, entitled: "RELATING TO STATE HIGHWAY CLEARING ACCOUNTS";

House Bill No. 740 as Act 167, entitled: "RELATING TO STATE HIGHWAY FUND";

House Bill No. 921 as Act 168, entitled: "RELATING TO THE ISSUANCE OF TEMPORARY RESTRAINING ORDERS IN CASES OF SPOUSE ABUSE AND OTHER DOMESTIC VIOLENCE";

House Bill No. 1216 as Act 169, entitled: "RELATING TO THE UNIFORM COMMERCIAL CODE"; and

House Bill No. 1665 as Act 170, entitled: "RELATING TO HOUSING".

Gov. Msg. No. 503 returning Senate Bill No. 1451, without his approval, together with the statement of objections relating to the measure which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 4, 1979

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 1451

Honorable Members
Tenth 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. 1451, entitled, 'A BILL FOR AN ACT RELATING TO HOUSING.'

Senate Bill No. 1451, which relates to housing, is almost identical to House Bill No. 1665, and approval of both bills would in effect constitute approval of duplicate measures. Since it is my intention to approve and to sign House Bill No. 1665, I am returning Senate Bill No. 1451 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 disapproval of 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. 1451, entitled, 'A Bill for an Act Relating to Housing,' passed by the Legislature, was presented to the Governor within the foregoing period; and

WHEREAS, Senate Bill No. 1451 is almost identical to House Bill No. 1665; and

WHEREAS, my signing of House Bill No. 1665 into law will render Senate Bill No. 1451 unnecessary;

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 intention to return Senate Bill No. 1451 with my objections thereon to the legislature of Hawaii as provided for by said section 16 of Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 4th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 504 informing the Senate that on June 5, 1979, he signed the following bills into law:

House Bill No. 79 as Act 171, entitled: "RELATING TO CHILD ABUSE";

House Bill No. 93 as Act 172, entitled:
"RELATING TO THE SMALL CLAIMS
COURT";

House Bill No. 435 as Act 173, entitled:
"RELATING TO OFFENSES AFFECTING
OCCUPATIONS";

House Bill No. 577 as Act 174, entitled:
"RELATING TO SERVICES FOR
INDIGENT CRIMINAL DEFENDANTS";

House Bill No. 606 as Act 175, entitled:
"RELATING TO PUBLIC ASSISTANCE";

House Bill No. 608 as Act 176, entitled:
"RELATING TO INVESTIGATORS
OF THE DEPARTMENT OF SOCIAL
SERVICES AND HOUSING";

House Bill No. 1039 as Act 177,
entitled: "RELATING TO THE STANDARD
FORM FIRE INSURANCE POLICY";

Senate Bill No. 1657 as Act 178,
entitled: "RELATING TO SUGAR
PRODUCERS CROP LOANS";

Senate Bill No. 1760 as Act 179,
entitled: "RELATING TO AERONAUTICS";

Senate Bill No. 1771 as Act 180,
entitled: "RELATING TO DEVELOPMENTAL
DISABILITIES";

House Bill No. 428 as Act 181, entitled:
"RELATING TO NUISANCE ABATEMENT";

House Bill No. 511 as Act 182, entitled:
"RELATING TO MOTOR VEHICLE
INDUSTRY LICENSING";

House Bill No. 1004 as Act 183,
entitled: "RELATING TO DURESS";

House Bill No. 1382 as Act 184,
entitled: "RELATING TO TERRORISTIC
THREATENING";

House Bill No. 1496 as Act 185,
entitled: "RELATING TO THE LIMITATION
OF ACTION FOR DAMAGES BASED
ON CONSTRUCTION TO IMPROVE
REAL PROPERTY";

House Bill No. 1633 as Act 186, entitled:
"RELATING TO THE MANUFACTURING
AND DISTRIBUTION OF COMMERCIAL
FEEDS IN THE STATE OF HAWAII";

House Bill No. 1648 as Act 187,
entitled: "RELATING TO THE EXEMPTION
OF NUTRITION PROGRAM ASSISTANTS";

House Bill No. 1663 as Act 188,
entitled: "RELATING TO VOCATIONAL
REHABILITATION"; and

House Bill No. 1664 as Act 189,
entitled: "RELATING TO BLIND
AND VISUALLY HANDICAPPED

PERSONS".

Gov. Msg. No. 505 informing the Senate
that on June 6, 1979, he signed the following
bills into law:

Senate Bill No. 86 as Act 190, entitled:
"RELATING TO INSURANCE";

Senate Bill No. 1284 as Act 191,
entitled: "RELATING TO THE UNIFORM
PROBATE CODE AND TRUSTS";

House Bill No. 173 as Act 192, entitled:
"RELATING TO INTOXICATING LIQUOR";

House Bill No. 1657 as Act 193, entitled:
"RELATING TO THE DEFINITION OF
DEATH"; and

House Bill No. 1658 as Act 194, entitled:
"RELATING TO CONTROLLED SUBSTANCES".

Gov. Msg. No. 506 transmitting his
statement of objections to House Bill
No. 98 which he has returned to the
House without his approval and which
reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 6, 1979

STATEMENT OF OBJECTIONS
TO HOUSE BILL NO. 98

Honorable Members
Tenth 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. 98, entitled,
'A Bill for an Act Relating to the Judicial
Salary Commission.'

House Bill No. 98 establishes a judicial
salary commission consisting of five
members to be appointed by the Governor
on or before September 30, 1979 and
every five years thereafter, which appointments
would be subject to confirmation by
the State Senate. Under the bill,
the commission would be required,
within ninety days after appointment,
to submit to the Governor, Legislature
and Chief Justice, its recommendations
for salaries or a salary plan for justices
and judges of all state courts. The commission's
functions would be purely advisory,
and after its recommendations were
made, the commission would dissolve.

Under the provisions of the bill,
unless the Senate were called into
special session to confirm the Governor's
appointments to the commission, the
commission would dissolve before any
member of the commission could be

confirmed, since the commission would be required to submit its recommended salary plan within ninety days from September 30, 1979 (or September 30 every five years thereafter) at the latest. If the Governor were to make temporary appointments to the commission, it would seem to violate the intent of the bill that the members thereof be confirmed by the Senate. Further, pursuant to Article V, Section 6 of the State Constitution, even if the Governor were to make temporary appointments to the commission, the commissioners could never be confirmed by the Senate at a regular session of the Legislature, since their appointments would have expired prior to commencement of any regular session.

For the foregoing reasons, I am returning House Bill No. 98 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. 98, entitled, 'A Bill for an Act Relating to the Judicial Salary Commission,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 98 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. 98 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, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 507 transmitting his statement of objections to House Bill No. 99 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 6, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 99

Honorable Members
Tenth 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. 99, entitled, 'A Bill for an Act Relating to the Judiciary.'

House Bill No. 99 establishes a Commission on Judicial Discipline 'which shall investigate and conduct hearings concerning allegations of judicial misconduct or disability and make recommendations to the supreme court concerning reprimand, discipline, suspension, retirement or removal of any justice or judge.' However, under Article VI, Section 5 of the State Constitution, as recently amended, it is provided that the Supreme Court, and not the Legislature, shall create the Commission. Therefore, to the extent that House Bill No. 99 legislatively establishes the Commission and provides for its structure, the bill appears to be unconstitutional.

Further, under House Bill No. 99, section 1 of the proposed chapter which would establish the Commission does not accurately quote the Constitutional provision relative to part of the Commission's functions. Under the Constitution, the Commission is authorized 'to make recommendations to the supreme court concerning reprimand, discipline, suspension, retirement or removal of any justice or judge.' Under the bill, the word 'reprisal' is used instead of 'reprimand.' The two terms, however, have different connotations and are not interchangeable. A 'reprimand' has been defined as a 'public and formal censure or severe reproof, administered to a person in fault by his superior officer or by a body to which he belongs.' The definitions of the word 'reprisal,' on the other hand, indicate that it is a retaliatory action, an action involving the payment

or giving of restitution. To construe the word 'reprisal,' in its normal sense, therefore, would render the statutory provision unconstitutional.

House Bill No. 99 also seeks to delete from Chapter 604-2, Hawaii Revised Statutes, the proviso that a district judge may be summarily removed from office by the Supreme Court. The deletion is being made to conform with that portion of Article VI, Section 5 of the State Constitution, as recently amended, which provides that:

'The supreme court shall have the power to reprimand, discipline, suspend with or without salary, retire or remove from office any justice or judge from misconduct or disability, as provided by rules adopted by the supreme court.'

However, the Legislature has already passed Senate Bill No. 50, which also amended Chapter 604-2, Hawaii Revised Statutes, to reflect the new constitutional changes relative to district judges.

For the foregoing reasons, I am returning House Bill No. 99 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. 99, entitled, 'A Bill for an Act Relating to the Judiciary,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 99 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.

99 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, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 508 transmitting his statement of objections to House Bill No. 1499, which he has returned to the House of Representatives without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 6, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1499

Honorable Members
Tenth 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. 1499, entitled, 'A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE AND TRUSTS.'

House Bill No. 1499 is practically identical to Senate Bill No. 1284, and approval of both bills would in effect constitute approval of duplicate measures. Since it is my intention to approve and to sign Senate Bill No. 1284, I am returning House Bill No. 1499 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 disapproval of 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. 1499, entitled, 'A Bill for an Act Relating to the Uniform Probate Code and Trusts,' passed by the legislature, was presented to the governor within the foregoing

period; and

WHEREAS, House Bill No. 1499 is practically identical to Senate Bill No. 1284; and

WHEREAS, my signing of Senate Bill No. 1284 into law will render House Bill No. 1499 unnecessary;

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 intention to return House Bill No. 1499 with my objections thereon to the legislature of Hawaii as provided for by said Section 16 of Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 6th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 509 informing the Senate that on June 7, 1979, he signed the following bills into law:

House Bill No. 189 as Act 195, entitled: "RELATING TO BOATING"; and

House Bill No. 890 as Act 196, entitled: "RELATING TO AN OFFICE ON HAWAIIAN AFFAIRS".

Gov. Msg. No. 510 informing the Senate that on June 8, 1979, he signed the following bills into law:

Senate Bill No. 1591 as Act 197, entitled: "RELATING TO ENVIRONMENTAL QUALITY COMMISSION AND ENVIRONMENTAL IMPACT STATEMENTS";

House Bill No. 177 as Act 198, entitled: "RELATING TO CONSUMER PROTECTION";

House Bill No. 1215 as Act 199, entitled: "TO AMEND SECTION 46-6, HAWAII REVISED STATUTES, RELATING TO PARKS AND PLAYGROUNDS FOR SUBDIVISIONS";

House Bill No. 1642 as Act 200, entitled: "RELATING TO COASTAL ZONE MANAGEMENT";

Senate Bill No. 599 as Act 201, entitled: "RELATING TO THE PENAL CODE";

Senate Bill No. 1230 as Act 202, entitled: "RELATING TO SENTENCING";

House Bill No. 696 as Act 203, entitled: "RELATING TO THE PREPARATION OF CERTIFICATES OF BIRTH FOR ADOPTED CHILDREN BORN IN A FOREIGN COUNTRY";

House Bill No. 1557 as Act 204, entitled: "RELATING TO COUNTY COMMITTEES ON THE STATUS OF WOMEN";

House Bill No. 1473 as Act 205, entitled: "RELATING TO THE HAWAII WING, CIVIL AIR PATROL";

House Bill No. 80 as Act 206, entitled: "RELATING TO NURSING HOMES"; and

House Bill No. 160 as Act 207, entitled: "RELATING TO PHYSICIANS COOPERATIVE".

Gov. Msg. No. 511 returning Senate Bill No. 77 without his approval, together with his statement of objections relating to the measure which reads as follows:

"STATE OF HAWAII
EXECUTIVE CHAMBERS

June 8, 1979

STATEMENT OF OBJECTIONS
TO SENATE BILL NO. 77

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 77, entitled, 'A Bill for an Act Relating to Agricultural Parks.'

The purpose of this bill is to designate the Department of Agriculture (DOA) as the lead agency responsible for management, operation and coordination of the agricultural park program and to establish a revolving fund for implementation of these responsibilities.

I am constrained to return the bill without my approval for the following reasons:

(1) Section 171-3 of the Hawaii Revised Statutes requires the Department of Land and Natural Resources (DLNR) to manage, administer and exercise control over public lands. This bill would impliedly repeal a portion of Section 171-3 by authorizing the DOA to manage, administer and exercise control over public lands used for agricultural parks.

Moreover, these provisions would conflict with the provisions of Section 171-114, H.R.S., which allow the Board of Land and Natural Resources (BLNR) to lease lands for agricultural purposes to farmers. Due to the possible conflicts between the DOA and the BLNR which Senate Bill No. 77 engenders by its ambiguous provisions, further legislation is required to more clearly delineate responsibilities, including clarification as to which statutes would be controlling.

(2) Senate Bill No. 77 establishes an agricultural park revolving fund which requires that 'all receipts and revenues available for purposes directly relating to...the management, operation and coordination of agricultural parks,' be deposited to this revolving fund. There is, however, no express revenue sources statutorily authorized for these purposes. Accordingly, there is uncertainty as to the types of revenues that will be deposited to this fund.

(3) The 1978 amendment to Article VII, Section 11 of the Hawaii State Constitution requires that all general fund appropriations shall be for specified periods. In an Attorney General's opinion dated March 9, 1979, it is stated that 'unless a specified term can be found in the language of the bill making the appropriation, such an appropriation is invalid under...Section 11.' Since the \$60,000 general fund appropriation authorized by this bill is not for a specified period, the appropriation appears to be in violation of Section 11.

For the foregoing reasons, I am returning Senate Bill No. 77 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. 77, entitled, 'A Bill for an Act Relating to Agricultural

Parks,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 77 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. 77 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 8th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 512 transmitting his statement of objections to House Bill No. 95 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 8, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 95

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 95, entitled, 'Relating to the Grand Jury.'

The purpose of this bill is to implement Article I, Section 11, of the Constitution of the State of Hawaii, as amended by the Hawaii Constitutional Convention of 1978, by providing for the grand jury counsel, and to provide a statutory framework for grand jury proceedings.

The specific language of the Constitution to which H.B. No. 95 is addressed reads:

'Whenever a grand jury is impaneled, there shall be an independent counsel appointed as provided by law to advise the members of the grand jury regarding matters brought before it. Independent counsel shall be selected from among those persons licensed to practice law by the supreme court of the State and shall not be a public employee.'

The term and compensation for independent counsel shall be as provided by law.'

On its face, H.B. No. 95 satisfies the constitutional mandate by providing that: (a) each grand jury proceeding conducted under the authority of the State shall be aided by grand jury counsel; (b) grand jury counsel shall be appointed and removed by the Chief Justice of the Supreme Court; (c) grand jury counsel shall be licensed to practice law before the Supreme Court of the State, and shall not be a public employee; (d) the term of grand jury counsel is for one year following appointment, with provision for extension of term and limitation on reappointment; (e) grand jury counsel shall be compensated on a daily basis at the same rate as per diem judges of the District Court; and (f) grand jury counsel shall serve as independent legal counsel to the grand jury, whose function is to advise the grand jury but prohibiting grand jury counsel from engaging in direct questioning of the witnesses or the prosecution.

The work 'advise' is not defined, qualified or limited in the subject legislation, nor is there any provision that would confine grand jury counsel's duties to advise or assist the grand jury by providing the grand jury with information as to the law in such cases as may come before them.

The Due Process Clauses of the Federal and State Constitutions circumscribe the extent of 'advice' or 'aid' that any attorney attending the grand jury may provide to the grand jury.

'Advise' is a broad term and as ordinarily used includes recommendations regarding a decision or course of conduct.

Due process requires that where the indictment mechanism is employed, it must be through an unprejudiced grand jury. Any advice or aid that would tend to induce action other than which the grand jurors in their uninfluenced judgment would deem warranted on the evidence fairly presented before them is deemed prejudicial and would result in tainted indictments.

Absent a limitation on the type of advice or aid grand jury counsel may provide to the grand jury, H.B. No. 95 is vulnerable to unconstitutional application.

Because of the foregoing constitutional problem, I am returning House Bill

No. 95 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. 95, entitled, 'Relating to the Grand Jury' passed by the Legislature was presented to the Governor within the aforementioned period; and

WHEREAS, House 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, 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. 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 8th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 513 transmitting his statement of objections to House Bill No. 166 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 8, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 166

Honorable Members
Tenth 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. 166, entitled, 'A Bill for an Act Relating to Food, Drugs, and Cosmetics.'

The purpose of this bill is to provide to consumers the opportunity to obtain prescription drugs at a cost savings by requiring dispensing pharmacists to substitute cheaper equivalent drugs for prescribed brand name drugs when filling prescriptions. I am strongly in favor of having a law that accomplishes such a worthwhile purpose and, in fact, my administration also submitted a bill on the same matter.

As originally introduced and passed by the House of Representatives, House Bill No. 166 would have designated the Department of Health as the agency responsible for establishment of the state drug formulary listing the equivalent drug products that the dispensing pharmacists could substitute. However, the Senate Committee on Health amended the bill to establish a new 'Generic Substitution Board' that had the authority to establish the state drug formulary of equivalent drug products. Unfortunately, the Senate Committee on Health failed to allocate and place the new 'Generic Substitution Board' within a principal department as is required by Section 6 of Article V (formerly Article IV) of the Constitution of the State of Hawaii and, therefore, the new board cannot be considered to be validly established. Since the new board will not be validly established by the bill, if it were enacted, a state drug formulary of equivalent drug products cannot be validly adopted and the worthwhile purpose of this bill cannot be achieved through the provisions of this bill.

Because of the constitutional objection, I believe that this bill cannot become effective law and I am herewith regretfully returning House Bill No. 166.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

"P R O C L A M A T I O N

WHEREAS, Section 16 of Article III of the Constitution of the State of Hawaii requires the Governor 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;

WHEREAS, House Bill No. 166, entitled, 'A Bill for an Act Relating to Food, Drugs, and Cosmetics,' considered by the Legislature during the 1979 Regular Session, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 166, establishing a new administrative board without allocating that board within a principal department as required by the Constitution of the State of Hawaii, 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. 166 with my objections.

DONE at the State Capitol,
Honolulu, State of Hawaii,
this 8th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 514 transmitting his statement of objections to House Bill No. 424 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 8, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 424

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 424, entitled, 'A Bill for an Act Relating to Criminal Tampering.'

As written, House Bill No. 424 permits the owner, operator, or passenger of one motor vehicle to release the brakes and move any unlocked, standing, unattended vehicle blocking or otherwise preventing the first vehicle from entering or leaving a parking location. In this form, House Bill No. 424 is overbroad in permitting tampering with any unlocked, standing, unattended vehicle, including those lawfully occupying the parking

location which is 'blocked' for purposes of this bill. In this posture, House Bill No. 424 authorizes actions which are clearly violative of due process protections afforded the owners of lawfully parked vehicles under both Federal and State Constitutions.

In light of the foregoing constitutional infirmity, I am returning House Bill No. 424 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. 424, entitled, 'A Bill for an Act Relating to Criminal Tampering,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 424 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. 424 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 8th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 515 transmitting his statement of objections to House Bill No. 1459 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 8, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1459

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16, Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1459, entitled, 'A Bill for an Act Relating to Towing Companies or Repair Businesses.'

The purpose of House Bill No. 1459 is to prevent the accumulation and the assessment of excessive storage fees by a towing company or a repair shop by limiting assessment of fees, unless the registered and legal owners of towed vehicles or vehicles left for repair are notified of the location of their vehicles.

Although the purpose and intent of the bill have merit, I am nevertheless constrained to return this bill without my approval for the following reasons:

(1) The bill requires towing companies and repair shops to notify registered owners, on the sixth day, of the location of their vehicles.

Failure to comply with the notification requirement bars the towing companies and repair shops from assessing fees beyond the day that they were required and failed to so notify the registered owner of the location of his vehicle.

The notification requirement is very precise and demands that notice be given on the sixth day, not before and not after. This places a tremendous burden on the towing companies and repair shops to comply on that particular date in order to avoid being precluded from assessing further storage fees.

No provision is made for prior or subsequent notification given to the registered owner. Prior notification should not result in precluding further charges, but the bill appears to do this. Subsequent notification should also cure any previous failure to notify inasmuch as the failure to claim the vehicle in such instance is attributable to the registered owner, but the bill does not so provide.

(2) Notification must be given

(2) Notification must be given on the sixth day by certified mail, restricted delivery, return receipt requested. Notwithstanding this strict requirement, the bill fails to state whether notice is effective on mailing or receipt.

(3) The bill requires that a second notice be sent to the legal owner on the sixteenth day. Yet, failure to do so does not result in any penalty, not even in arresting the continued assessment of storage fees. The only penalty results from failure to notify the registered owner.

(4) An undue burden is placed on towing companies and repair shops, since vehicle registration information has been declared to be confidential and the bill does not require disclosure for this purpose. The towing companies and repair shops may thus be unable to secure the necessary information in order to comply with the notification requirements.

(5) The bill also penalizes a repair shop, if it fails to give notice, even when a vehicle has been left at a shop without giving the shop authorization to initiate repairs. In this instance the bill puts a burden on the shop to issue a notice in a situation where storage was initiated by the owner and repair delayed by the owner's failure to authorize repairs.

For the foregoing reasons, I am herewith returning House Bill No. 1459 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. 1459, entitled, 'A Bill for an Act Relating to Towing Companies or Repair Businesses,' passed by the legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1459 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. 1459 with my objections thereon to the legislature as provided by said Section 16 of Article III of the Constitution of the State of Hawaii.

DONE at the State Capitol,
Honolulu, State of Hawaii
this 8th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 516 transmitting his statement of objections to House Bill No. 1338 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 9, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1338

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1338, entitled, 'A Bill for an Act Relating to the Aquarium.'

The purpose of House Bill No. 1338 is to eliminate all fees charged to the public for admission to the Waikiki Aquarium, to allow the aquarium to accept donations and to utilize moneys so received for the maintenance, operation and expansion of the aquarium.

Although the purpose and intent of House Bill No. 1338 have merit, I find certain ambiguities in the bill, which I feel will give rise to administrative difficulties. For example, this bill authorizes the receipt of donations 'by a nonprofit, educational foundation approved by the board of regents of the University of Hawaii. The nonprofit, educational foundation so approved shall establish a board of directors and a special fund for the purpose of receiving donations...' As the bill is presently worded, it is unclear whether this nonprofit,

educational foundation would be a private or public entity. If this is a public entity, impliedly the special fund must meet the requirements of chapter 37, Hawaii Revised Statutes.

Whether the foundation is a private or public entity, there is also an ambiguity as to who has ultimate responsibility over the foundation, the board of regents or the legislature. If the bill is construed as placing the responsibility for the foundation in the legislature, a constitutional question arises because the board of regents under the State Constitution has 'exclusive jurisdiction over the internal organization and management of the university.'

I also note that under existing law, the board of regents already has the authority to eliminate admission fees, so that further statutory authorization is not required. In that regard, because I favor the elimination of the admission fee, I hope the board of regents will take appropriate action to do so and to establish the mechanism and organization to handle the receipt of donations and to insure the proper handling of funds for the management and operation of the aquarium.

In view of the ambiguities abovementioned and because the board of regents is empowered under existing law to eliminate the fee for admission to the aquarium, I am returning House Bill No. 1338 without my approval.

Respectfully,

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

PROCLAMATION

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. 1338, entitled, 'A Bill for an Act Relating to the Aquarium', passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1338 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. 1338 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 9th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 517 informing the Senate that on June 9, 1979, he signed the following bills into law:

House Bill No. 2 as Act 208, entitled:
"RELATING TO THE JUDICIARY BUDGET";

House Bill No. 455 as Act 209, entitled:
"RELATING TO THE HAWAIIAN HOMES COMMISSION ACT";

House Bill No. 722 as Act 210, entitled:
"RELATING TO AGRICULTURAL LOANS";

House Bill No. 1394 as Act 211, entitled:
"RELATING TO INTEREST ON JUDGMENT";

House Bill No. 1581 as Act 212, entitled:
"RELATING TO MINIMUM FINANCE CHARGES ON RETAIL INSTALLMENT CONTRACTS"; and

House Bill No. 1680 as Act 213, entitled:
"RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AND MAKING AN APPROPRIATION THEREFOR".

Gov. Msg. No. 518 informing the Senate that on June 9, 1979, he signed the following bill into law:

House Bill No. 1 as Act 214, entitled:
"RELATING TO THE STATE BUDGET".

Gov. Msg. No. 519 transmitting his statement of objections to certain items contained in House Bill No. 1 which he has returned to the House without his approval and which reads as follows:

"STATE OF HAWAII EXECUTIVE CHAMBERS

June 9, 1979

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1

Honorable Members
Tenth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith House Bill No. 1, entitled, 'A Bill for an Act Relating to the State Budget.'

The purposes of this bill are to appropriate funds to the Executive Branch for operating and capital improvement expenditures for the 1979-81 fiscal biennium, and to authorize the issuance of bonds to fund capital improvement projects.

Although the purpose and intent have merit, I find certain items in House Bill No. 1 to be objectionable.

A. The following item is for a maintenance type project which is to be financed through general obligation bond funding. However, bond funds should not be utilized to fund such projects unless long-term benefits are involved. Therefore, I find unacceptable the following item:

	<u>Fiscal Year</u> <u>1979-80</u>	<u>Total Biennium</u> <u>1979-81</u>
(1) Part V, section 120, item K-6, page 227:		
'Hanalei River Project, Kauai. Design and construction for clearing of hau trees above the Hanalei bridge.'		
Construction	75	75
Total Funding	75C	75C

To the extent that the following item includes the appropriation for item A(1) above, I find it unacceptable and recommend that it be adjusted accordingly:

	<u>Fiscal Year</u> <u>1979-80</u>	<u>Total Biennium</u> <u>1979-81</u>
(2) Part III, section 4, item K-22, page 45:		
Public Lands Management (LNR 101)		
Investment: Capital	371,000C	371,000C

B. The Board of Education, in exercising their control over the public school system, formulates the statewide policies and priorities for the development of public library programs and facilities to help improve and enrich the intellectual development and to provide for leisure time activities for the public. These policies and priorities, which are adopted only after extensive review and hearings, presently do not include a commitment for the development of a library program in the Makiki area. It is through such programmed developmental plans, such as those proposed under the State General Plans, that logical, orderly, rational and efficient allocation of resources can be made to provide for equal services to the communities served. Therefore, I find unacceptable the following items:

- (1) Part IV B, section 107, page 88:

'Provided, that the general fund appropriation for Public Libraries (EDN 407) includes \$6,338 in fiscal year 1979-80 and \$6,338 in fiscal year 1980-81 to hire a library assistant for the Makiki Library.'

	<u>Fiscal Year</u> <u>1979-80</u>	<u>Total Biennium</u> <u>1979-81</u>
(2) Part V, section 120, item G-285, page 200:		
'Makiki Library, Oahu - Design and construction for renovations to the main floor mezzanine, including a second stairway, strengthening of railings and repair of light fixtures.'		
Construction	20	20
Total Funding	20C	20C

To the extent that the following items include the appropriations for items B(1) and (2) above, I find them unacceptable and recommend that they be adjusted accordingly.

- (3) Part III, section 5, item G-15, page 52:

	<u>Fiscal Year</u> <u>1979-80</u>	<u>Fiscal Year</u> <u>1980-81</u>	<u>Total Biennium</u> <u>1979-81</u>
Public Libraries (EDN 407)			
Operating	234,241A	101,634A	335,875A
(4) Part III, section 4, item G-19, page 29:			
Public Libraries (EDN 407)			
Investment:			
Capital	209,000C		209,000C

C. Among the many projects authorized in House Bill No. 1 which bear semblance to maintenance type projects, the following projects have been singled out as items constituting clear examples of repairs and maintenance projects. Such projects involve operational activities and should not be funded from general obligation bond fund sources. Bond fund financing should be utilized only for projects from which long-term benefits accrue. Therefore, the following items bordering on repair and maintenance are not acceptable:

	<u>Fiscal Year</u> <u>1979-80</u>	<u>Total Biennium</u> <u>1979-81</u>
(1) Part V, section 120, item G-192, page 184:		
'Anuenue Elementary School, Oahu - Design and construction for painting of the entire school.'		
Construction	46	46
Total Funding	46C	46C
(2) Part V, section 120, item G-135, page 173:		
'Kailua High School, Oahu - Plans and Construction for repaving of courtyard area.'		
Construction	5	5
Total Funding	5C	5C
(3) Part V, section 120, item G-210, page 187:		
'Kalani High School, Oahu - Design and construction for painting entire school.'		
Construction	135	135
Total Funding	135C	135C
(4) Part V, section 120, item G-211, page 187:		
'Koko Head Elementary School, Oahu - Design and construction for paint of interior and exterior of entire school except library.'		
Construction	60	60
Total Funding	60C	60C
(5) Part V, section 120, item G-284, page 200:		
'Kailua Library, Oahu - Plans and construction for repaving of the Kailua Library parking lot.'		
Plans	1	1
Construction	9	9
Total Funding	10C	10C

To the extent that the following items include the appropriations for items C(1) through C(5) above, I find them unacceptable and recommend that they be adjusted accordingly:

	Fiscal Year 1979-80	Total Biennium 1979-81
(6) Part III, section 4, item G-1, page 28:		
Regular Instruction Program (EDN 105)		
Investment: Capital	19,276,000C	19,276,000C

D. The construction and operation of a new leprosy facility at the Hale Mohalu site is an inappropriate use of public monies. At the present time, more than adequate accommodations and services are available for all leprosy patients. The current patient census does not warrant the construction of a new facility and would not serve the best interests of all leprosy patients, particularly those requiring higher levels of care. It would result in the fragmentation of services and would cost far more than what was appropriated in fiscal year 1980-81 to operate. For these reasons, the following items are unacceptable.

	Fiscal Year 1979-80	Fiscal Year 1980-81	Total Biennium 1979-81
(1) Part IV A, section 17, page 60:			
'Provided, that the general fund appropriation for Leprosy (HTH 111) includes \$255,791 in fiscal year 1980-81 for Hale Mohalu. Provided further, that the Department of Health may contract with private organizations.'			
(2) Part V, section 120, item E-2, page 131:			
'Hale Mohalu, Pearl City, Oahu - Plans, design and construction of leprosy facility. Unencumbered balances from Item 3H008 of 244/78 may be used to supplement this appropriation.'			
Design	25		25
Construction	325		325
Total Funding	350C		350C

To the extent that the following item includes the appropriations for items D(1) and (2) above, I find it unacceptable and recommend that it be reduced accordingly:

	Fiscal Year 1979-80	Fiscal Year 1980-81	Total Biennium 1979-81
(3) Part III, section 4, Item E-2, page 19:			
Leprosy (HTH 111)			
Operating		2,302,626A	4,299,632A
Investment: Capital	353,000C		353,000C

Because of the objections aforementioned, I am returning House Bill No. 1 without my approval of the stated items.

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. 1, entitled, 'A Bill for an Act Relating to the State Budget,' passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawaii, the Governor may veto or reduce any specific item or items in any bill which appropriates money for specific purposes; and

WHEREAS, House Bill No. 1 appropriates money for specific purposes; and

WHEREAS, certain items in House Bill No. 1 are 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. 1 with my objections to certain items thereof 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 9th day of June, 1979.

/s/ George R. Ariyoshi

GEORGE R. ARIYOSHI
Governor of Hawaii"

Gov. Msg. No. 520 informing
the Senate that on June 18, 1979,
he signed the following bill into
law:

House Bill No. 988 as Act 215, entitled:
"RELATING TO ARSON INVESTIGATION".

Gov. Msg. No. 521 transmitting
reports prepared by the Department
of Education in response to the following
resolutions adopted during the Regular
Session of 1979:

Senate Resolution No. 31 which
requested reports on violence,
vandalism and fires to school property;
and

Senate Resolution No. 32 which
requested a status report on the
asbestos situation in the public
schools.

Gov. Msg. No. 522 informing
the Senate that on June 21, 1979,
he signed the following bills into
law:

Senate Bill No. 87 as Act 216,
entitled: "RELATING TO THE ADMINIS-
TRATIVE PROCEDURE ACT";

Senate Bill No. 695 as Act 217,
entitled: "RELATING TO THE ELEVATOR
MECHANICS LICENSING BOARD";

House Bill No. 14 as Act 218, entitled:
"RELATING TO THE TAX REVIEW
COMMISSION";

House Bill No. 602 as Act 219, entitled:
"RELATING TO FINANCIAL INSTITUTIONS";

House Bill No. 605 as Act 220, entitled:
"RELATING TO PUBLIC ASSISTANCE";

House Bill No. 1232 as Act 221, entitled:
"RELATING TO LAND USE";

House Bill No. 1252 as Act 222, entitled:
"RELATING TO FARM LOANS";

House Bill No. 1661 as Act 223, entitled:
"RELATING TO CORPORATIONS";
and

House Bill No. 1671 as Act 224, entitled:
"RELATING TO CAMPAIGN SPENDING".

Gov. Msg. No. 523 informing the
Senate that on June 26, 1979, he signed
the following bills into law:

House Bill No. 438 as Act 225, entitled:
"RELATING TO SEXUAL OFFENSES";

House Bill No. 638 as Act 226, entitled:
"RELATING TO AN OKINAWAN CELEBRATION
COMMISSION";

House Bill No. 1341 as Act 227, entitled:
"RELATING TO RESIDENTIAL LEASEHOLD";

Senate Bill No. 32 as Act 228, entitled:
"RELATING TO DOMICILIARY CARE
(CONSTITUTIONAL AMENDMENTS
OF ARTICLE IX, SECTION 2)"; and

Senate Bill No. 1430 as Act 229,
entitled: "RELATING TO FISHING".

Gov. Msg. No. 524 informing the
Senate that after considerable study
and reflection, and after hearing the
impressive arguments of those who have
favored, and those who have opposed
it, he had permitted the following
measure to become law on June 26,
1979 without his signature:

House Bill No. 520 as Act 230, entitled:

"RELATING TO MINORS".

Gov. Msg. No. 525 transmitting
the Annual Report for the State Department
of Labor and Industrial Relations,
prepared pursuant to Sections 371-
7 and 26-20, Hawaii Revised Statutes.

DEPARTMENTAL COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Dept. Com. No. 16 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No. 217 (1979) requesting the FAA to adopt a regulation governing the promulgation of airport noise abatement plans.

Dept. Com. No. 17 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No. 44 (1979) relating to a feasibility study of inclusion of a survival guide in the phone directory on all islands.

Dept. Com. No. 18 from William R. Furtick, Dean, College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 250 (1979) which requested a report of developing intern work-experience programs of agriculture and noting that the report is being prepared under the supervision of Dr. Frank Hiob of the College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa and Dean Fred Tom of the School of Tropical Agriculture at Hilo.

Dept. Com. No. 19 from William R. Furtick, Dean, College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 454 (1979) honoring the services of Dean Shosuke Goto for his longstanding dedication and effort in promoting diversified agriculture.

Dept. Com. No. 20 from William R. Furtick, Dean, College of Tropical Agriculture and Human Resources, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 144 (1979), which asked for their efforts to study the reasons why the Hawaii mango and avocado are not permitted to be exported to the mainland and what specific actions could be undertaken to overcome the restrictions.

Dept. Com. No. 21 from Alma K. Cooper, Acting Provost, Windward Community College, acknowledging receipt of Senate Resolution No. 505 (1979) which congratulated Janice Kilbey for being selected the 1979 Truman Scholar from Hawaii.

Dept. Com. No. 22 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No.

265 (1979) which requested development and formulation of patient's rights standards.

Dept. Com. No. 23 from Wayne Minami, Attorney General, acknowledging receipt of Senate Resolution No. 385 (1979) declaring legislative support for, and urging all government agencies to support the development and utilization of alternate energy sources.

Dept. Com. No. 24 from Robert K. Sakai for Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa, acknowledging receipt of the following resolutions:

Senate Resolution No. 251 (1979), which requested the appointment of advisory committee to study and recommend improvements in the agricultural education programs of the University of Hawaii; and

Senate Resolution No. 432 (1979), which requested the University of Hawaii to recognize the exceptional accomplishments of the Environmental Studies Program.

Dept. Com. No. 25 from Robert Sakai for Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 454 and Senate Concurrent Resolution No. 120 (1979), which commended Dean Shosuke Goto for his longstanding dedication and effort in promoting diversified agriculture through the training of undergraduate students at the University of Hawaii.

Dept. Com. No. 26 from Robert Sakai for Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 486 (1979), which recognized Dr. Wasim A. Siddiqui of the University of Hawaii School of Medicine for his outstanding research efforts.

Dept. Com. No. 27 from Robert Sakai for Howard P. McKaughan, Acting Chancellor, University of Hawaii at Manoa, acknowledging receipt of Senate Resolution No. 493 (1979), which extended condolences and deepest sympathy to the family of Dr. George Woollard.

Dept. Com. No. 28 from Kory Kym Hirai, Chairperson, State Student Conference, Department of Education, transmitting the proceedings of the 1979 State Student Conference.

MISCELLANEOUS COMMUNICATIONS RECEIVED AFTER ADJOURNMENT
OF THE LEGISLATURE SINE DIE

Misc. Com. No. 41 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 134 (1979) which requested Congress to raise social security lump-sum death benefits, and Senate Resolution No. 135 (1979) which requested Congress to provide financial assistance to States disproportionately affected by immigration, and enclosing a copy of related correspondence that the Hawaii Congressional delegation has had with the Secretary of HEW regarding these initiatives.

Misc. Com. No. 42 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 110 (1979) regarding assistance to the sugar industry.

Misc. Com. No. 43 from Claro R. Capili, Sr., Acting Mayor, County of Maui, acknowledging receipt of Senate Resolution No. 456 (1979), recognizing the observance of National Secretaries Week, April 22 to 28, 1979.

Misc. Com. No. 44 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 110 (1979) regarding assistance to the sugar industry and reporting on the status of various Congressional legislation regarding the matter.

Misc. Com. No. 45 from Joseph Duffey, Chairman, National Endowment for the Humanities, acknowledging receipt of Senate Resolution No. 475 (1979) which honored Dave Warren and the 1979 Humanities Conference of the Hawaii Committee for the Humanities.

Misc. Com. No. 46 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 271 (1979) which requested the Federal Aviation Administration to adopt a regulation governing the promulgation of airport noise abatement plans.

Misc. Com. No. 47 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, informing the Senate that copies of Senator Inouye's Bill, S. 464, have been sent to Ms. Cheryl Huggins from the State of Washington.

Misc. Com. No. 48 from Toshio

Ishikawa, Acting Mayor, County of Maui, acknowledging receipt of Senate Resolution No. 200 (1979) declaring the protection of Hawaii's sugar industry as a matter of compelling State interest and urging all the people of Hawaii, including business establishments, to actively support the industry.

Misc. Com. No. 49 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 202 (1979) regarding Hawaii's State Chartered Banks.

Misc. Com. No. 50 from the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 202 (1979) requesting that the Congress of the United States exclude Hawaii's State-Chartered banks from the reserve requirements of any Federal reserve membership legislation under consideration.

Misc. Com. No. 51 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Resolution No. 85 (1975) pertaining to heroin for medical purposes, and Senate Resolution No. 403 (1979) relating to appropriations under the Public Health Service Act.

Misc. Com. No. 52 from Toshio Ishikawa, Acting Mayor, County of Maui, acknowledging receipt of Senate Resolution No. 386 (1979) requesting a study of the adequacy of signs and other emblems indicating the location of emergency medical facilities and hospitals.

Misc. Com. No. 53 from David M. Peters, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 27 (1979) concerning Tern Island; Senate Concurrent Resolution No. 60 (1979) regarding the Intergovernmental Planning Commission; and Senate Concurrent Resolution No. 70 (1979) relating to CETA participants.

Misc. Com. No. 54 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 217 (1979) relating to airport noise abatement.

Misc. Com. No. 55 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 403 (1979), relating to appropriations under the Public Health Service Act.

Misc. Com. No. 56 from Toshio Ishikawa, Acting Mayor, County of Maui, acknowledging receipt of Senate Concurrent Resolution No. 52 (1979) which requested a review by the State and county governments of certain employment practices and procedures.

Misc. Com. No. 57 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 85 (1979) pertaining to heroin for medical purposes.

Misc. Com. No. 58 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 217 (1979) concerning airport noise abatement.

Misc. Com. No. 59 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 27 (1979) concerning the educational programs for the handicapped.

Misc. Com. No. 60 from Ms. S. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 27 (1979), concerning Tern Island.

Misc. Com. No. 61 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 70 (1979) relating to CETA participants.

Misc. Com. No. 62 from Ms. C. Matano, Administrative Assistant to the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 60 (1979), regarding the Intergovernmental Planning Commission.

Misc. Com. No. 63 from Chieko Akiyama acknowledging receipt of Senate Resolution No. 288 (1979) which extended Hawaii's aloha to and congratulating the Shinsei Musical Group for its current concert tour of the State of Hawaii.

Misc. Com. No. 64 from D.F. Lauth, Rear Admiral, United States Coast Guard, acknowledging receipt of Senate Concurrent Resolution No. 27 (1979) which requested 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.

Misc. Com. No. 65 from Claro R. Capili, Acting Mayor, County of Maui, acknowledging receipt of Senate Concurrent Resolution No. 34 (1979) which designated April, 1979 as Cancer Control Month.

Misc. Com. No. 66 from Jack H. Watson, Jr., on behalf of the President of the United States, acknowledging receipt of various resolutions and noting that they have been forwarded to the appropriate officials for review and consideration.

Misc. Com. No. 67 from Toshio Ishikawa, Planning Director, County of Maui, acknowledging receipt of Senate Resolution No. 225 (1979) which related to natural hazard evaluation and earthquake prediction.

Misc. Com. No. 68 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 134 (1979) which requested Congress to raise the social security lump-sum death benefit.

Misc. Com. No. 69 from the Honorable Rodney N. Searle, Speaker of the House of Representatives, State of Minnesota, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative devices.

Misc. Com. No. 70 from Dorothy Heneberry, Secretary, The American National Red Cross, Washington, D.C., acknowledging receipt of Senate Resolution No. 460 (1979), commending Mrs. Stanley C. Kennedy for her outstanding Red Cross Volunteer services.

Misc. Com. No. 71 from Jonathan Howe, for Clark H. Onstad, Chief Counsel, Department of Transportation, Federal Aviation Administration, acknowledging receipt of Senate Resolution No. 217 (1979) concerning a petition for rule making submitted to the Federal Aviation Administration by the Air Transport Association of America.

Misc. Com. No. 72 from Claro R. Capili, Sr., Acting Mayor, County of Maui, acknowledging receipt of Senate Resolution No. 385 (1979) which declared legislature support for, and urging all government agencies to support the development and utilization of, alternate energy resources.

Misc. Com. No. 73 from the Honorable John A. Cherberg, Lieutenant Governor, State of Washington, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative devices.

Misc. Com. No. 74 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 133 and Senate Concurrent Resolution No. 27 (1979), which requested 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.

Misc. Com. No. 75 from the Honorable Michael H. O'Keefe, President of the Senate, State of Louisiana, acknowledging receipt of a resolution.

Misc. Com. No. 76 from Beverly H. Hamby, CPS, International President, The National Secretaries Association, acknowledging receipt of Senate Resolution No. 456 (1979) which recognized the observance of National Secretaries Week, April 22-28, 1979.

Misc. Com. No. 77 from Fred E. Anderson, President of the Senate, State of Colorado, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative devices.

Misc. Com. No. 78 from the Honorable Carl J. Stewart, Jr., Speaker of the House of Representatives, State of North Carolina, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative devices.

Misc. Com. No. 79 from the Honorable William Proxmire, United States Senator, acknowledging receipt of Senate Resolution No. 202 (1979) which asks for relief for Hawaii banks from reserve requirements of any Federal membership legislation.

Misc. Com. No. 80 from J. Brent Gigentanner, for Dale T. Coggeshall, Pacific Island Administrator, United States Department of the Interior, responding to Senate Resolution No. 401 (1979) which requested concurrence by the U.S. Department of the Interior with the State Department of Land and Natural Resources for access into the lagoons of the Northwestern Hawaiian Islands to capture baitfish for the purpose of a survey of surface tuna resources of the Leeward Hawaiian Islands.

Misc. Com. No. 81 from the Honorable H. Jack Seltzer, Speaker of the House of Representatives, Commonwealth of Pennsylvania, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative

devices.

Misc. Com. No. 82 from Patrick H. De Leon, Ph.D., MPH, Executive Assistant to the Honorable Daniel K. Inouye, United States Senator, acknowledging receipt of Senate Concurrent Resolution No. 27 (1979) which requested 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.

Misc. Com. No. 83 from Thomas W. Jernstedt, Assistant Executive Director, the National Collegiate Athletic Association, acknowledging receipt of Senate Resolution No. 355 (1979) which requested a study to determine whether martial art tournaments or similar sporting events should be under official state supervision and control, and responding thereto.

Misc. Com. No. 84 from Robert Anderson, Administrator, Office of Comprehensive Employment Development, U.S. Department of Labor, acknowledging receipt of Senate Concurrent Resolution No. 70 (1979) regarding the Comprehensive Employment and Training Act (CETA) average wage requirements and responding thereto.

Misc. Com. No. 85 from the Honorable William C. Phelps, Lieutenant Governor, State of Missouri, acknowledging receipt of Senate Resolution No. 17 (1979) regarding replacing catalytic converters on automobiles with alternative devices.

Misc. Com. No. 86 from Cornelius S. Ryan, Jr., Deputy Director, Community and Congressional Relations, Civil Aeronautics Board, Washington, D.C., acknowledging receipt of Senate Resolution No. 146 (1979) requesting the Board to assist Hawaiian agriculture in the area of air transportation.

Misc. Com. No. 87 from Jack H. Watson, Jr., on behalf of the President of the United States, acknowledging receipt of a resolution and noting that it has been forwarded to the appropriate officials for their review and consideration.

Misc. Com. No. 88 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 403 (1979) which requested the Hawaii Congressional delegation to ask the U.S. Congress to review appropriations under the Public Health Service Act, section 314 (d) and transmitting information regarding the matter.

Misc. Com. No. 89 from Cornelius S. Ryan, Jr., Deputy Director, Community and Congressional Relations, Civil Aeronautics Board, acknowledging receipt of Senate Resolution No. 146 (1979)

which requests the CAB to promote air transportation of cargo in Hawaii, particularly the transportation of agricultural produce and responding thereto.

Misc. Com. No. 90 from the Honorable Spark M. Matsunaga, United States Senator, acknowledging receipt of Senate Resolution No. 85 (1979) which requested the Attorney General of the United States to allow the use of heroin for medical purposes.

Misc. Com. No. 91 from Wally Staucke, Acting Associate Director, United States Department of the Interior, acknowledging receipt of Senate Resolution No. 401 (1979) concerning access into the lagoons of the Leeward Hawaiian Islands to capture baitfish.

Misc. Com. No. 92 from Elizabeth A. Abramowitz, Ph.D., Assistant Director for Education and Women's Issues, Domestic Policy Staff, The White House, Washington, D.C., acknowledging receipt of Senate Resolution No. 27 (1979) which requested the President and Congress to more fully fund the Education for All Handicapped Children Act of 1975 (P.L. 94-142), and commenting thereon.

Misc. Com. No. 93 from David Hales, Deputy Assistant Secretary for Fish and Wildlife and Parks, United States Department of the Interior, acknowledging receipt of Senate Resolution No. 133 and Senate Concurrent Resolution No. 27 (1979) concerning the Hawaiian Islands National Wildlife Refuge, and transmitting information on the matter.

Misc. Com. No. 94 from Ernest L. Boyer, U.S. Commissioner of Education, Department of Health, Education, and Welfare, Washington, D.C., acknowledging receipt of Senate Resolution No. 27 (1979) which requested the U.S. President and Congress to more fully fund educational programs for the handicapped.

Misc. Com. No. 95 from the Honorable Spark M. Matsunaga, United States Senator, transmitting a copy of a letter to Senator Mamoru Yamasaki regarding Senate Resolution No. 135 (1979) which requested Congress to provide financial assistance to states disproportionately affected by immigration.

Misc. Com. No. 96 from Paul H. Maeda, City Clerk, City and County of Honolulu, transmitting a copy of a Committee Report relative to Senate Resolution No. 385 (1979) declaring legislative support for, and urging all government agencies to support the development and utilization of, alternate energy resources, said report recommending that the City Administration be allowed to proceed in completing the task called for in Resolution 78-224 in preparing a Comprehensive Energy Self-Sufficiency Plan, and to submit a report back to the Council.

Misc. Com. No. 97 from Ruth C. Clusen, Assistant Secretary for Environment, Department of Energy, Washington, D.C., acknowledging receipt of Senate Resolution No. 17 (1979) urging a concerted national effort to replace the catalytic converters on automobiles with alternative devices and reporting on the matter thereof.

Misc. Com. No. 98 from Michael P. Walsh, Deputy Assistant Administrator for Mobile Source Air Pollution Control (ANR-455), United States Environmental Protection Agency, Washington, D.C., acknowledging receipt of Senate Resolution No. 17 (1979) urging a concerted national effort to replace the catalytic converters on automobiles with alternative devised and commenting on the matter thereof.

Misc. Com. No. 99 from the Honorable Eduardo E. Malapit, Mayor, County of Kauai, acknowledging receipt of Senate Resolution No. 60 (1979) which proposes to assign all road maintenance work to the respective counties and commenting that it was his feeling that this assignment would double the County of Kauai's road maintenance responsibilities and emphasized that sufficient funds should be appropriated to the counties should these added functions be assumed.

RULES OF THE SENATE

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RULES OF THE SENATE
of the
TENTH LEGISLATURE OF THE STATE OF HAWAII

The following Rules shall be the Rules of the Senate of the Tenth 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 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 may, by a majority vote, 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 perform his duties.

(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 his 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 his warrant, 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. He shall see that all officers of the Senate perform their respective duties, and may assign places to visitors and reporters. He 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.

Rule 4. The Vice-President

The Vice-President shall exercise all the duties and powers of the President in his absence.

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

(1) The Clerk shall have charge of all records of the Senate and shall be responsible for the same. At no time shall he permit original documents to be withdrawn from his keeping unless ordered by the Senate.

(2) He shall 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, he shall read all bills, resolutions and other matters (if so required) to the Senate.

(4) He shall forward at once all letters, messages, communications and other matters to the proper parties.

(5) He shall immediately deliver to the Chairman of the appropriate committee all petitions, resolutions, bills or other matters duly referred to such committee.

(6) He shall see that all bills and resolutions are properly engrossed and are correct and true as finally acted upon by the Senate.

(7) He shall 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) He shall pay all bills and accounts as shall be approved by the Committee on Legislative Management, or ordered by the Senate, and no others.

(9) He shall be responsible for the acquisition and distribution of all of the property of the Senate.

(10) He shall 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) He shall do and perform all other clerical duties and functions pertaining to the Office of the Clerk and as the Senate shall from time to time direct. He 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 his duties and attend to such other duties as may be required when so directed by the President.

Rule 8. Chaplain

A Chaplain shall attend each day's sitting of the Senate and open the same with prayers.

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 of his 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 his duties.

An oath of office shall be administered to each officer.

Rule 11. Pay of Members, Officers and Employees

(1) Until otherwise provided by law, each member of the Senate, upon being elected or appointed to office, shall receive as compensation for his services \$12,000 a year, payable in equal monthly amounts, during the term for which he was elected or appointed.

(2) The officers, except the President and Vice-President, and the employees shall receive compensation as the Senate shall fix by resolution.

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 minority party shall be represented on all standing committees on the basis of proportional representation. The nomination of the minority members to all standing committees shall be made by the minority.

(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.

(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 excuse himself from serving on any committee at the time of his appointment, if he 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 Tenth legislative session. 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, public libraries, culture and the 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, 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 insure 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, 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 and water resources, promotion, enhancement, and conservation of energy-related natural resources, marine resource development, industrial and product promotion, new industry development, and financial and technical assistance to business.
- (6) Committee on Agriculture, whose scope shall be those programs relating to agriculture.
- (7) Committee on Tourism, whose scope shall be those programs relating to tourism.
- (8) Committee on Housing and Hawaiian Homes, whose scope shall be those programs relating to housing and Hawaiian Homes.

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 (except programs directly related to the Revisor of Statutes), 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.
- (11) Committee on Public Utilities, whose scope shall be those programs relating to the regulation of public utilities.

ECOLOGY, ENVIRONMENT AND RECREATION

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, conserve natural resources and to provide recreational opportunities. The Standing Committee for this major subject matter area shall be:

- (12) Committee on Ecology, Environment and Recreation, whose scope shall be those programs relating to environment quality control, environmental health, outdoor recreation, State parks and historic sites development and protection.

GOVERNMENT OPERATIONS AND EFFICIENCY

This major subject matter area covers those programs which are intended to promote government efficiency. The Standing Committee for this major subject matter area shall be:

- (13) Committee on Government Efficiency, whose scope shall be those programs relating to government personal property management, archives, and government communications 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:

- (14) 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:

- (15) 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.

INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote effective cooperation and coordination among the various levels of government. The Standing Committee for this major subject matter area shall be:

- (16) Committee on Intergovernmental Relations, whose scope shall be those programs relating to military and civil defense, relations among the federal, state and county governments and matters of primary concern to particular counties.

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:

- (17) 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 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.

It shall be the duty of the Committee on Ways and Means to inform the Committee on Intergovernmental Relations of the amount and type of financial resources available for the General Improvements Bill, which shall include capital improvement appropriations other than those included in the General Appropriations Bill or Supplemental Appropriations Bill. It shall review the recommendations of the Committee on Intergovernmental Relations to determine that the recommendations are consistent with the resources available, and it shall prepare the General Improvements Bill in a form appropriate for consideration by the Senate.

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 Intergovernmental Relations: Special Responsibility

It shall be the duty of the Committee on Intergovernmental Relations to consider and recommend to the Committee on Ways and Means the General Improvements Bill, which shall include capital improvement appropriations other than those included in the General Appropriations Bill or Supplemental Appropriations Bill.

Rule 19. Committee on Legislative Management: Special Responsibility

It shall be the duty of the Committee on Legislative Management to oversee the administrative operations of the Senate, including the supervision of accounting and printing services.

The committee shall make recommendations on the expenses to be included in the appropriation

bills providing for the expenses of the legislature, and it shall control the expenses of the Senate in accordance with the appropriation acts providing for such expenses. It shall audit and settle all accounts which may be charged to the expenses of the Senate, and it shall audit the accounts of the members. No bills shall be incurred without the order of the committee, and it shall not be lawful for any bill to be paid until the same shall have been audited by the committee. It shall from time to time direct the Clerk to draw drafts on the treasury for the payment of expenses of the Senate. The committee shall report weekly to the Senate on the status of Senate funds.

It shall also be the duty of the committee to review, as may be appropriate, the organization and process of the Senate and to make recommendations to promote greater efficiency and effectiveness.

Rule 20. 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 shall in coordination with other committees of the House or Senate, 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 21. 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 22. 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 said 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.

Rule 23. Committee of the Whole

(1) The Senate may from time to time 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 shall then 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 may, on motion, 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 24. 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 by motion or resolution duly adopted and entered in the Journal, designate.

(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 shall, by motion, decide from time to time.

Rule 25. Attendance

No member shall absent himself from the sessions of the Senate unless he has leave, or unless he is sick and unable to attend.

Rule 26. 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 27. 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 and shall be recessed pursuant to Article III, Section 10, of the Constitution.

Rule 28. Special Sessions

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.

Rule 29. 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 30. 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 31. 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 may, by resolution, 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 32. 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 he deems should be confidential and private, he shall communicate his 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 33. 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 34. Nominations

(1) When nominations, except those of judges, shall be made by the Governor to the Senate, they shall, unless otherwise ordered, be referred to appropriate standing committees; and 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) Nominations of judges shall be pursuant to Article VI, Section 3, of the State Constitution.

Rule 35. 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 36. Order of Business: General

After prayer, 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 37. Order of Business: Special

The Senate may, by previous motion, 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 38. 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 such messages or reports shall not however be in order for discussion when received, but shall be placed on the calendar as unfinished business.

Rule 39. Order of Business: Order of the Day

After the first seven orders of business (set forth in Rule 36), 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 40. 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 41. 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 42. Bills: Introduction

Any bill may be introduced on the report of a committee or by any member.

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, sub-paragraphs, 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 43. Bills: Referral to Committee

(1) All bills shall, upon introduction, be numbered by the Clerk in numerical sequence, shall bear an identification as a Senate Bill, shall, unless they are short form bills, 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 the same 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. ____ entitled _____ begs leave to report that your Committee has considered said 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. ____ entitled _____ begs leave to report that your Committee has considered said 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 44. 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 45. 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 46. Bills: Second Reading

A bill upon its second reading, may be read by its title only. It shall then 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 47. 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. The 48-hour period for a bill shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member to which the Senate is entitled upon the convening of or during each day's session.

(2) A Bill on its third or final reading may be read by its title only, and the President shall then 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 48. 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, subject however to the right of the House of Representatives to amend or to refuse to agree with the same.

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 49. 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 50. Matters Tabled

When a bill or resolution or other matter has been laid upon the table, it shall not thereafter be taken therefrom and be considered or restored to a place upon the calendar of the Senate without the consent of a majority.

Rule 51. 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 52. Bills: Certification

When a bill is passed it shall be certified by the Clerk who shall note the day of its passage at the foot thereof.

Rule 53. 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 54. 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 session originating in the House passes its third reading in the Senate in an even-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 55. 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 same may be returned by Concurrent Resolution to the House last considering the same for proper correction.

Rule 56. Bills: Order of Consideration

(1) Bills which pass the First Reading shall be arranged in the order of their introduction, and a list shall be made in accordance therewith to be called the Second Reading File and when the time arrives for consideration, they may be considered in the order on the file.

(2) Bills which pass the Second Reading shall be arranged in the order of their passage, irrespective of the date of reference to Committee, or of the Committee report, and shall be in order for consideration on Third Reading as arranged. A list shall be made in such order to be called the Third Reading File. Whenever the Third Reading of any bill is set for any particular date, such bill shall be omitted from the Third Reading File.

(3) Resolutions or other matters on which consideration is not had and completed on the date of introduction into the Senate if not ordered for consideration at a stated date, shall be placed upon the general file in the order of consideration with bills.

Rule 57. 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.

Rule 58. Bills: Pre-Filing

The Clerk shall accept bills to be pre-filed within ten days before the commencement of the regular session in the even-numbered year.

PART VI. RESOLUTIONS; MOTIONS

Rule 59. Resolutions and Motions: Form

All resolutions shall be written in ink or typewritten upon letter cap paper, dated and signed by the introducer, otherwise they shall not be considered. Motions and amendments, except as below provided, 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 60. Motions: Second Required

No motion shall be received and considered by the Senate until same shall be seconded.

Rule 61. 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 62. 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.

(1) The first two motions shall be decided without debate and shall be put as soon as made.

(2) When any of said 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 63. Matters Postponed Indefinitely

When a question is postponed indefinitely, the same shall not be acted upon again during the session in which it was introduced.

Rule 64. 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 two-thirds 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 61, shall be put. The author or introducer may delegate to another such right to close.

Rule 65. 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, 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 66. Petitions, Memorials, and Miscellaneous Communications

- (1) Any person may petition the Senate. Petitions and other memorials 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 67. 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 68. Debate: General Limitation

No member shall speak more than twice, unless he be the movant of the matter pending, in which case he shall not be permitted to speak in reply until every member choosing to speak shall have spoken.

Rule 69. 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 shall then call upon all voting in the negative of the question to vote "No." The President shall then announce the result to the Senate.
- (3) If any member shall doubt the result, as announced, the President shall again 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 shall be again 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. The Senate may, unless otherwise prescribed by these rules, on motion, 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 70. Voting: Rights of Members

(1) No member shall, on any account, refrain from voting unless excused by the President. A member may vote "Kanalua" the first time his name is called by the Clerk on any vote, but if he votes "Kanalua" on the next call of his name, his 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 he or she may have such 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 his vote.

(4) After the announcement by the President of the result, no one shall be allowed to vote or to change his vote.

PART IX. DECORUM; DISCLOSURES; PUNISHMENT

Rule 71. 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 him and have opportunity to present evidence and be heard in his 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 may by a majority vote censure a member or, upon a two-thirds vote of all the members of the Senate, suspend or expel a member.

Rule 72. Decorum: Transgression of Rules

If any member transgresses the rules of the Senate, the President, or any member, may call him to order, and, when so called to order, shall immediately sit down. The President shall then 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 73. Decorum: Address

When any member is about to speak, he shall rise from his seat and address himself to "Mr. President." While speaking, he shall confine himself to the question under debate, shall refer to his fellow 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 74. Decorum: Person Called to Order While Speaking

Whenever any person shall be called to order while speaking, he 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 75. 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 76. 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 77. Decorum: Disorderly Conduct in Session

If, during any session of the Senate, any member shall conduct himself in a disorderly manner the President shall order such member to keep his seat and preserve the peace. If such member shall then persist in his disorderly conduct, the President shall order the Sergeant-at-Arms to remove him from the Senate and he shall not be permitted to take his seat during the remainder of that day's session, except upon satisfactory pledge given by him to the Senate for future good behavior.

For the punishment of any person not a member, the provision of Section 18, Article III, of the Constitution shall govern.

Rule 78. Decorum: Recording of Debate Called to Order

If any Senator is called to order for words spoken in debate, upon his 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 79. 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 80. 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 of contributions for any purpose on the floor or in the lobby of the Senate or in any Senate office.

Rule 81. Disclosures

Each member shall file with the Ethics Commission of the State of Hawaii a disclosure of his or her private financial interests, as prescribed by law. Each member shall file with the Ethics Commission any change in his or her financial interests, and each member shall file with the President a copy of all disclosures made to the Ethics Commission.

If a legislative matter which affects a member's interests arises before the member has made a disclosure to the Ethics Commission and the President, the member shall orally disclose his or her 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.

All disclosures filed with the President shall be available for examination by the public.

Rule 82. Violating Confidence

If any matter covered in Rule 33 or 34 shall be disclosed by any Senator, he 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 same, 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 83. Questions to State Officers

Any member of the Senate may ask any question of any State officer relating to his respective department by reducing such questions to writing, over his signature, and 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 him a definite extension of time for replying.

PART XI. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 84. Amendments

(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 85. 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.