

THIRTY-FIFTH DAY

Wednesday, March 12, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:00 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Bishop Yoshiaki Fujitani of the Honpa Hongwanji Mission of Hawaii, State Headquarters, after which the Roll was called showing all Senators present.

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

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

Senator Anderson introduced fifty members of the Areawide Horizons Senior Citizens Club from Haleiwa.

Senator Kuroda introduced Mr. and Mrs. Sid Smith from Santa Barbara, California, who were accompanied by Mrs. Francis Ordenstein. Mr. Smith is a former Governor of the Kiwanis Club for the California-Nevada-Hawaii District.

Senator Yee then introduced 25 members of the senior class at St. Louis High School, with their teacher, Mr. Rod Santos.

MESSAGE FROM THE GOVERNOR

A message from the Governor (Gov. Msg. No. 104), transmitting the State's C.I.P. Status Report - Construction Summary, which was prepared by the Department of Planning and Economic Development, was read by the Clerk and was referred to the Committee on Ways and Means.

DEPARTMENTAL COMMUNICATION

A communication from the Office of the Director, Department of Regulatory Agencies, (Dept. Com. No. 21), acknowledging receipt of a copy of Senate Resolution No. 54, S.D. 1, (1980), was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 126 to 247) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 126), transmitting House Bill No. 273, H.D. 2, which passed Third Reading in the House

of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 273, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTER'S INCOME TAX CREDIT", 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. 127), transmitting House Bill No. 521, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 521, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMOKING", passed First Reading by title and was referred jointly to the Committee on Health and the Committee on Government Operations and Efficiency.

A communication from the House (Hse. Com. 128), transmitting House Bill No. 1784-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1784-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed First Reading by title and was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 129), transmitting House Bill No. 1811-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1811-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 130), transmitting House Bill No. 1873-80 which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1873-80, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES",

passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 131), transmitting House Bill No. 1875-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1875-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HORIZONTAL PROPERTY REGIME", passed First Reading by title and was referred jointly to the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 132), transmitting House Bill No. 1947-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1947-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", passed First Reading by title and was referred to the Committee on Public Utilities, then to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 133), transmitting House Bill No. 1964-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1964-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 134), transmitting House Bill No. 1965-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1965-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ACCESS TO GOVERNMENT", 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. 135), transmitting House Bill No. 1987-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1987-80, entitled: "A BILL FOR AN ACT RELATING TO 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. 136), transmitting House Bill No. 1991-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1991-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 137), transmitting House Bill No. 1992-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1992-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES", 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. 138), transmitting House Bill No. 2035-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2035-80, 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. 139), transmitting House Bill No. 2053-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2053-80, 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.

A communication from the House (Hse. Com. No. 140), transmitting House Bill No. 2063-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2063-80, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 141), transmitting House Bill No. 2093-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2093-80, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", 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. 142), transmitting House Bill No. 2128-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2128-80, entitled: "A BILL FOR AN ACT RELATING TO INTAKE SERVICE CENTERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 143), transmitting House Bill No. 2177-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2177-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY EMPLOYMENT PRACTICES", 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. 144), transmitting House Bill No. 2178-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980,

was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2178-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 145), transmitting House Bill No. 2185-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2185-80, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE OFFICE OF THE ASSISTANT REGISTRAR OF THE LAND COURT IN THE STATE BUREAU OF CONVEYANCES", 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. 146), transmitting House Bill No. 2188-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2188-80, H.D. 2, 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. 147), transmitting House Bill No. 2218-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2218-80, 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. 148), transmitting House Bill No. 2262-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2262-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse.

Com. No. 149), transmitting House Bill No. 2297-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2297-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, TECHNICAL, AND VOCATIONAL SCHOOLS", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Consumer Protection and Commerce, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 150), transmitting House Bill No. 2328-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2328-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 151), transmitting House Bill No. 2368-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2368-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING 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. 152), transmitting House Bill No. 2410-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2410-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED AND DERELICT VEHICLES", 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. 153), transmitting House Bill No. 2428-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2428-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VESSELS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 154), transmitting House Bill No. 2443-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2443-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 155), transmitting House Bill No. 2458-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2458-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 156), transmitting House Bill No. 2472-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2472-80, 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.

A communication from the House (Hse. Com. No. 157), transmitting House Bill No. 2535-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2535-80, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY FUEL IMPORTERS, MANUFACTURERS, DISTRIBUTORS, AND EXPORTERS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 158), transmitting House Bill No. 2537-80, H.D. 1, which passed

Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2537-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 159), transmitting House Bill No. 2551-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2551-80, 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.

A communication from the House (Hse. Com. No. 160), transmitting House Bill No. 2572-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2572-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL OPERATORS LAW", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 161), transmitting House Bill No. 2625-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2625-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OCCUPATIONAL AND CAREER INFORMATION", 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. 162), transmitting House Bill No. 2660-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2660-80, 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, then to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 163), transmitting House Bill No. 2733-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2733-80, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", 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. 2773-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2773-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BONDS", passed First Reading by title and was referred to the Committee on Ways and Means.

A communication from the House (Hse. Com. No. 165), transmitting House Bill No. 2809-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2809-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDUCT OF ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 166), transmitting House Bill No. 2822-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2822-80, H.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND", 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. 167), transmitting House Bill No. 2850-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2850-80, entitled: "A BILL

FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", 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. 168), transmitting House Bill No. 2889-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2889-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION", 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. 169), transmitting House Bill No. 2944-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2944-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", 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. 170), transmitting House Bill No. 3047-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3047-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", 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. 171), transmitting House Bill No. 1782-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1782-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY", 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.

A communication from the House (Hse. Com. No. 172), transmitting House Bill No. 1807-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1807-80, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION EMPLOYMENT PROGRAMS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 173), transmitting House Bill No. 1813-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1813-80, 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.

A communication from the House (Hse. Com. No. 174), transmitting House Bill No. 1945-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1945-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 175), transmitting House Bill No. 1985-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1985-80, 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.

A communication from the House (Hse. Com. No. 176), returning Senate Bill No. 2134-80, which passed Third Reading in the House of Representatives on March 10, 1980, in an amended form, was placed on file.

By unanimous action on S.B. No. 2134-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD, DRUGS, AND COSMETICS", was deferred until Thursday, March 13, 1980.

A communication from the House (Hse. Com. No. 177), transmitting House Bill No. 2163-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2163-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOLIDAYS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 178), transmitting House Bill No. 2219-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2219-80, 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. 179), transmitting House Bill No. 2226-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2226-80, 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. 180), transmitting House Bill No. 2322-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2322-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 181), transmitting House Bill No. 2454-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2454-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION

CONTROL BONDS", 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. 2540-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2540-80, 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. 183), transmitting House Bill No. 2555-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2555-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS OF SOLAR ENERGY DEVICES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 184), transmitting House Bill No. 2558-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2558-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 185), transmitting House Bill No. 2589-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", 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. 186), transmitting House Bill No. 2590-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 2590-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", 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. 187), transmitting House Bill No. 2666-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2666-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 188), transmitting House Bill No. 2668-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2668-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION AND PRACTICE", 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. 2732-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2732-80, 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. 190), transmitting House Bill No. 2810-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2810-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 191), transmitting House Bill No. 3046-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3046-80, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", passed First Reading by title and was referred to the Committee on Transportation.

A communication from the House (Hse. Com. No. 192), transmitting House Bill No. 1775-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1775-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 193), transmitting House Bill No. 1777-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1777-80, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN AND EXECUTIVE BUDGET", 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. 194), transmitting House Bill No. 1957-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1957-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 195), transmitting House Bill No. 1958-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried,

H.B. No. 1958-80, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF SICK LEAVE CREDITS WITH WORKERS' COMPENSATION 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. 196), transmitting House Bill No. 1997-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1997-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 197), transmitting House Bill No. 2059-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2059-80, 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. 198), transmitting House Bill No. 2073-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2073-80, 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.

A communication from the House (Hse. Com. No. 199), transmitting House Bill No. 2173-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2173-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES", 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. 200), transmitting House Bill No. 2191-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2191-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 201), transmitting House Bill No. 2224-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2224-80, 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.

A communication from the House (Hse. Com. No. 202), transmitting House Bill No. 2286-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2286-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 203), transmitting House Bill No. 2318-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2318-80, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS" passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 204), transmitting House Bill No. 2319-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2319-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 205), transmitting House Bill No. 2362-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2362-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 206), transmitting House Bill No. 2388-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2388-80, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT SCHOOL ADVISORY COUNCILS", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 207), transmitting House Bill No. 2418-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2418-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 208), transmitting House Bill No. 2533-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 209), transmitting House Bill No. 2577-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2577-80, 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. 210), transmitting House Bill No. 2646-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2646-80, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", 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. 211), transmitting House Bill No. 2661-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2661-80, H.D. 1, 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.

A communication from the House (Hse. Com. No. 212), transmitting House Bill No. 2669-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2669-80, 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 Judiciary.

A communication from the House (Hse. Com. No. 213), transmitting House Bill No. 2680-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2680-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS", 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. 214), transmitting House Bill No. 2712-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi,

seconded by Senator Anderson and carried, H.B. No. 2712-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF TEACHERS", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 215), transmitting House Bill No. 2795-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2795-80, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 216), transmitting House Bill No. 2816-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2816-80, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 217), transmitting House Bill No. 2842-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2842-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", passed First Reading by title and was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 218), transmitting House Bill No. 2845-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2845-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRIMARY ELECTIONS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 219), transmitting House Bill No. 2870-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2870-80, entitled: "A BILL FOR AN ACT RELATING TO LEASEHOLDS", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 220), transmitting House Bill No. 2929-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2929-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 221), transmitting House Bill No. 3048-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3048-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed First Reading by title and was referred to the Committee on Health.

A communication from the House (Hse. Com. No. 222), transmitting House Bill No. 721, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 223), transmitting House Bill No. 1685, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1685, 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. 224), transmitting House Bill No. 1787-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B.No. 1787-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON THE HANDICAPPED", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 225), transmitting House Bill No. 1826-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1826-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 226), transmitting House Bill No. 1925-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1925-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO 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. 227), transmitting House Bill No. 1982-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 1982-80, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF PUBLIC LANDS", passed First Reading by title and was referred to the Committee on Economic Development.

A communication from the House (Hse. Com. No. 228), transmitting House Bill No. 2051-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2051-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 229), transmitting House Bill No. 2168-80, H.D. 1, which

passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2168-80, 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.

A communication from the House (Hse. Com. No. 230), transmitting House Bill No. 2175-80, which passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2175-80, entitled: "A BILL FOR AN ACT RELATING TO NAMES", 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. 231), transmitting House Bill No. 2225-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2225-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COSTS AND FEES", 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. 232), transmitting House Bill No. 2321-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2321-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 233), transmitting House Bill No. 2339-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS", passed First Reading by title and was referred to the Committee on Transportation, then to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse.

Com. No. 234), transmitting House Bill No. 2367-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2367-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF 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. 235), transmitting House Bill No. 2372-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2372-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELECTIVE EMPLOYMENT AND THE CIVIL SERVICE", passed First Reading by title and was referred to the Committee on Human Resources.

A communication from the House (Hse. Com. No. 236), transmitting House Bill No. 2448-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2448-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE", 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. 2487-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed First Reading by title and was referred to the Committee on Education.

A communication from the House (Hse. Com. No. 238), transmitting House Bill No. 2629-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

HOUSING", passed First Reading by title and was referred to the Committee on Housing and Hawaiian Homes.

A communication from the House (Hse. Com. No. 239), transmitting House Bill No. 2674-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2674-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 240), transmitting House Bill No. 2711-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2711-80, 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.

A communication from the House (Hse. Com. No. 241), transmitting House Bill No. 2789-80, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2789-80, 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. 242), transmitting House Bill No. 2826-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2826-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY OF DOG OWNERS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 243), transmitting House Bill No. 2874-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2874-80, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ENVIRONMENTAL QUALITY", passed First Reading by title and was referred jointly to the Committee on Ecology, Environment and Recreation and the Committee on Human Resources.

A communication from the House (Hse. Com. No. 244), transmitting House Bill No. 2892-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2892-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", passed First Reading by title and was referred to the Committee on Consumer Protection and Commerce.

A communication from the House (Hse. Com. No. 245), transmitting House Bill No. 2930-80, H.D. 1, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2930-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed First Reading by title and was referred to the Committee on Judiciary.

A communication from the House (Hse. Com. No. 246), transmitting House Bill No. 3045-80, which passed Third Reading in the House of Representatives on March 11, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 3045-80, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", 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. 247), transmitting House Bill No. 2196-80, H.D. 2, which passed Third Reading in the House of Representatives on March 10, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.B. No. 2196-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION", passed First Reading by title and was referred jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Ways and Means.

SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 39), entitled: "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO ESTABLISH MANDATORY CREDIT CONTROLS FOR FINANCIAL INSTITUTIONS", was offered by Senator Yee and was read by the Clerk.

By unanimous consent, S.C.R. No. 39 was referred to the Committee on Economic Development.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 175 to 178) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 175), entitled: "SENATE RESOLUTION URGING CONGRESS TO ESTABLISH MANDATORY CREDIT CONTROLS FOR FINANCIAL INSTITUTIONS", was offered by Senator Yee.

By unanimous consent, S.R. No. 175 was referred to the Committee on Economic Development.

A resolution (S.R. No. 176), entitled: "SENATE RESOLUTION URGING CONGRESS AND THE PRESIDENT TO IMPLEMENT MANDATORY WAGE AND PRICE CONTROLS", was jointly offered by Senators Yee, Kawasaki, Ajifu, Saiki and Carroll.

By unanimous consent, S.R. No. 176 was referred to the Committee on Economic Development.

A resolution (S.R. No. 177), entitled: "SENATE RESOLUTION REQUESTING A STATUS REPORT ON THE NEW FUEL OIL SUPPLY CONTRACTS FOR VARIOUS OAHU ELECTRIC GENERATING PLANTS", was jointly offered by Senators Chong and Yim.

By unanimous consent, S.R. No. 177 was referred to the Committee on Public Utilities.

A resolution (S.R. No. 178), entitled: "SENATE RESOLUTION CONGRATULATING ROOSEVELT HIGH SCHOOL ON ITS 50TH ANNIVERSARY", was jointly offered by Senators Chong, Carroll, George, Yamasaki, Hara, Anderson, Carpenter, Cobb, Ajifu, Cayetano, Machida, Saiki, Toyofuku, Wong, Soares, Campbell, Kawasaki, Kuroda, Yim, Young, Ushijima, Mizuguchi, Yee, O'Connor and Abercrombie.

On motion by Senator Chong, seconded by Senator Carroll and carried, S.R. No. 178 was adopted.

Senator Chong then introduced to the members of the Senate a group from Roosevelt High School as follows: Student Body

officers, Linda Fukuya, President; Linda Chow, 1st Vice President; Shari Fukuya, 2nd Vice President; LeeAnn Hashimoto, Secretary; Judy Morita, Speaker; Mrs. Esther Kau, Principal of Roosevelt High School; and Mr. Gary Griffith, Advisor.

Senator Chong then presented certified copies of the resolution to members of the group.

At 11:25 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

Senator Carroll then introduced to the members of the Senate a group of four ladies--Mazie Wiel, Freida Wiel, Becky Nelson and Florabelle Nelson--who are visiting from San Francisco, California.

STANDING COMMITTEE REPORT

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 710-80) informing the Senate that Senate Concurrent Resolution Nos. 35 to 38 and Senate Resolution Nos. 167 to 174 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

THIRD READING

Senate Bill No. 2938-80:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2938-80, 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.

At 11:31 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.

Senate Bill No. 2097-80:

On motion by Senator Abercrombie, seconded by Senator Chong and carried, S.B. No. 2097-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY", having been read

throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2001-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2001-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF SOCIAL SERVICES", was recommitted to the Committee on Human Resources.

Senate Bill No. 2008-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2008-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEE COMPENSATION LAW", was recommitted to the Committee on Human Resources.

Senate Bill No. 2013-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2013-80, entitled: "A BILL FOR AN ACT RELATING TO VACATION OF PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2115-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2115-80, entitled: "A BILL FOR AN ACT RELATING TO PENSION AND RETIREMENT SYSTEMS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2174-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2174-80, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION", was recommitted to the Committee on Human Resources.

Senate Bill No. 2324-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2324-80, entitled: "A BILL FOR AN ACT RELATING TO DOMICILIARY CARE", was recommitted to the Committee on Human Resources.

Senate Bill No. 2015-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2015-80, entitled: "A BILL FOR AN ACT RELATING TO THE CERTIFICATION OF CIVIL SERVICE ELIGIBLES", was recommitted to the Committee on Human

Resources.

Senate Bill No. 2676-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2676-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2191-80:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2191-80, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2232-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Cobb and carried, S.B. No. 2232-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 2 (Anderson and Hara). Excused, 1 (Yim).

Senate Bill No. 2358-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2358-80, 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 (Yim).

Senate Bill No. 2357-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE INSURANCE ADMINISTRATION", 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. 511-80 (S.B. No. 2559-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 511-80 and S.B. No. 2559-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", were recommitted to the Committee on Ways and Means.

At 11:36 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:58 o'clock a.m.

Senate Bill No. 2359-80, S.D. 1:

Senator Cayetano moved that S.B. No. 2359-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong then inquired if the Chairman of the Committee on Ways and Means would yield to a question to which Senator Cayetano replied in the affirmative.

Senator Chong then proceeded: "Mr. President, I'm just concerned that disaster relief generally is handled by our Department of Defense and Civil Defense. Mr. Chairman, in the hearings that we had on this particular bill, was any portion of the disaster relief funds being earmarked for 'green harvest' operation?"

Senator Cayetano replied that the answer is "no."

The motion was then put by the Chair and carried, and S.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF", 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. 513-80 (S.B. No. 1934-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 513-80 and S.B. No. 1934-80, S.D. 2, was deferred to the end of tonight's calendar.

Standing Committee Report No. 514-80 (S.B. No. 1873-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 514-80 was adopted and S.B. No. 1873-80, S.D. 2, 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, 24. Noes, none. Excused, 1 (Yim).

Senate Bill.No. 1878-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1878-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", 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. 516-80 (S.B. No. 1870-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 516-80 was adopted and S.B. No. 1870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION 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. 517-80 (S.B. No. 1942-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 517-80 be adopted and that S.B. No. 1942-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then spoke as follows:

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

"Mr. President, this bill will take the public library system which is now under the direct authority of the Superintendent of Education and place it under the direct supervision of the Board of Education.

"One of the effects of this move is to increase the educational services to Hawaii's people, with special emphasis on our school children.

"On November 15-19, 1979 in Washington D.C., I was Hawaii's at-large delegate to the White House Conference on Library and Information Services. The Conference was the first national forum to address the diverse library and information

needs of people throughout the country in the light of the technological revolution that has brought the nation into the information age. Recommendations of the White House Conference related to the future of libraries and information services through the 1980's and beyond, are now being presented to President Carter.

"Hawaii occupied a unique position at the Conference, being the only state in the union where all public libraries are funded by the State. Constant reference was made to Hawaii's potential as a guidepost for the rest of the nation. If we pass this measure today, it will put us in a better position to exercise that kind of leadership. I urge support of this bill.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 517-80 was adopted and S.B. No. 1942-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LIBRARY SYSTEM", 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. 518-80 (S.B. No. 2869-80, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 518-80 was adopted and S.B. No. 2869-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COURT EXPENSES", 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. 519-80 (S.B. No. 1945-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 519-80 be adopted and S.B. No. 1945-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carroll then spoke as follows:

"Mr. President, I'd like to make just one comment on this bill. At this point, we still do not have protection for solar access in this state. The matter sits in the Judiciary Committee and we have not had hearings on it this year.

"I will vote 'aye' on this measure, but I think we must continue to pay attention to this, and hopefully, we'll all be back here next year to do something realistic about the troublesome aspect of this

measure. Thank you."

Senator Abercrombie then stated that he would like the remarks of the previous speaker incorporated into the Journal as his.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 519-80 was adopted and S.B. No. 1945-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATE ENERGY WATER HEATING SYSTEMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Anderson).
Excused, 1 (Yim).

Standing Committee Report No. 520-80 (S.B. No. 3119-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 520-80 was adopted and S.B. No. 3119-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTION OF ADULT EDUCATION SPECIAL FUNDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2473-80:

On motion by Senaor Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2473-80, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE BUDGET ACT", 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. 522-80 (S.B. No. 1893-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 522-80 and S.B. No. 1893-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES", were recommitted to the Committee on Ways and Means.

At 12:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:04 o'clock p.m.

Standing Committee Report No. 523-80 (S.B. No. 2295-80):

Senator Cayetano moved that Stand. Com. Rep. No. 523-80 be adopted and S.B. No. 2295-80, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, I just want to note for the Senate Journal that with the passage of this bill in this body, the State Senate of the State of Hawaii enjoys the distinction of being the first senate in the entire country to have the foresight to give flexibility to the trustees of their employees' pension fund, flexibility of investing in precious metals contracts as well as bullions.

"The Governor of the State of Alaska has introduced such a measure in the Alaska legislature, and the legislatures of California and Nevada and several other states are also contemplating passage of such legislation. Recently the Congress of the United States passed the law making it possible for pension funds to invest in precious metals.

"Now, with the passage of this bill in this body it doesn't mean we're advocating that the trustees of the Retirement System go on out and buy silver bullions or gold bullions or platinum contracts. It just gives the Retirement System's trustees the flexibility of diversifying their portfolio. Had they been able to do this legally a decade ago when I recommended that they diversify a portion of their portfolio into precious metals (at that time gold was \$35 an ounce, and silver was \$1.29 an ounce; subsequently, gold has gone up to \$850 an ounce and silver to almost \$50 an ounce), can you imagine benefits accruing to the Retirement System's members today!

"This bill gives them the flexibility, and I do believe we're the first state to pass enabling legislation of this sort. Thank you."

Senator Chong then spoke against the measure as follows:

"Mr. President, I have a few comments to make. I'm just worried; I signed this committee report 'I do not concur' and with deference to the previous speaker, I think that we have the responsibility to make sure that the controls on our State Employee Retirement System Fund are still there.

"I realize the intent of this bill is to make things more flexible for the trustees; however, I think that prudent management

of an employee retirement fund requires that restrictive and more conservative investment methods be used as policy. I realize that gold bullion has gone up from \$35 to well over, close to \$800-\$900 an ounce today. I don't think, however, that it is guaranteed that this kind of a price rise will continue.

"I also don't think that the Retirement System should be subject to the vagaries of the commodities market in precious metals. I say this as a former portfolio analyst with Merrill-Lynch, and I just feel very uncomfortable about allowing this kind of flexibility to the Retirement System. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 523-80 was adopted and S.B. No. 2295-80, 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, 20. Noes, 4 (Anderson, Carroll, Chong and Ushijima). Excused, 1 (Yim).

Standing Committee Report No. 524-80 (S.B. No. 2794-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 524-80 and S.B. No. 2794-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT ACTIVITY FEES AND REVENUES OF CHARTERED STUDENT ORGANIZATIONS OF THE UNIVERSITY OF HAWAII SYSTEM", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 525-80 (S.B. No. 2882-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 525-80 and S.B. No. 2882-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 526-80 (S.B. No. 2457-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 526-80 was adopted and S.B. No. 2457-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DOGS: LICENSES AND REGULATIONS; LICENSE FEE CONTROLLED BY ORDINANCE", 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. 527-80 (S.B. No. 2219-80, S.D. 1):

Senator Cayetano moved that Stand. Com. Rep. No. 527-80 be adopted and S.B. No. 2219-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor spoke in favor of the measure with reservations, as follows:

"Mr. President, I'm going to vote in favor of this bill as it is mandated by the Constitution, but it bothers me as one who has sloughed back and forth to the tax office that we are divesting the State of the ability to keep tax maps, particularly in Honolulu, in a central location for the entire state, and we are divesting the state of those tax map responsibilities and placing them in the counties.

"I don't read the Constitution to mandate that, and I'll tell you that it's going to quadruple expenses of attorneys and many other people in this State, and make a tremendously increased cost in order to have people fly from island to island to determine information on tax maps and tax map keys if they are localized only in the various counties and without a central state office.

"With that reservation, Mr. President, I am going to vote in favor of the bill. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 527-80 was adopted and S.B. No. 2219-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF ALL FUNCTIONS, POWERS AND DUTIES INVOLVING THE TAXATION OF REAL PROPERTY TO THE COUNTIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Wong). Excused, 1 (Yim).

Standing Committee Report No. 528-80 (S.B. No. 2071-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 528-80 be adopted and S.B. No. 2071-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong spoke in opposition to the measure as follows:

"Mr. President, I'm voting 'no' on this particular bill. With all due respect to the Chairman of the Committee and the

committee report, I feel that by increasing the claims to \$1,000, it makes it actually more difficult for the type of person likely to get into this kind of a situation, a small consumer, to get his due redress.

"The reason for that is that this will encourage people who are on the other side of the picture who are trying to get their small claims back to hire, if not a lawyer, then some kind of a specialist, to go down to the court to contest it. This kind of contesting generally is not done by the small consumer, and I think for that reason, this bill will generally go against the small consumer who may well require a just decision on his claim.

"Thank you, Mr. President."

Senator Cayetano then spoke for the measure:

"Mr. President, the point made by the previous speaker is well taken; however, that sword cuts both ways.

"Small claims courts really act as courts of equity and the judges are quite open, I think, to equitable consideration in small claims courts. Now this may cause some loss of income to attorneys but with the cost of inflation or the impact of inflation on debt today, I do not see this as being an inequitable bill."

Senator Carroll spoke for the bill as follows:

"Mr. President, I think that contrary to what my learned colleague from Manoa has indicated, this bill very much helps the little guy.

"When a person goes to small claims court with a claim, he goes there almost as people did since the time when we first had courts. They appear before this judge who looks at all of the equities as well as the law to learn what really happened in the case. In my practice of law, I have yet to run across a person coming out of small claims court who has really been terribly distressed or terribly upset, or in effect, badly handled by the judge in a small claims court.

"I think some of us have had concerns about raising the limit because of the legal, technical problems that might be run into there, but I think that the opposite has occurred. I think we hear a lot of bad things about our judiciary, but this is one area where I think they are doing a fine job. I am quite happy to raise this limit to \$1,000 and urge that all vote 'aye'

on the bill. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 528-80 was adopted and S.B. No. 2071-80, 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, 21. Noes, 3 (Chong, Hara and Ushijima). Excused, 1 (Yim).

Standing Committee Report No. 529-80 (S.B. No. 3108-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 529-80 and S.B. No. 3108-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 530-80 (S.B. No. 2536-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 530-80 was adopted and S.B. No. 2536-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SERVICES", 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. 531-80 (S.B. No. 2274-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 531-80 and S.B. No. 2274-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE GRAND JURY", were recommitted to the Committee on Ways and Means.

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

The Senate reconvened at 12:14 o'clock p.m.

Standing Committee Report No. 532-80 (S.B. No. 2654-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 532-80 was adopted and S.B. No. 2654-80, S.D. 2, 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, 24. Noes, none. Excused, 1 (Yim).

Standing Committee Report No. 533-80 (S.B. No. 1995-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 533-80 and S.B. No. 1995-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 534-80 (S.B. No. 2600-80):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 534-80 was adopted and S.B. No. 2600-80, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2220-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2220-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 536-80 (S.B. No. 2355-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 536-80 was adopted and S.B. No. 2355-80, S.D. 2, 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, none. Excused, 1 (Yim).

Standing Committee Report No. 537-80 (S.B. No. 2557-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 537-80 was adopted and S.B. No. 2557-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING AND LOAN PROGRAMS, CHAPTER 356, HAWAII REVISED STATUTES", 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. 538-80 (S.B. No. 744, S.D. 3):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 538-80 was adopted and S.B. No. 744, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Standing Committee Report No. 539-80 (S.B. No. 1982-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 539-80 was adopted and S.B. No. 1982-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH", 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. 540-80 (S.B. No. 2914-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 540-80 was adopted and S.B. No. 2914-80, 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 (Anderson). Excused, 1 (Yim).

Senate Bill No. 2163-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2163-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2660-80:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2660-80, 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, none. Excused, 1 (Yim).

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 543-80 and S.B. No. 2693-80, S.D. 2, was deferred to the end of tonight's calendar.

Senate Bill No. 1973-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1973-80, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10, OF THE HAWAII CONSTITUTION, TO PERMIT THE SENATE TO CONVENE ITSELF INTO A SPECIAL SESSION", 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 (Yim).

Standing Committee Report No. 545-80 (S.B. No. 2673-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 545-80 was adopted and S.B. No. 2673-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LEGISLATURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 3003-80, S.D. 1:

Senator O'Connor moved that S.B. No. 3003-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Chong spoke in opposition to the measure as follows:

"Mr. President, I think that in many cases the 18-month limitation for medical malpractice cases should not hold. I don't want to get into a long discussion; this has been going on year after year.

"I just don't believe it is in the public interest for us to pass this kind of a bill, primarily because those persons who would like to get redress of certain types of medical malpractice should have the full range of options open to them. I will vote 'no' on this bill."

The motion was put by the Chair and carried, and S.B. No. 3003-80, 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, 22. Noes, 2 (Chong and Kawasaki). Excused, 1 (Yim).

Senate Bill No. 118, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 118, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONAL AND OCCUPATIONAL BOARDS AND COMMISSIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1519, S.D. 1:

By unanimous consent, action on S.B. No. 1519, S.D. 1, was deferred to the end of tonight's calendar.

Senate Bill No. 1992-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1992-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADEMARKS, PRINTS, LABELS, AND TRADE NAMES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2069-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2069-80, 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, 22. Noes, 2 (Hara and Ushijima). Excused, 1 (Yim).

Senate Bill No. 1084, S.D. 2:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 1084, S.D. 2, 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, 24. Noes, none. Excused, 1 (Yim).

MISCELLANEOUS COMMUNICATIONS

The following communications (Misc. Com. Nos. 9 and 10) were read by the Clerk and were disposed of as follows:

A communication from Warren G. Magnuson, President pro tempore, U.S. Senate, (Misc. Com. No. 9) acknowledging receipt of a copy of Senate Resolution No. 146 (1980), was placed on file.

A communication from Roger Thompson, Secretary of the Senate, State of New York, (Misc. Com. No. 10), acknowledging receipt of Senate Concurrent Resolution No. 1 (1980), was placed on file.

At 12:20 o'clock p.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.

NIGHT SESSION

At 7:50 o'clock p.m., the Senate reconvened with all Senators present with the exception of Senator Kawasaki who was excused.

THIRD READING

Standing Committee Report No. 551-80 (S.B. No. 2070-80):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 551-80 was adopted and S.B. No. 2070-80, 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 (Kawasaki).

Senate Bill No. 2091-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2091-80, entitled: "A BILL FOR AN ACT RELATING TO DENTAL HYGIENISTS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2092-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2092-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2093-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2093-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2094-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2094-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF VETERINARY EXAMINERS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2095-80, S.D. 1:

Senator Cobb moved that S.B. No. 2095-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Soares then asked for a ruling of the Chair on a possible conflict of interest as he is the Director of Marketing for an airline.

The Chair ruled that there was no conflict and Senator Soares was not excused from voting.

The motion was put by the Chair and carried, and S.B. No. 2095-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 2096-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2096-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF PRIVATE DETECTIVES AND GUARDS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2407-80, S.D. 1:

By unanimous consent, action on S.B. No. 2407-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2489-80, S.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, S.B. No. 2489-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2514-80, S.D. 1:

By unanimous consent, action on S.B. No. 2514-80, S.D. 1, was deferred to the end of the calendar.

At this time, the President directed the Clerk to note the presence of Senator Kawasaki.

Senate Bill No. 2515-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2515-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2517-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2517-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Toyofuku).

Senate Bill No. 2520-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2520-80, 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, 25. Noes, none.

Senate Bill No. 2674-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2674-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2681-80, S.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, S.B. No. 2681-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENGINEERS, ARCHITECTS, AND SURVEYORS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Anderson and Hara).

Standing Committee Report No. 566-80 (S.B. No. 2863-80):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 566-80 and S.B. No. 2863-80, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", were recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2898-80:

By unanimous consent, action on S.B. No. 2898-80 was deferred to the end of the calendar.

Senate Bill No. 3131-80, S.D. 2:

On motion by Senator Soares, seconded by Senator Abercrombie and carried, S.B. No. 3131-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTUARIES AND FUNERALS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 571, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 8:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:25 o'clock p.m.

Senate Bill No. 2111-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2111-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2127-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2127-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT", was recommitted to the Committee on Human Resources.

Senate Bill No. 2194-80, S.D. 1:

Senator Toyofuku moved that S.B. No. 2194-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Carroll then spoke against the measure as follows:

"Mr. President, I rise to speak against the bill primarily because I believe that while it is the vogue or the thing to do this year to fine-tune the so-called essential employee provisions, it's my belief that to ask union workers to cross their own picket lines is to ask virtually the impossible.

"I think that we are doing a foolish thing to move in this area. I think we need to look at this with far closer and perhaps more courageous vision than we have up until now.

"I know this is a sensitive subject matter, and it's one that people don't like to talk about. But I think that it is one that has got to be addressed.

"We have a history of people being unwilling to answer the injunction of the court, to listen to the court order. We've had laws which potentially are enforceable and yet they are not enforced. I think that the defect in these laws is that we attempt to pass laws in an idealistic framework without really understanding what the net impact on the individuals who are affected by the laws is.

"I think that for us to work in this area, while the basic intent is excellent, is really to not understand the nature of labor movement. For that reason, I am voting 'no.'"

Senator Yamasaki spoke in opposition to the measure as follows:

"Mr. President, I signed this committee report 'with reservations' and I'm voting against the bill because there is a section in the bill which provides that there is an almost total exclusion of the Little Norris-LaGuardia Act, which allows private employees certain things.

"There is exclusion for public employees, and for this reason, I feel that public employees should be given equal treatment, equal rights as private

employees although we have acknowledged the fact that they have the right to strike.

"Although we believe that there is a strong feeling about the need to change the laws on essential employees, I think that there is an overriding fact that we ought to give the same protection that is accorded private employees under this Little Hawaii Norris-LaGuardia Act. Thank you, Mr. President."

At 8:27 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:29 o'clock p.m.

Senator Toyofuku then spoke for the measure as follows:

"Mr. President, in reference to my colleague's statement on this bill here, Chapter 380 is the Little Norris-LaGuardia Act, and the original bill called for non-compliance with that particular chapter, disregarding Chapter 380. If you look at that bill, we included compliance with Chapter 380 and we merely provided here that 'the right to a jury trial shall not apply to any proceeding brought under this section', which is the injunction section."

Senator Chong then inquired if the previous speaker would yield to a question, to which Senator Toyofuku replied that he would.

Senator Chong then asked: "Can you please explain why you removed the right to a jury trial? I guess that's the major crux of this."

Senator Toyofuku replied: "Well, because it was felt that the right to a jury trial should not be provided in the injunction suit."

The motion was then put by the Chair and carried, and S.B. No. 2194-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 3 (Carroll, Yamasaki and Young).

Senate Bill No. 2204-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2204-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIMITATION OF FEES", was recommitted to the Committee on Human Resources.

Senate Bill No. 2225-80:

Senator Toyofuku moved that S.B.

No. 2225-80, having been read throughout, pass Third Reading, seconded by Senator Yamasaki.

Senator O'Connor then asked for a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, I would ask for a ruling of the Chair on a possible conflict of interest because as an attorney, I represent physicians and hospitals and serve on the Board of Directors of the Kapiolani-Children's Medical Center."

The Chair ruled that there was no conflict of interest and Senator O'Connor was allowed to vote on the measure.

Senator George then asked for a ruling of the Chair on a possible conflict of interest as she serves as a member of the Board of Directors of the Hawaii Medical Service Association.

The Chair ruled that there was no conflict of interest and Senator George was allowed to vote on the measure.

The motion was put by the Chair and carried, and S.B. No. 2225-80, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2237-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2237-80, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASES AND CONTRACTS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2286-80:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2286-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PROGRAMS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2956-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2956-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVERSION OF EMPLOYEES

IN THE MILK CONTROL DIVISION, DEPARTMENT OF AGRICULTURE, TO CIVIL SERVICE STATUS", was recommitted to the Committee on Human Resources.

Senate Bill No. 2987-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2987-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3026-80, S.D. 1:

By unanimous consent, action on S.B. No. 3026-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 580-80 (S.B. No. 1851-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 580-80 be adopted and S.B. No. 1851-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator O'Connor spoke in favor of the bill as follows:

"Mr. President, the matter of the juvenile justice system has been debated in this jurisdiction since the early 1970's, and it has been debated at length without any formulation or any firm plan established. As a result, the components of this system have been allowed to fall into disrepair and have not had firm direction from the legislature in the areas which they should have jurisdiction.

"This year your Senate has pulled together those various components of that system and in this measure, has established a juvenile justice system for the State of Hawaii which we believe will firmly pull together all of those different matters and factors which deal with our juvenile criminals and our juvenile delinquents, so as to make this state one which copes with children, punishes them and deals with them toward rehabilitation, as opposed to other states and ourselves in the past, who have allowed many children to drift aimlessly without any guidance, without any rehabilitative measures and in fact without punishment.

"This bill pulls together the police departments of the various counties; a new agency called the Intake Agency; amends the Family Court Act in part to direct the Family Court to deal more stringently in some instances with juveniles and yet more fairly in other instances

with juveniles who are but status offenders.

"It also deals with our corrective system which was allowed to fall into disrepair and establishes in the corrective system those programs which we feel shall lead to curbing juvenile delinquency. And it works with shelter homes in the community, establishing the concept of shelter homes for the diversion of juveniles at certain instances in this overall system.

"Mr. President, it's time that we had a system; this bill is a first step toward a system that we hope will make Hawaii one state which can deal with its juvenile crime problem.

"Thank you, Mr. President."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 580-80 was adopted and S.B. No. 1851-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 581-80 (S.B. No. 2027-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 581-80 and S.B. No. 2027-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 582-80 (S.B. No. 2172-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 582-80 and S.B. No. 2172-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 583-80 (S.B. No. 2193-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 583-80 and S.B. No. 2193-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY", were recommitted to the Committee on Ways and Means.

Standing Committee Report No. 584-80 (S.B. No. 2302-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 584-80 was adopted and S.B. No. 2302-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PROGRAM COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 585-80 (S.B. No. 2537-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 585-80 was adopted and S.B. No. 2537-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 586-80 (S.B. No. 2551-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 586-80 was adopted and S.B. No. 2551-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FORMULATION OF A STATE WATER CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1219, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1219, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISCAL NOTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2413-80, S.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2413-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES", was recommitted to the Committee on Ways and Means.

Senate Bill No. 2770-80, S.D. 1:

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.B. No. 2770-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2018-80, S.D. 1:

On motion by Senator Kuroda, seconded by Senator Machida and carried, S.B. No. 2018-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOTELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2798-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 2798-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONSHIPS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 592-80 (S.B. No. 2797-80, S.D. 1):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 592-80 was adopted and S.B. No. 2797-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFICIAL EXPENSES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 593-80 (S.B. No. 1939-80, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 593-80 and S.B. No. 1939-80, S.D. 3, was deferred to the end of the calendar.

Senate Bill No. 1979-80, S.D. 1:

On motion by Senator Machida, seconded by Senator Hara and carried, S.B. No. 1979-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Chong).

Standing Committee Report No. 595-80 (S.B. No. 2643-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 595-80 and S.B.

No. 2643-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 596-80 (S.B. No. 2977-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 596-80 was adopted and S.B. No. 2977-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES COVERED BY CHAPTER 77, HAWAII REVISED STATUTES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 871, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 871, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2634-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2634-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY SAVING TRANSPORTATION MODES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3074-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 3074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", was recommitted to the Committee on Transportation.

Senate Bill No. 1871-80, S.D. 1:

By unanimous consent, action on S.B. No. 1871-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1872-80, S.D. 1:

By unanimous consent, action on S.B. No. 1872-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2005-80:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2005-80, entitled: "A BILL

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

Ayes, 25. Noes, none.

At 8:39 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:40 o'clock p.m.

Senate Bill No. 2691-80, S.D. 1:

By unanimous consent, action on S.B. No. 2691-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 3085-80:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 3085-80, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2788-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2788-80, S.D. 1, 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, 25. Noes, none.

Senate Bill No. 2924-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2924-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PURCHASES BY STATE HOSPITALS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2267-80:

By unanimous consent, action on S.B. No. 2267-80 was deferred to the end of the calendar.

Senate Bill No. 2558-80:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B.

No. 2558-80, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", was recommitted to the Committee on Housing and Hawaiian Homes.

Senate Bill No. 3096-80, S.D. 1:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 3096-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was recommitted to the Committee on Housing and Hawaiian Homes.

Senate Bill No. 3098-80, S.D. 1:

Senator Young moved that S.B. No. 3098-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cayetano.

Senator Carroll then spoke in favor of the measure as follows:

"Mr. President, I rise to speak in favor of this measure with reservations.

"In Waikiki a number of years ago, we were able to finally, through the assistance of the City Council, get a moratorium, but contrary to what we had hoped we would do, we ended up with a huge proliferation.

"I think that the benefits, the major benefit of this measure, is that it draws attention to the drastic housing shortage that we have and the need to take care of that huge percentage of people who are forced, because of the economics of living in our State, to rent. I believe that this type of a highlighting of the problem is necessary.

"I vote for this measure on that basis, but I would hasten to add that I do not think that this bill is going to do very much for these people and I think we must be moving in that direction.

"In spite of those feelings, I think that we should vote 'aye'. Thank you."

Senator O'Connor then asked for a ruling of the Chair of a possible conflict of interest as follows:

"Mr. President, this bill refers to a case in litigation, Bishop Estate versus Wai-Kahala Tract H Association. I am the attorney for the Wai-Kahala Tract H Association. We have recently beaten the Bishop Estate in local federal court and the case is now on appeal to the Ninth Circuit. I may be in a conflict there and would ask the Chair for a ruling."

The Chair ruled that Senator O'Connor was in conflict and would be excused from

voting on the measure.

The motion was put by the Chair and carried, and S.B. No. 3098-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL LEASEHOLD CONVERSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Hara). Excused, 1 (O'Connor).

Standing Committee Report No. 612-80 (S.B. No. 1744, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 612-80 and S.B. No. 1744, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2208-80, S.D. 1:

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2550-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2550-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER USE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3019-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 3019-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY PRODUCTION FACILITIES IN AGRICULTURE DISTRICTS", was recommitted to the Committee on Economic Development.

Senate Bill No. 1900-80, S.D. 1:

Senator Yim moved that S.B. No. 1900-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Chong then spoke for the measure as follows:

"Mr. President, before voting on this bill, I'd like to make several comments. One is that this particular bill which is necessary, essentially handles what is known as old capacity for sugar plantations, although it goes beyond sugar plantations. That's the major purpose of it.

"I should like to point out to this

honorable body that essentially it sets a minimal, I repeat, a minimal rate which an existing utility must pay to a non-fossil fuel generated electricity. The problem as I see it, is that it doesn't set limitation procedures or guidelines on the high side at this time. Also another problem as I see it is that it doesn't have a drop-dead clause.

"I'd just like to point out that we have some other bills in this legislature that will be tied intimately to this particular bill, and it is my hope that we do pass the other bills, primarily the revenue bond bill for utilities and our life-line rate bill further down later on this evening.

"The way it is now, this particular bill, although it will greatly encourage electrical generating capacity by non-fossil fuel generators, it does not provide immediate rate relief and is not designed to provide rate relief for consumers.

"That is why I hope that we will all seriously consider some of the other bills down the line-to take them as a package especially the lifeline bill which will provide for a procedure for immediate rate relief. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1900-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Toyofuku).

Seante Bill No. 2495-80, S.D. 1:

By unanimous consent, action on S.B. No. 2495-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 618-80 (S.B. No. 1930-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 618-80 and S.B. No. 1930-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2813-80, S.D. 1:

By unanimous consent, action on S.B. No. 2813-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 620-80 (S.B. No. 1889-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 620-80 be adopted and S.B. No. 1889-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong then spoke as follows:

"Mr. President, I rise to speak in favor of this measure and would like my comments on this measure also to apply to Senate Bill No. 1899-80, S.D. 1 (Stand. Com. Rep. No. 621-80); Senate Bill No. 1906-80, S.D. 2 (Stand. Com. Rep. No. 622-80); and Senate Bill No. 1924-80, S.D. 1 (Stand. Com. Rep. No. 624-80).

"Mr. President, the purpose of this bill and many others like it, is to move our state towards energy self-sufficiency by providing economic incentives to the private sector. I strongly support this public policy stance of encouraging the private sector to move ahead in developing alternative energy options.

"I also would like to point out that we should view these incentive measures as part of a general package of forward-looking legislation which is in the public interest now, but which also, in the very long run, may indeed require re-evaluation.

"My remarks under Senate Bill No. 1900-80 and Senate Bill No. 2179-80 speak to this possible requirement for re-evaluation in the future, and for the record, I am simply calling your attention to this feeling."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 620-80 was adopted and S.B. No. 1889-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL ENERGY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 621-80 (S.B. No. 1899-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 621-80 was adopted and S.B. No. 1899-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE TAXATION OF NON-FOSSIL FUEL GENERATED ELECTRICITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 622-80 (S.B. No. 1906-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 622-80 be adopted and S.B. No. 1906-80, S.D. 2, having

been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cobb then asked for a ruling of the Chair on a possible conflict of interest as he is employed by a firm that could be affected by this bill.

The Chair ruled that there was no conflict and Senator Cobb was allowed to vote on the measure.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 622-80 was adopted and S.B. No. 1906-80, S.D. 2, 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, 25. Noes, none.

Standing Committee Report No. 623-80 (S.B. No. 1933-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 623-80 be adopted and S.B. No. 1933-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Abercrombie.

Senator Campbell then rose to speak in favor of the bill as follows:

"Mr. President, if we were to inquire of the average citizen of Hawaii today, 'what is the most serious domestic problem facing our community today?', the answer would likely be 'school violence, vandalism and youth crime.' It is a well-known fact that youth crime constitutes the major portion of violent crimes in our community.

"It is a sobering thought that the youth involved in these crimes have a record of chronic school failure and dropout. It is amazing that a student starts in kindergarten as an innocent youngster and by the time he or she gets to the twelfth grade, he has hijacked over 40 students, robbed several business establishments, shoplifted many times, and committed offenses which have put him in juvenile detention home many times.

"This measure establishes a program in which potentially troubled students are identified as early as kindergarten and followed through their school careers for the purposes of providing suitable educational services and mental health programs for them as soon as a need is indicated. Furthermore, students who are currently identified as 'troubled students' will be referred for suitable educational services and mental health programs for the purposes of rehabilitation. If this bill passes today, and this program is implemented by the Department of Education, we will note in a reasonably short time, a drastic change for the better in the juvenile

delinquency rate in our state."

Senator Chong then stated:

"Mr. President, I would like to make comments prior to voting on this bill. I would like to hear more comments on this particular bill, maybe from the Chairman of the Education Committee.

"The reason I signed the committee report 'with reservations' was because I think that the idea of labeling students as being 'troubled students' defeats some of the purposes and I'd like to hear some discussion before voting."

At 8:45 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:47 o'clock p.m.

Senator Cayetano then stated: "Mr. President, this has been a very taxing evening. Would the rest of the senators read the bills ahead of time, please."

Senator Chong then stated:

"Mr. President, with regard to the previous comments, I simply would like to point out that my concern in registering a 'with reservations' on the Ways and Means Committee report, was in reference to the potential dangers of labeling so-called 'troubled students.'

"Furthermore, I would like it to be known that I am not a member of the Senate Education Committee, and my inquiry to the Chairman of that Committee was therefore legitimate and proper because the Chairman obviously is in a better position to explain any considerations I or any other Senator might have with regard to this bill."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 623-80 was adopted and S.B. No. 1933-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TROUBLED STUDENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Hara and Kawasaki).

Standing Committee Report No. 624-80 (S.B. No. 1924-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 624-80 was adopted and S.B. No. 1924-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GEOTHERMAL

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

Ayes, 25. Noes, none.

Standing Committee Report No. 625-80 (S.B. No. 2376-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 625-80 and S.B. No. 2376-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 626-80 (S.B. No. 2665-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 626-80 was adopted and S.B. No. 2665-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 627-80 (S.B. No. 2800-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 627-80 was adopted and S.B. No. 2800-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC OFFICERS AND EMPLOYEES EXCLUDED FROM COLLECTIVE BARGAINING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 628-80 (S.B. No. 2972-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 628-80 and S.B. No. 2972-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES", were recommitted to the Committee on Ways and Means.

Senate Bill No. 2226-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2226-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", was recommitted to the Committee on Health.

Senate Bill No. 2994-80, S.D. 1:

On motion by Senator Carpenter, seconded by Senator Campbell and carried, S.B. No. 2994-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING",

was recommitted to the Committee on Health.

Senate Bill No. 2186-80, S.D. 1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2186-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2861-80:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 2861-80, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL LICENSE PLATES FOR REPRESENTATIVES OF FOREIGN GOVERNMENTS OR TERRITORIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3082-80, S.D. 1:

On motion by Senator Ushijima, seconded by Senator Kuroda and carried, S.B. No. 3082-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ZONING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Carroll and Cobb).

At 8:50 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:52 o'clock p.m.

Senate Bill No. 1171, S.D. 2:

By unanimous consent, action on S.B. No. 1771, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1493, S.D. 1:

Senator Cobb moved that S.B. No. 1493, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee then asked the Chair for a ruling on a possible conflict of interest as he is an officer of a life insurance firm.

The Chair ruled that there was a conflict and Senator Yee was excused from voting on the bill.

The motion was put by the Chair and carried, and S.B. No. 1493, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

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

Senate Bill No. 1960-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1960-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Toyofuku).

Senate Bill No. 1990-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1990-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPAIRATIONS ACT", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2077-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2077-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2285-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2285-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 2518-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2518-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS AND SALESMEN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2682-80, S.D. 1:

Senator Cobb moved that S.B. No. 2682-80, S.D. 1, having been read throughout,

pass Third Reading, seconded by Senator Chong.

Senator Campbell then spoke as follows:

"Mr. President, I rise to speak in favor of the bill. I signed the committee report with reservations because I firmly believe that a student finishing a prescribed course at the University of Hawaii should not be required to get additional preparation in order to commence earning a living.

"A student who meets the educational and examination requirements cannot receive a certificate of 'certified public accountant' until he or she has satisfied an experience requirement. I think the concept is wrong. Therefore, I support the bill with reservations."

The motion was put by the Chair and carried, and S.B. No. 2682-80, 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, 25. Noes, none.

Senate Bill No. 3106-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 3106-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES AND REPAIR BUSINESSES", was recommitted to the Committee on Consumer Protection and Commerce.

Senate Bill No. 1993-80, S.D. 2:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 1993-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRACTICING PSYCHOLOGISTS", was recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 644-80 (S.B. No. 2202-80, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 644-80 was adopted and S.B. No. 2202-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSING OF RADIATION THERAPY TECHNOLOGISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kuroda).

Standing Committee Report No. 645-80 (S.B. No. 2490-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 645-80 and S.B. No. 2490-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", were recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 646-80 (S.B. No. 2679-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 646-80 and S.B. No. 2679-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 647-80 (S.B. No. 2791-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 647-80 and S.B. No. 2791-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", were recommitted to the Committee on Consumer Protection and Commerce.

Standing Committee Report No. 648-80 (S.B. No. 2923-80, S.D. 2):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 648-80 was adopted and S.B. No. 2923-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (O'Connor).

Senate Bill No. 866, S.D. 1:

By unanimous consent, action on S.B. No. 866, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2292-80, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2292-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Kuroda).

Senate Bill No. 2512-80, S.D. 1:

By unanimous consent, action on S.B. No. 2512-80, S.D. 1, was deferred to the end of the calendar.

Standing Committee Report No. 652-80 (S.B. No. 3, S.D. 3):

By unanimous consent, action on Stand. Com. Rep. No. 652-80 and S.B. No.

3, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 653-80 (S.B. No. 711, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 653-80 and S.B. No. 711, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 654-80 (S.B. No. 2173-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 654-80 was adopted and S.B. No. 2173-80, S.D. 2, 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. 655-80 (S.B. No. 2554-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 655-80 and S.B. No. 2554-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 656-80 (S.B. No. 2635-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 656-80 and S.B. No. 2635-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 657-80 (S.B. No. 3112-80, S.D. 2):

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, Stand. Com. Rep. No. 657-80 was adopted and S.B. No. 3112-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HIGHER EDUCATION LOAN FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1514, S.D. 1:

By unanimous consent, action on S.B. No. 1514, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1869-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1869-80, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE LEGISLATIVE

REFERENCE BUREAU", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2795-80, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 2795-80, S.D. 1, 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.

Senate Bill No. 2870-80, S.D. 1:

Senator O'Connor moved that S.B. No. 2870-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carroll then spoke as follows:

"Mr. President, just briefly in favor of the bill--I'd like to thank the Chairman of the Judiciary Committee very much for passing this measure which I have been trying to get passed for about the past five years. I notice that if we switch the signature, it comes right through. Thank you."

The motion was put by the Chair and carried, and S.B. No. 2870-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY POLICE OFFICERS WITHOUT WARRANT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2618-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2618-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL SERVICE LAW", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 663-80 (S.B. No. 2780-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 663-80 and S.B. No. 2780-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1837-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1837-80, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO BAIL", was recommitted to the Committee on Judiciary.

Senate Bill No. 2877-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2877-80, 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.

Standing Committee Report No. 666-80 (S.B. No. 3097-80, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 666-80 and S.B. No. 3097-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2881-80, S.D. 1:

Senator O'Connor moved that S.B. No. 2881-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Carroll then rose to thank the Chairman of the Judiciary Committee for passing this measure as he had been unsuccessful in his attempts in the past, to get the bill out.

The motion was then put by the Chair and carried, and S.B. No. 2881-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2525-80, S.D. 2:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2525-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLICITATION OF FUNDS FROM THE PUBLIC", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Standing Committee Report No. 669-80 (S.B. No. 2329-80, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 669-80 be adopted and S.B. No. 2329-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, I feel compelled to stand and ask that we vote this bill down.

"I realize that the argument here is that the committee has amended the bill by specifying that the DAG plea shall not be granted where the defendant is charged with the distribution of a dangerous, harmful, or detrimental drug to a minor. I think that this can happen with people just at 18 and I think that the DAG plea should stand by itself.

"It is appropriate that the judge should be able to do it, and the judge should be able to make the determination in respect of the minor. If we put this in, I think we are taking people who are just at a stage when their development as adults might be at a key point in their lives, and not giving the judge and others in the judicial system the opportunity to operate accordingly by virtue of utilizing the DAG plea as it should be used."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 669-80 was adopted and S.B. No. 2329-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO 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).

Senate Bill No. 2876-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2876-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACTION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Abercrombie).

Senate Bill No. 2270-80, S.D. 1:

By unanimous consent, action on S.B. No. 2270-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 3145-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3145-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 673-80 (S.B. No. 2589-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 673-80 and S.B. No. 2589-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", were recommitted to the Committee on Judiciary.

Senate Bill No. 1965-80, S.D. 2:

By unanimous consent, action on S.B. No. 1965-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1838-80, S.D. 3:

By unanimous consent, action on S.B. No. 1838-80, S.D. 3, was deferred to the end of the calendar.

Standing Committee Report No. 676-80 (S.B. No. 43):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 676-80 was adopted and S.B. No. 43, entitled: "A BILL FOR AN ACT RELATING TO STATE BOUNDARIES (CONSTITUTIONAL AMENDMENTS OF ARTICLE XV, SECTION 1)", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2269-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2269-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was recommitted to the Committee on Judiciary.

Standing Committee Report No. 678-80 (S.B. No. 1164, S.D. 1):

By unanimous consent, action on Stand. Com. Rep. No. 678-80 and S.B. No. 1164, S.D. 1, was deferred to the end of the calendar.

At 9:02 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:04 o'clock p.m.

Standing Committee Report No. 679-80 (S.B. No. 1829-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 679-80 and S.B. No. 1829-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BUSINESS CORPORATION ACT", was deferred until Wednesday, March 19, 1980.

Standing Committee Report No. 680-80 (S.B. No. 1989-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 680-80 and S.B. No. 1989-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 2198-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2198-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 682-80 (S.B. No. 2199-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 682-80 and S.B. No. 2199-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE PROGRAM VIOLATIONS AND PENALTIES", were recommitted to the Committee on Judiciary.

Senate Bill No. 2215-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2215-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF REGULATORY AGENCIES", was recommitted to the Committee on Judiciary.

Standing Committee Report No. 684-80 (S.B. No. 2439-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 684-80 was adopted and S.B. No. 2439-80, 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, 2 (Abercrombie and Carroll).

Senate Bill No. 1346, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1346, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2217-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2217-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OWNERSHIP AND POSSESSION OF FIREARMS", was recommitted to the Committee on Judiciary.

Senate Bill No. 2280-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2280-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CODE OF ETHICS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2741-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2741-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2744-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2744-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INSANITY DEFENSE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2764-80, S.D. 1:

By unanimous consent, action on S.B. No. 2764-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2985-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2985-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHANGE OF NAME", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3012-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 3012-80, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REGISTRATION OF LOBBYISTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Hara).

Senate Bill No. 2862-80:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2862-80, entitled: "A BILL FOR AN ACT RELATING TO OBSTRUCTING PUBLIC ADMINISTRATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 3146-80, S.D. 1:

Senator O'Connor moved that S.B. No. 3146-80, 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 would like to direct the members' attention to page 13 of the bill. '(d) A person who contributes more than \$2,000 to a candidate in any primary, special primary, special or general election shall be guilty of a misdemeanor.' and '(e) Any candidate who receives more than \$2,000 from a person in any primary, special primary, special, or general election shall promptly distribute the total amount received over \$2,000 to the Hawaii Election Campaign Fund.'

"I'm not quite sure if I will ever get this opportunity but I can assure you that I believe that this is just as unconstitutional as it possibly can be, and that if I ever have the opportunity to have such a contribution come my way, I assure you I will accept it at \$2,001 and then try to find someone who still believes in the Constitution in this country who will fight for me in court, and I'll be god-damned if I am going to give the Hawaii Election Campaign Fund anything that I've worked for."

Senator Cayetano then stated: "Mr. President, just an observation; I'm surprised this bill did not come to the Committee on Ways and Means."

The motion was put by the Chair and carried, and S.B. No. 3146-80, S.D. 1, 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, 21. Noes, 4 (Abercrombie, Carroll, Hara and Kawasaki).

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 696-80 (S.B. No. 3099-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 696-80 was adopted and S.B. No. 3099-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 697-80 (S.B. No. 2513-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 697-80 and S.B. No. 2513-80, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT", were recommitted to the Committee on Judiciary.

Standing Committee Report No. 698-80 (S.B. No. 2997-80):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 698-80 and S.B. No. 2997-80, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT", were recommitted to the Committee on Judiciary.

Senate Bill No. 2179-80, S.D. 1:

By unanimous consent, action on S.B. No. 2179-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 2540-80, S.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, S.B. No. 2540-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2501-80, S.D. 1:

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, S.B. No. 2501-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSOLUTE LIABILITY OF ANIMAL OWNERS: PENALTIES FOR VIOLATIONS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2574-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2574-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MECHANIC'S AND MATERIALMAN'S LIENS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 703-80 (S.B. No. 2965-80, S.D. 2):

Senator Campbell moved that Stand. Com. Rep. No. 703-80 be adopted and S.B. No. 2965-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Campbell then spoke for the measure as follows:

"Mr. President, this bill makes it possible for parents or guardians of handicapped children to appeal a decision of the Department of Education's hearing officer to the Board of Education.

"The intent of the amended bill is to provide the quickest and least expensive procedure for the adjudication of the grievances of parents who have handicapped children.

"The bill has been amended to require that the Board of Education or its panel to submit its decision within thirty days of the notice of appeal.

"I urge support of this measure. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 703-80 was adopted and S.B. No. 2965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

At 9:11 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:12 o'clock p.m.

Standing Committee Report No. 704-80 (S.B. No. 2784-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 704-80 was adopted and S.B. No. 2784-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR AND OTHER VEHICLES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2419-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2419-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 706-80 (S.B. No. 2927-80, S.D. 2):

Senator Carpenter moved that Stand. Com. Rep. No. 706-80 be adopted and S.B. No. 2927-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator O'Connor.

Senator Carpenter in support of the measure, spoke as follows:

"Mr. President, I would like to commend the Chairman and the staff of the Judiciary Committee for putting into a relatively streamlined form that which was quite comprehensive and in fact over-comprehensive, perhaps, in being delivered from the Health Committee to the Judiciary Committee.

"I would like to take just a moment to indicate that the Health Committee will also be introducing a resolution which will speak to the private institutions, since this bill is primarily aimed at the public institutions in Section 2.

"Again, I'd like to thank the Chairman of the Judiciary Committee for a great deal of effort on a very difficult subject."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 706-80 was adopted and S.B. No. 2927-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1860-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 1860-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE", was recommitted to the Committee on Judiciary.

Senate Bill No. 1970-80, S.D. 1:

By unanimous consent, action on S.B. No. 1970-80, S.D. 1, was deferred to the end of the calendar.

Senate Bill No. 1574, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 1574, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC WAR MEMORIAL SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

MATTERS DEFERRED FROM EARLIER IN THE DAY

Standing Committee Report No. 513-80 (S.B. No. 1934-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 513-80 and S.B. No. 1934-80, S.D. 2, was deferred to the end of the calendar.

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

By unanimous consent, action on Stand. Com. Rep. No. 543-80 and S.B. No. 2693-80, S.D. 2, was deferred to the end of the calendar.

Senate Bill No. 1519, S.D. 1:

By unanimous consent, action on S.B. No. 1519, S.D. 1, was deferred to the end of the calendar.

At 9:15 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:05 o'clock p.m.

MATTERS DEFERRED FROM EARLIER IN THE CALENDAR

Senate Bill No. 2407-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2407-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", having been read throughout, passed Third Reading on the following

showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Abercrombie, Anderson, George, Hara and Kawasaki).

Senate Bill No. 2514-80, S.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2514-80, 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, 4 (Anderson, George, Soares and Yee).

Senate Bill No. 2898-80:

On motion by Senator Cobb, seconded by Senator Chong and carried, S.B. No. 2898-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Senate Bill No. 3026-80, S.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.B. No. 3026-80, 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, 1 (Chong).

Standing Committee Report No. 581-80 (S.B. No. 2027-80, S.D. 1):

Senator Hara moved that Stand. Com. Rep. No. 581-80 be adopted and S.B. No. 2027-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Toyofuku.

Senator Cayetano then asked the Chair for a ruling on a possible conflict of interest as follows:

"Mr. President, the bill before us would give the liquor commissioners an increase in pay and since I appeared before them representing someone just a few days ago, I believe it is a situation of conflict and I therefore ask the Chair for a ruling."

The Chair ruled that there was a conflict and Senator Cayetano was excused from voting.

Senator Kawasaki then spoke in opposition to the measure as follows:

"Mr. President, I'm urging a 'no' vote on this primarily because I don't think that after years of great patience on the part of the state legislature here expecting and hoping that the Liquor Commission in the County of Oahu would bring about some reforms in some of these 'clip-joint' bars that have, in effect, ripped off not only tourists, but some of the local residents in the way of ridiculous prices charged for their champagne and for the liquor that the girls consume (which to begin with is unlawful), they have not been able to bring about any improvement in this situation.

"We introduced bills some time ago with the hope of taking the administration of liquor sale business to the state level and providing our own state liquor commissioners. We abstained from doing that with the promise from the Oahu County liquor commissioners that they would bring about some reforms regarding these clip-joints which I referred to.

"Apparently there has been no improvement and for us now to say that we are willing to raise their compensation, I think is tantamount to giving them a clean bill of health when in effect, they have done nothing to bring about reform.

"This is particularly appalling in view of the fact that we have set up at the state level, the Consumer Protection Agency. We spend literally hundreds of thousands of dollars to provide consumers with some measure of protection. When we allow the retail liquor establishments, the bars in effect, to do what they are doing, we defeat our attempt to protect the public. I am not talking about all the bars, but the handful of bars who very impudently with apparently the sanction of the Liquor Commissioner, go about cheating the public.

"Mr. President, I think we should put a stop to this, but the only way we can get this message to the commission is voting 'no' on this bill which raises their salaries."

The motion was then put by the Chair and carried, and Stand. Com. Rep. No. 581-80 was adopted and S.B. No. 2027-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LIQUOR COMMISSIONS; COMPENSATION", 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 (Cayetano).

Standing Committee Report No. 593-80 (S.B. No. 1939-80, S.D. 3):

Senator Cayetano moved that Stand.

Com. Rep. No. 593-80 be adopted and S.B. No. 1939-80, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Saiki then rose to speak against the measure as follows:

"Mr. President, this bill, if enacted, would establish a 'super' health agency known as the Health Authority.

"This 'super' health agency will have power to review rates of public and private health facilities; make grants for health service development; suspend state regulations in the health delivery system; and establish a system of uniform accounting and financial reporting for hospitals, both in the private and public sector.

"I believe that the Health Authority created by this bill would make more complex our already complicated health care system. It would serve to add another layer of bureaucracy; and would, in effect, actually increase health care costs to patients within our State.

"The principal function of the Authority is to control the activities of acute and long-term health care facilities. Has it been convincingly shown that these facilities have not strived to control rising costs of health care? Rather, through voluntary efforts and self-imposed constraints, hospitals and other health care services in our State have been recognized as a model for the nation. The averaged revenues associated with hospital care in Hawaii are significantly lower than other states having mandatory rate review!

"There is no question that we are all concerned with the problem of the high cost of medical care but this bill seems to single out health care facilities as though they were the only instrument involved in rising health care costs.

"Leaders in the community have overwhelmingly testified in opposition to this bill at this time.

"In view of this and especially in light of the undocumented costs of compliance and the lack of documented evidence of net cost savings, I stand in firm opposition to this bill's passage.

"And to quote the eminent American Justice Oliver Wendell Holmes, 'State interference is an evil, where it cannot be shown to be good!' Thank you, Mr. President."

Senator Carpenter rose to speak

in favor of the measure as follows:

"Mr. President, there has been a great deal of interest in this bill and it may be more important than any other health measure this session. This is an important bill because it gets at the core of the problem of health care delivery in Hawaii.

"It is a substantial measure that deals with many elements affecting the health care system. I believe it is deserving of a full public review, one that certainly includes review in the House of Representatives. Mr. President, the proposed ingredients have been carefully worked out and adjusted through two revisions, two extensive public hearings with your Committees on Health and Ways and Means, and it reflects several years of study of the problem in Hawaii, including a number of recent studies and as described in the Legislative Reference Bureau report on alternate approaches to hospital cost containment dated January 1979.

"This bill reflects a number of industry-sponsored amendments that have substantially improved this legislation so that it can be heard more fully in the House.

"I have given full consideration to the measure and am enthusiastic in its support in its present form. I believe it answers our present needs better than any alternative measure might. It calls for the formation of a new type of entity in this field -- a health authority, which can be held accountable for effectuating improvements in both the public and private sectors of health care delivery in Hawaii. It has the potential of dealing vigorously with the inflationary cost curve and at the same time, it carefully builds upon existing capabilities in both public and private sectors. It does not pre-empt action of existing agencies, and does not create a new all-powerful regulatory body.

"The power of the authority lies in its ability to persuade and focus public attention, not to bureaucratically regulate. Indeed it contains no new regulatory approval or disapproval powers. Its basic purposes, operating principles, and philosophy are explicitly identified in the bill: to bring together, for analysis and remedial action, as necessary, all the basic problems identified in health care delivery in Hawaii, within one state administrative unit, not directly responsible for health care delivery and not unduly influenced by any parties responsible for health care delivery.

"The overall philosophy guiding cost-containment under this bill includes encouragement of natural market forces to curb inflation, improvement of cost-effectiveness, and solicitation of voluntary

private sector cooperation. Its powers of rate review involve public disclosure of rates and rate increases, and in this respect approval/disapproval power is expressly not granted. (p. 22, line 1 in S.D. 2).

"I would like to highlight several key questions regarding this bill.

"1. Why does Hawaii need a state health authority?"

"No other state agency or private non-profit organization performs the basic function of the authority as outlined.

"The state medicaid budget increases can only be dealt with by an industry wide effort at cost-containment."

"Without the authority, the State of Hawaii has only the power to talk, or possibly to study, through the State Health Planning and Development Agency (SHPDA). Planning should produce action, but the SHPDA is a planning agency, not an authority. The 30-member Statewide Health Coordinating Council is a forum for policy discussion, not a board of directors of an agency responsible for producing results. The SHPDA administrator cannot be held responsible for resolution of problems in health care delivery. I believe Hawaii needs the state health authority to build upon its planning efforts and extend that planning to fruition by implementation!

"2. Why does Hawaii need the state health authority now?"

"Hospital expenses in Hawaii have more than doubled between 1973 and 1977. As the Legislative Auditor noted last year, 'The cost of hospital care in Hawaii has increased substantially during the past six years and it appears that this trend toward higher costs will continue unless the current efforts to control hospital costs prove to be successful or unless other measures are instituted.' (pp. 20-21 of Legislative Auditor, A Review of Alternative Approaches to Hospital Cost Containment, January 1979, emphasis added.) The Legislative Auditor went on to conclude that there is no way to know at the present time whether either the SHPDA's Certificate of Need (CON) program or the industry's Voluntary Effort (VE) are actually having an effect on slowing down cost increases. But we do know that the county-state hospital rates have increased more than 90% since 1974 and neither CON or VE have any impact on these rate increases nor do they have any impact on the additionally proposed rate increases.

"It takes time to get organized and the results of this session's action won't be apparent for a few years. If we wait, it will take that much longer to produce results.

"I believe this is a good year for such an enactment. The federal government, which contributes 100% of the funds for the SHPDA, has, in October of last year, passed amendments to the basic National Health Planning and Resource Development Act of 1974. Now we know what the federal requirements, responsibilities, and limitations of health planning will look like for the next four or five years. We also know that Congress will not take any further action in cost-containment this year and probably not in the session beginning next year. Hawaii can act without fear of further federal intrusion into this area.

"I believe now is the time for us to shape our own approach to this problem. We may even be able to show Washington and the rest of the U.S. a better way to cope with rising health care costs.

"3. Why should we assume that the health authority will be cost-effective in its efforts to control cost increases?"

"If the authority does not produce results within six years, it will terminate. If the authority cannot show evidence of a reduction in health care inflation then it will cease to exist. This should provide substantial incentive to the authority to produce results and to demonstrate the relationship between its efforts and the evidence of cost-restraint in the health care industry. This cost-effectiveness incentive is not present in any other mechanism presently at work.

"The costs of the authority are limited by law. Because the financing of the authority is tied directly to the total revenues of non-federal acute and long-term care facilities, and because the assessment involved is limited to .3%, the cost of the authority's operation can be compared directly with the increased cost of health. If hospital costs increase are held to 10% annually, the total revenues available to the authority will be held to a maximum increase of 10%.

"The actual dollars spent on the authority, even if passed on to hospital patients, will represent a very small element in what is increasingly a very large bill. On a \$2000 hospital bill, the maximum allowable assessment would be \$6.00. If the authority would help reduce that hospital bill by \$6.00 it would have proven to be cost-effective and that \$6.00 represents approximately

five minutes of an attending physician's time.

"I believe it can work to the advantage of the state's taxpayers and consumers -- I ask my colleagues to give the bill a chance."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 593-80 was adopted and S.B. No. 1939-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII STATE HEALTH AUTHORITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Carroll, George, Hara, O'Connor, Saiki, Soares, Ushijima and Yee).

Standing Committee Report No. 595-80 (S.B. No. 2643-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 595-80 be adopted and S.B. No. 2643-80, 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 do not concur with the Committee on Ways and Means' retention of recommendations that Honolulu International Airport still be used for general aviation, and that both Dillingham and Ford Island be designated as satellite general aviation airports. The Committee's suggestion that landing fees be raised to such an extent that it would make it financially infeasible for general aviation aircraft to land at H.I.A., is a form of commercial blackmail.

"Pilots have criticized the so-called 'improvements' at Honolulu International as being time-consuming and a waste of fuel. Restricting commercial use to Runways 8-Left and 8-Right forces numerous aircraft to wait in line for runway access, burning thousands of pounds of fuel in the meantime. The approach pattern is longer, and residents of Ewa and Ewa Beach have complained of the increase in noise. Furthermore, the dangerous mix of fast and slow aircraft continues in the airspace above the International Airport, although the ground traffic indeed is safer. A spokesman for the F.A.A. has indicated that improvements at Honolulu International Airport are not a long-range solution to the problem, and are really analogous, and this is my comment, to putting a band-aid on an extensively bleeding wound.

"It is unwise legislatively to approve expansion and upgrading of Dillingham and Ford Island as suggested, when studies have not been done to determine both sites' feasibility for those purposes. Ford Island is already overdue for return to the Navy, and it is highly improbable that the Navy will approve its further expansion. It is ridiculous to expect that it would become a second satellite reliever airport under these conditions.

"Dillingham Airfield is too far-removed from centers of business in Honolulu, to induce the bulk of general aviation away from Honolulu International. Currently, the only users of Dillingham are student pilots and stunt pilots and some glider pilots. Air taxis and air tour carriers, which make up the bulk of general aviation, all use H.I.A. Because of its location, no commercial pilots go to Dillingham, except to have fun. How can the State expect this site to be a satellite reliever airport if no one wants to use it?

"According to the Chief of the Airports Division for the F.A.A., it would be a violation of Federal law if the State either instituted a ban against general aviation, or if it tried to levy discriminatory landing fees. In the Airport and Airway Development Act of 1970, which is Public Law 91-258, at Section 18, paragraph (a) and sub-paragraph (a) (1), airports which have received Federal financial assistance must be available to all types and classes of users on fair and reasonable terms without unjust discrimination, and I have mentioned this to members of this honorable body. The State could be ineligible for Federal funding if it is found non-compliant with this law. According to the Chief, general aviation carriers all pay a tax that contributes to the Aviation Trust Fund, so they have a right to use Honolulu International Airport, and the F.A.A. has an obligation to them to see that they are allowed its access.

"Landing fees can indeed be raised by the State, but they cannot be discriminatory, such as charging a higher fee at H.I.A. than would be charged at the new reliever airport, or charging a fee that would be much higher than compared with other airports in the nation. Making landing fees prohibitive to general aviation would only foster resentment against what amounts to a blackmail attempt on the part of the State to limit the expedient transaction of business. The F.A.A., I believe, must be opposed to any measures that would limit general aviation's use of H.I.A. General aviation must be voluntarily moved from Honolulu International.

"I therefore reiterate my firm conviction that Waipio is the best site for a general aviation reliever airport. The bill raises

several objections to the Waipio site, which I would like to answer.

"Item (7) (a) talks about the loss of cane-growing land from Oahu Sugar Company. Only 50 to 55 acres of a total of 500 acres will be lost by Oahu Sugar, if the airport is built at Waipio. Now this seems like a minor sacrifice in this case.

"Item (7) (b) says that 'the very existence of Oahu Sugar Company' would be jeopardized, as the area containing their waste water filtration ponds would be taken over, producing financial demise and a chain of events that would put them out of business. This is inaccurate.

"I have talked with an AmFac representative who is an engineer and who knows what he is talking about. (AmFac, incidentally, owns Oahu Sugar.) He said it is possible to work out a land use for all of their purposes further south or north of the peninsula, or work out a solution with the Department of Health to be able to use a portion of the Pearl Harbor Basin. They do have a water discharge problem, but it's not an insurmountable one as this committee report would have you suggest; certainly not the problem of trying to dig a crack in the side of a mountain and have people land in it.

"Item (7) (c) says that three species of endangered birds would be threatened by construction of an airport there. The Kentron Study of 1977 said that this problem is not that serious, as the birds have been sighted in man-made habitats in two nearby National Wildlife bird refuges farther south on the peninsula. They have also been sighted in about two dozen other local ponds, including the peninsula's sewage treatment ponds and the sugar cane settling ponds. Now it said: '...it is possible that any impacts can be minimized by constructing new wetland habitats further south on the peninsula.' A quick look at that map and the terrain show that that problem is certainly not insurmountable.

"All in all, Waipio has the best geographical location, the best wind and weather conditions and the best arrangements for instrument approaches. The cost of development would be relatively low and the environmental concerns while noted can easily be solved.

"I have presented some reasons tonight as to why the recommendations of Senate Bill No. 2643-80, S.D. 3, will not work and why the site at Waipio is the best available. There is nothing

preventing us, Mr. President, from choosing Waipio at the present time, except a political decision and we can, my fellow Senators, decide this matter or we can wait--wait for an aerial holocaust.

"I urge that we vote 'no' on this measure. Thank you."

At 10:22 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:24 o'clock p.m.

Senator Mizuguchi then spoke in support of the measure as follows:

"Mr. President, the problems of safety at Honolulu International Airport have been thoroughly discussed and I need not repeat them here. The public interest requires that this legislature take action to provide the most immediate solutions possible. The administration proposes to construct a new airfield at Poamoho. But construction is at least four years away, with not even a completed environmental impact study in hand yet.

The bill we are addressing tonight comes to grips with the general aviation problem in a more effective and immediate way. For this bill recognizes that what we need is a push-and-pull approach--that is, general aviation must be pulled as well as pushed, as provided for in Senate Bill No. 866, S.D. 1, to other airfields.

"The concept of satellite airfields which this bill advances, using several sites already in use for aviation but with significant improvements, can attract general aviation users far better. At the same time, no new lands are covered over with asphalt and concrete, no residential areas are newly impacted and no agricultural industries are adversely affected.

"The administration's response to this bill has been that Dillingham is already planned for improvement. However, this bill provides for many more facilities and services at Dillingham, in a shorter timetable, that would far more effectively attract general aviation to Dillingham.

"The administration admits that there is not much it can do to push general aviation out of H.I.A. I say, let us enact Senate Bill No. 2643-80, S.D. 2, and provide the wherewithal to pull general aviation away from H.I.A. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 595-80 was adopted and S.B. No. 2643-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPROVEMENTS AT HONOLULU INTERNATIONAL AIRPORT AND GENERAL

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

Ayes, 20. Noes, 5 (Anderson, Carroll, George, Soares and Yee).

Senate Bill No. 1871-80, S.D. 1:

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, S.B. No. 1871-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1872-80, S.D. 1:

Senator Abercrombie moved that S.B. No. 1872-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Ushijima.

Senator Yee then spoke against the measure as follows:

"Mr. President, I am against this bill because I feel that for us to dictate in statute as to whom the Governor should appoint to the University of Hawaii Board of Regents is to tie his hands.

"I think he has done an excellent job in appointments. He has appointed recent graduates from the University of Hawaii; he's even appointed students, and to impose upon him further restrictions regarding appointments, I think is a hindrance.

"Therefore, Mr. President, I urge a 'no' vote on this bill. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1872-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY BOARD OF REGENTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 16. Noes, 9 (Anderson, Carroll, George, Hara, Saiki, Soares, Tōyofuku, Yamasaki and Yee).

Senate Bill No. 2691-80, S.D. 1:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, S.B. No. 2691-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION", having been read throughout, passed Third Reading on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 3 (Anderson, Cobb and Soares).

Senate Bill No. 2267-80:

On motion by Senator Young, seconded by Senator Cayetano and carried, S.B. No. 2267-80, 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, 22. Noes, 3 (Anderson, George and Kawasaki).

Standing Committee Report No. 612-80 (S.B. No. 1744, S.D. 1):

On motion by Senator Yim, seconded by Senator Carpenter and carried, Stand. Com. Rep. No. 612-80 was adopted and S.B. No. 1744, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CLUSTER DEVELOPMENTS WITHIN RURAL AND AGRICULTURAL LAND USE DISTRICTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2208-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Carpenter and carried, S.B. No. 2208-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2495-80, S.D. 1:

On motion by Senator Yim, seconded by Senator Hara, S.B. No. 2495-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 5 (Carroll, George, Kawasaki, Saiki and Soares).

Standing Committee Report No. 618-80 (S.B. No. 1930-80, S.D. 1):

Senator Campbell moved that Stand. Com. Rep. No. 618-80 be adopted and S.B. No. 1930-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Mizuguchi.

Senator Campbell spoke in favor of the measure as follows:

"Mr. President, some of us have long voiced strong concern over the welfare and safety of our students as they ride to and from our schools day after day. The area of student transportation has become a serious problem to the people of Hawaii.

"I strongly believe that it is of utmost importance that we, as legislators, place overall authority for coordination of the school bus system with a single department. Placing final authority and responsibility for coordination of the school bus system with the Department of Education is to enhance the accountability of the State to our parents.

"Furthermore, the purpose of Senate Bill No. 1930-80 is to ensure that the care of our youngsters is placed in the hands of a department whose expertise and perspective focuses on our children. There will be no personnel changes or equipment transfer. The other departments shall assist the Department of Education in its efforts to provide safe and efficient student transportation.

"I believe that such coordination among departments is long overdue. I ask for the Senate's full support. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 618-80 was adopted and S.B. No. 1930-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE SCHOOL BUS SYSTEM", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Carroll, George, Saiki and Soares).

Senate Bill No. 2813-80, S.D. 1:

Senator Cayetano moved that S.B. No. 2813-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Soares then spoke in opposition to the measure as follows:

"Mr. President, it's my view that no matter how you color this bill regarding rebates on food and drugs and other tax credits, that what we're voting for here tonight is really a tax increase. When you raise the tax from 4 to 5 percent, all other goods and other services will be increased likewise.

"I know we had Republicans pushing for years to remove the tax on food and drugs and most of us agree with that philosophy, but I believe very strongly that we are presently embarking on

a situation that in view of all of the surpluses that we have in our treasury, in view of the fact that both Budget and Finance and the Governor are looking at providing a tax rebate because we have these surpluses; here we have before us a bill with all the so-called rebates and tax credits and it is nothing more than a tax increase.

"I would like to see all of us justify the need we have for a tax increase from 4 to 5 percent, driving the costs of other goods and services as high as the sky.

"I therefore ask my colleagues on this floor to vote against this tax increase."

Senator Cayetano then remarked:

"Mr. President, the bottom line of this bill is according to the testimony given by Mr. (George) Freitas from the Department of Taxation that the resident taxpayer of this State will save a net of \$42,000,000. No matter how you color it, Mr. President, that is not a tax increase."

Senator Carroll then spoke in rebuttal:

"Mr. President, I rise in rebuttal to the previous comment. I spoke with Mr. Freitas at some length and went item by item through this measure and he assured me indeed that it was a tax increase, and I see this as a tax increase bill.

"I think we want to do what we've all suggested throughout the years with respect to the 4% on food and drug removal. Let's do that and let's not color it something else."

Senator Anderson then stated as follows:

"Mr. President, since the Director of Taxation was in discussion, I would like to read from his testimony given before the Ways and Means Committee. He talks about increases in general excise and use tax and I quote:

"It should be noted that the general excise tax is a regressive tax, which bears most heavily on those least able to pay it. Therefore, even though the plan is to shift the general excise tax to tourists, lower income resident taxpayers who must buy other non-food and non-drug essentials and who are entitled to some of the non-essential items and the little joys of life will find the 5% general excise tax rather burdensome. A quick glance at the sales tax charged among the fourteen Western states finds very few with rates above the 4%. The Department of Taxation believes that careful consideration should be given to the above points as well as to the

revenue impact of the various segments before the final enactment of any tax measure which proposes to change major segments of our tax system. A revenue impact report is attached for the committee's information. The Department recognizes many worthy features in this bill, as we all do; however, it does not support the bill in its entirety.'

"Thank you, Mr. President."

The motion was put by the Chair and carried, and S.B. No. 2813-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, Carroll, George, Hara, Saiki, Soares, Toyofuku, Ushijima, Yee and Young).

Standing Committee Report No. 625-80 (S.B. No. 2376-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 625-80 be adopted and S.B. No. 2376-80, 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, last year when the utility companies, specifically the Hawaiian Electric Company, were very anxious to have this bill heard in the Committee on Public Utilities of the Senate, I prevailed upon the chairman of the committee to give the utility company a day in court and have them make their presentation.

"This year conditions have changed and the Department of Energy, for one thing, has promulgated some new edicts that are of tremendous financial advantages to the power-generating companies including the Hawaiian Electric Company. The Congress of the United States right at the present moment is considering, (and passage seems reasonably assured), of tax rebates tax credits, many incentives, financial incentives, for power-generating companies to go into power-generating programs using other than fossil fuels.

"In the light of all of this and in the light of the fact that Hawaiian Electric Company's common stock today pays an amazing 12-1/2% net return to the common stockholders, I think these conditions now make it necessary that we not consider the enactment of this statute. The savings that the electric company claims they will

be passing on to the consumers amount to peanuts, to use the term, literally very little, if any, impact on the average consumer family of this state.

"To pass this act, providing special revenue bonds and the advantages of the savings to the electric company in this particular case, I think, is going to do the citizens of this state a great disservice.

"What I have just said probably comes as a shock to my good friends who are the representatives of the Hawaiian Electric Company, but in considering what has taken place in one year's time since the last session, I find that there's absolutely no need to provide this kind of legislation because the Congress of the United States is considering many financial benefit types of legislation that will take care of all power companies, including the sugar companies and the Pacific Resources Company, Hawaiian Electric Company-- all kinds of benefits to encourage the development of non-fossil fuels, to encourage further expansion of power plants to cope with the energy needs of the state as the answer to the OPEC countries' constant increase of oil prices.

"I urge this body to consider very carefully the impact of what we are doing here, in light of the fact, first of all that Hawaiian Electric Company pays a good return on its common stock holdings. I urge the non-passage of this bill."

Senator Chong then stated:

"Mr. President, I would like to point out that this bill is essentially an act of good faith of this body because the bill is contingent upon the passage of House Bill No. 1222, the enabling legislation as mandated by the Constitution. The act of good faith is that we, as a body, are sincerely interested in keeping alive the possible option of our electric utilities to use revenue bonds this year.

"Mr. President, there simply is no other vehicle that this legislature can use to insure that revenue bonds can indeed be used should this honorable body pass to the House, House Bill No. 1222 sometime next week. The purpose of this bill is simply to keep alive the possibility for electric utilities to be in a position to use revenue bonds effectively should we ultimately act favorably on House Bill No. 1222.

"For this reason, Mr. President, I urge all members to vote 'aye' on this bill."

Senator Yamasaki spoke in favor of the measure as follows:

"Mr. President, I am voting in favor

of this bill, however, I would like to place for the record the fact that Molokai Electric Company has also requested consideration in this bill. However, their request came a little too late for this purpose in tonight's calendar. So therefore, there will be an amendment proposed in the House and I would like to alert the members of this body that the amendment for Molokai may be considered by the House. Thank you."

Senator Anderson then stated:

"Mr. President, I'd like to refer to the comments made earlier by the Senator from the Fifth District. If he will note the bill has been for all practical purposes, 'guttled' and it is not worth the paper it's written on.

"If you will check on page 2, these people of Hawaiian Electric Company . . . provided that of the amount authorized none (emphasis added) shall be used for fossil or nuclear fuel generating plants.' The word 'new' was taken out, and I don't think Hawaiian Electric has windmills, geothermal or OTEC as yet, so basically, this is a vehicle at this point, for conference discussion, but the concerns stated by the Senator are in error."

Senator Abercrombie spoke against the bill as follows:

"Mr. President, I understand that as a result of recent federal actions for every dollar spent on non-fossil fuels, the power companies will get a dollar back and in that respect, I don't think that we have before us then sufficient understanding of the kind of economic circumstances that we are committing ourselves to until we fully understand that federal action. Therefore, I do not think we should vote this bill at this time."

Senator Cayetano then stated:

"Mr. President, just a brief explanation. As the Minority Floor Leader pointed out, this bill is just a vehicle. The Constitution authorizes the use of bonds, but it also requires for enabling legislation and the other bill to authorize the issuance of the bonds. This bill here is the enabling legislation and as correctly pointed out, it has been 'guttled' and is just a vehicle. Thank you."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 625-80 was adopted and S.B. No. 2376-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORIZATION OF SPECIAL PURPOSE REVENUE BONDS TO

ASSIST UTILITIES SERVING THE GENERAL PUBLIC", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members to which the Senate is entitled on the following showing of Ayes and Noes:

Ayes, 23. Noes, 2 (Abercrombie and Kawasaki).

Senate Bill No. 1171, S.D. 2:

Senator Cobb moved that S.B. No. 1171, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Yee spoke against the passage of the bill as follows:

"Mr. President, what this bill attempts is to try again to resolve some of the problems between landlord and tenant, but again at the conclusion of the hearings and as the bill turns out, again it imposes more limitations and more restrictions on the landlord.

"There exists a problem throughout the state in lack of housing for the people.

"I think we all realize that since the landlord tenant code was passed, it has been effective. It has given great protection to the tenant and very little for the landlord. As a result, today you find very few people who are willing to invest into apartment buildings or multiple units for renting, because they feel that they have no great opportunity to get a fair return on their investment.

"They feel that there is a constant move by the tenant group to organize the right to strike and to do everything, and even to receive interest on the security deposits. The tenants are well meaning, but I think we've come to a point now that we're pushing people's property rights too far.

"As for example here, if anyone wants to rent his home, this bill requires that the landlord have adequate lighting surrounding his premises for the protection of the tenant and guests. Well, I think that the tenant has certain rights and responsibilities themselves.

"The bill also says that they have a right to have guests, of course, upon the written approval at the time they enter into the contract. But all it does, really, is to increase the rent for the tenant because the more and more they impose upon these conditions, the more and more the landlord is going to charge a higher rent. Many of them have indicated that they no longer desire to rent and this is why to a great extent, many of them are moving towards converting

their apartment building to condominiums.

"Though we are in a dilemma, I think the present law is adequate in taking care of the tenants with our landlord tenant code. This bill merely takes away more rights of the landlord than needed. I therefore urge the members to vote against this bill. Thank you."

Senator Abercrombie then remarked: "Mr. President, on a point of information, this landlord tenant code does not contain anything about security deposits."

Senator Cobb then spoke in favor of the measure as follows:

"Mr. President, contrary to some of the previous remarks, there is nothing in this bill on the subject of rights of the tenants to organize, on the subject of security deposits, in fact even the subject of rent control is deleted from this measure. A very detailed language on the subject of inventory, which was submitted by the Office of Consumer Protection based on a year-long study that resulted in the draft of this bill, was also removed, and the provision went back to the existing language.

"Also contrary to some of the previous remarks, this bill provides a balance of rights between the landlord and the tenant. There is a provision in the bill that allows the landlord to provide a written notice of 10 days eviction for non-compliance of house rules. There are provisions in the bill that delete the requirement for return receipt requested on letters; that change the requisite period of notice for nonpayment of rent to five calendar days instead of five business days; that change the notice of non-compliance of maintenance to ten days as opposed to fifteen which was proposed in the bill; and even on the subject of lighting, provides for the front entrance to have adequate lighting as a safety feature.

"If the landlord tenant code has worked so well over the past eight to ten years, there would not have been this kind of discussion and detailed suggestions coming out of the Office of Consumer Protection. Basically what this bill represents is a composite of a year-long research and study by that office and a recommendation transmitted to the legislature in response to a resolution that we adopted last year.

"I would emphasize very strongly that any of the issues that I have mentioned such as security deposits, tenants' unions, or right to organize, or rent control or even the detailed language of inventory, which are properly the

subject matter of other committees, were removed from this bill so that there would be no question of jurisdiction or usurping the jurisdictional matter of other subject matter committee.

"I think those Senators who have had a chance to review it will find quite a balance in the bill, and it is in that approach that I ask the Senate to support this measure. Thank you."

The motion was put by the Chair and carried, and S.B. No. 1171, 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, 19. Noes, 6 (Anderson, George, Hara, Saiki, Soares and Yee).

Standing Committee Report No. 646-80 (S.B. No. 2679-80, S.D. 1):

On motion by Senator Cobb, seconded by Senator Chong and carried, Stand. Com. Rep. No. 646-80 was adopted and S.B. No. 2679-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL UNITS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 18. Noes, 7 (Anderson, George, Hara, Kawasaki, Saiki, Soares and Toyofuku).

Senate Bill No. 866, S.D. 1:

Senator Mizuguchi moved that S.B. No. 866, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Carroll then remarked as follows:

"Mr. President, I'd like to have my remarks regarding Senate Bill No. 2634-80, S.D. 1, incorporated by reference and adopted as comments against this measure.

"I would like to make this additional comment, that I think it would do this body a lot of good if these types of bills did not end up only in the Transportation Committee but rather that they be referred to the Judiciary Committee when they obviously conflict with federal law.

"Mr. President, I urge that everyone vote against it."

The motion was put by the Chair and carried, and S.B. No. 866, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR TRANSPORTATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Carroll).

Senate Bill No. 2512-80, S.D. 1:

On motion by Senator Kawasaki, seconded by Senator Toyofuku and carried, S.B. No. 2512-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Abercrombie, Anderson, Carroll and Saiki).

Standing Committee Report No. 652-80 (S.B. No. 3, S.D. 3):

Senator Cayetano moved that Stand. Com. Rep. No. 652-80 be adopted and S.B. No. 3, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Cayetano then spoke for the measure as follows:

"Mr. President, the legislature finds that recent amendments to the State Constitution and changing attitudes among the public as well as legislators have created an atmosphere in which the concept of legislative 'pork' is no longer tenable nor justifiable.

"The concept of legislative 'pork' - the practice of allotting to each individual legislator a fixed amount of appropriations for capital improvements within his or her district - is in large measure the result of parochial attitudes fomented by strong demands on legislators by constituents for the delivery of services within their districts.

"The practice has led to a tremendous backlog of capital improvement appropriations on the books. As a practical matter, the limitations of the state's bond credit rating will not permit the funding of most of these 'pork' projects. As a political matter, the practice has created high and unrealistic expectations among constituents that these capital improvement projects will actually be built, when in fact in all likelihood they will not.

"The practice of legislative 'pork' has led to a weakening of the legislature as an institution. The individual legislator seems to be saying 'yes' to far too many parochial demands, while the legislature, as an institution accountable to the people of the state as a whole, needs to say 'no' many times in order to say 'yes' the few times it must to use the state's limited resources to benefit the state and all of its people.

"Recent amendments made to the State Constitution with respect to the bonded indebtedness ceiling imposed on the legislature the duty to approach the funding of capital improvements in a more judicious, deliberate and fiscally responsible manner. The legislature can no longer afford the luxury of appropriating capital improvements which are proposed primarily to appease constituent demand. It must carefully set its priorities and fund only those projects which are deemed worthwhile because of thoughtful planning and deliberation and because such projects can be justified on behalf of the state and all of its people.

"The overwhelming ratification of these constitutional amendments by the voters in November of 1978 is clear evidence that the people themselves have mandated the legislature to take a more responsible and judicious approach.

"Mr. President, I urge all the members to vote 'aye' on this measure. Thank you."

The motion was put by the Chair and carried, and Standing Committee Report No. 652-80 was adopted and S.B. No. 3, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZING THE ISSUANCE OF BONDS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 653-80 (S.B. No. 711, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 653-80 be adopted and S.B. No. 711, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carpenter spoke in support of the bill as follows:

"Mr. President, the purpose of this bill, Mr. President, is to assure the appropriate educational needs of the children of this State. This bill for handicapped children also provides a uniform definition for handicapped children. We have been operating for quite a number of years with several different definitions existing within the Department of Education and the Department of Health.

"Another important aspect of this bill is to assure that the handicapped child has the appropriate educational services provided in the future years, so that we can approach and realize the idea of the mainstreaming of these youngsters in our community so that society as a whole may benefit from the interaction of all of its citizens, whether they be

handicapped or otherwise.

"We have waited a full year, Mr. President, to act upon this measure and I feel that we can wait no longer. However, I'd like to point out that I feel it is necessary for this particular issue of the age segregation portion to be heard in the House and that it be addressed to all of the pertinent parties speaking to it because there seems to be some contention that this area needs to be refined even more than it is in the present language before us. I so recommend with the adoption of this measure that the section regarding age segregation be addressed in the House. I ask my colleagues for support of this measure.

"Thank you, Mr. President."

Senator Kawasaki then stated:

"Mr. President, while I vote for this bill, I do so with great reservations. I find that contrary to the testimonies given in the Ways and Means Committee about this bill, I find that first of all the Department of Education was not in favor of this bill, notwithstanding the representations that had been made to us by one of the school commissioners who gave us a very definite impression that she had the blessing of all the school commissioners, in effect, that it is almost the DOE position. I found out very recently that this was not so.

"I think the Department of Education today is carrying on this program adequately in consideration of the sums of money we allocate to the Department for this purpose and considering the amount of staffing that we allow.

"If the exact language of this bill was to be enacted, carried out and implemented, I'm afraid the responsibilities right now assumed and carried on by the Department of Education are going to be given to other private groups who are doing a portion of this work.

"I find information to the effect that the private entities, for example the Variety Club, is not quite geared to handle the extent of the work necessary to service all of the youngsters that require this kind of servicing.

"I find much to my consternation also that the school commissioner who advocated this particular bill, giving us the impression that this was the DOE position and the school commissioners' position, was also a member of the Variety Club, a director of that organization and she never stated that fact to us, and this again would make a difference

as to how we evaluate her testimony and her position on this matter.

"All of these things disturb me, but hopefully some of these things will be attended to in the conference committee dialogue and with this expectation, I give very limited support to this bill.

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 653-80 was adopted and S.B. No. 711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EXCEPTIONAL CHILDREN", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 655-80 (S.B. No. 2554-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 655-80 be adopted and S.B. No. 2554-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Carpenter then asked for a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, this bill relates to the Hawaii self-sufficiency fuel fund and since I am an employee of C. Brewer & Company as an engineer, who might be involved in the participation of a project should this bill pass. May I have a ruling on a possible conflict of interest."

The Chair ruled that there was no conflict and Senator Carpenter was allowed to vote on the measure.

Senator Cobb then requested a ruling of the Chair on a possible conflict of interest as follows:

"Mr. President, I work for a firm that could be affected by this bill. May I have a ruling of the Chair on a possible conflict."

The Chair then ruled that there was no conflict and Senator Cobb was allowed to vote on the measure.

Senator Chong then stated as follows:

"Mr. President, the purpose of this bill and many others like it, is to move our state towards energy self-sufficiency by providing economic incentives to the private sector. I strongly support this public policy stance of encouraging the private sector to move ahead in developing alternative energy options.

"I also would like to point out that we should view these incentive measures

as part of a general package of forward looking legislation which is in the public interest now, but which also, in the very long run, may indeed require re-evaluation.

"My remarks under Senate Bill No. 1900 and Senate Bill No. 2179-80 speak to this possible requirement for re-evaluation in the future, and for the record, I am simply calling your attention to this feeling."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 655-80 was adopted and S.B. No. 2554-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII SELF-SUFFICIENCY FUEL FUND", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Anderson).

Standing Committee Report No. 656-80 (S.B. No. 2635-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 656-80 be adopted and S.B. No. 2635-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Chong then spoke in favor of the measure as follows:

"Mr. President, my concern and reason for signing the committee report 'with reservations' on this bill is simply to register a warning to the public, the taxpayer of this state, that the wording of this revenue bond bill is so broad that practically any private industrial enterprise may be able to get the State to sell tax free bonds.

"Although some industries certainly do deserve this kind of a break, especially those industries that may be considering non-fossil fuel, non-nuclear types of energy generation, I am not at all convinced that 'enabling the State to issue special purpose revenue bonds to assist industrial enterprises is a valid purpose' is sufficiently narrow. It is too broad. However, because there is some mention also of the construction of an alcohol plant in order to move Hawaii away from a dependence on fossil fuels, I feel that this bill could prove useful in the short run by encouraging this type of investment.

"It is my hope that the House will narrow the parameters of the bill to specifically limit its use for non-fossil fuel, non-nuclear types of industrial enterprises."

The motion was put by the Chair

and carried, and Stand. Com. Rep. No. 656-80 was adopted and S.B. No. 2635-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR INDUSTRIAL ENTERPRISES", 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.

Senate Bill No. 1514, S.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, S.B. No. 1514, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY TAXATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 663-80 (S.B. No. 2780-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 663-80 was adopted and S.B. No. 2780-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 13. Noes, 12 (Abercrombie, Ajifu, Anderson, Carroll, George, Hara, Kawasaki, Saiki, Soares, Toyofuku, Yee and Young).

Standing Committee Report No. 666-80 (S.B. No. 3097-80, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 666-80 was adopted and S.B. No. 3097-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VESTED RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 2270-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2270-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1965-80, S.D. 2:

Senator Cayetano moved that S.B. No.

1965-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

At 10:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 10:56 o'clock p.m.

Senator Saiki then rose to speak against the measure as follows:

"Mr. President, I realize the hour is late, but I do consider that the measure before us is of very great significance and, on behalf of all the young people of our state, I ask your indulgence.

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

"I'm sure the introducers of this measure had very good intentions, but the measure does not accomplish what it hopes to do.

"The bill proposes to create a student loan program, but realistically, it creates a student pay-back plan where students under WICHE are required to pay back to the state, money they never received. It places on a group of students an inordinate and unfair financial burden because they happen to seek an education in programs this state does not offer.

"Let me go back a little and with your indulgence, make some explanations.

"Our state in 1959, by action of the Governor and the Legislature, joined 12 other states in a Western Regional Education Compact. One of the main purposes was to share educational facilities with each other so that each state need not develop expensive professional schools. In this manner, we could all offer educational opportunities to our students and avoid expensive duplication of programs.

"In the compact arrangement, we agreed that the WICHE Commission would set support fees to be appropriated by states who sent students to institutions in the West. By support fees, we mean the averaged actual cost of education. Support fees do not include tuition, books, instruments, food, lodging or travel. These costs are borne by the students.

"I'll give you an example; we have a Medical School here at our University of Hawaii. The actual cost to our taxpayers to educate a medical student is approximately \$120,000 for four years. This cost is determined by

instructional, operating and prorated capital costs. The medical student still pays only tuition, books and all personal expenses.

"Under WICHE, support for dental students if \$41,000 for the four years it takes to become a dentist. The support fee for optometry is \$18,000 for four years. The support fees for pharmacy is \$12,400 for four years and for occupational therapy, it is \$11,100 for three years. We also support students in physical therapy, veterinary medicine and podiatry.

"And just for your information, the WICHE support fee for medical students is \$14,000 per year. Our actual cost at the University of Hawaii Medical School is \$30,000 per year, per student.

"These support fees I'm referring to are paid by our state to the schools which admit our students. The students never receive the money. The students personally must pay for tuition, books, instruments, travel, food and lodging.

"In corresponding with our students, I have learned that the average cost for these personal expenses is \$8,000 per year for dental students and \$6,000 per year for the other professional fields and these are approximations. So it will cost students approximately \$32,000 in personal expenses to become a dentist and an average of \$18,000 to \$24,000 in the other professions.

"Because most of our students come from low to middle income families, they must borrow these personal funds from various sources, including state and federal student loan programs. I am very happy to note that this afternoon we did pass an expanded student loan program; this will give another fund to which these students can go to.

"Senate Bill 1965 requires students under the WICHE program to pay back 50-65% of the support fees if they return to the state to work. Add the pay-back requirement and the personal costs and you can see that a dental student can be expected to have a debt of \$53-\$59,000 upon graduation. An optometry student will be in debt \$34-\$36,000; a pharmacy student, \$30-\$32,000; and an occupational therapy student, \$24-\$25,000 -- and these are all at today's costs. Add inflation at 13% and the figures will be much higher.

"Compare that with a local medical student who lives at home. His tuition is \$2,900 for four years. With books, instruments and sundry expenses, it could cost him approximately \$7,000 for his entire medical education. This student is not required to pay back the \$60-\$78,000 in support

fees to our state. This cost is paid by our taxpayers.

"If we pass this bill, we are in essence creating two classes of students and we penalize one class merely because the chosen field of study is not available in our state. I think we should be consistent. If our taxpayers are asked to support one class, they should be asked to support both. After all, all are residents and all our students.

"Besides the pay-back concept, this bill also involves indenture. It is supposed to encourage our bright minds and talent to return home.

"But, Mr. President, this bill will not encourage our students to return home. If anything, it discourages them from returning. After the first year, students will tend to become residents of the state where they are enrolled, rather than accept the financial burden which our state imposes.

"And if a student chooses not to come home, what mechanisms must we set in motion to regain the defaulted monies? This could become cumbersome when we cross state lines.

"I can also anticipate the administrative nightmare and the costs it will entail to try to collect from students who return home, much less from those who don't.

"The bill before us also allows five to ten years to collect the fees, if they are collectible at all. This will hardly allow for a viable revolving fund from which we are to support future WICHE applicants.

"Other states in the Compact have attempted this pay-back indenture concept. Of the four states which have such programs, Arizona's plan is limited to medical students, Idaho's plan has never been enforced in twenty years, reportedly because the State doubts that it is legal, Nevada's plan requires 25% of the support fee and total forgiveness if the student returns, and Wyoming's plan is limited to medical students but the plan will be terminated upon completion of their medical school.

"None of the other states have pay-back or indenture plans; if anything, they have open-ended WICHE support for their students because they consider WICHE support fees to be a conservative and inexpensive way to educate their children.

"Mr. President, this Legislature has always believed that our most valuable investment and resource is

our young people. We have made commitments to provide educational opportunities to those who seek them.

"Let us not reverse our stance now and place undue and inequitable burdens on local students who choose only to seek the heights of academic success.

"My fellow Senators, Senate Bill 1965 will be a radical departure from the philosophies and policies we have supported. For the sake of our children, I ask you to vote 'no' on this measure."

Senator Kawasaki then spoke for the measure as follows:

"Mr. President, the previous speaker just happens to be the only Senator out of ten members on the Committee who signed the report 'I do not concur'. The other nine members have all listened to all the testimony relevant to this particular issue. We have considered some of her concerns, but it is the judgment of the overwhelming majority of the members of the Ways and Means Committee that we should do justice to the youngsters of this state, the unfortunate youngsters, literally thousands of them, who do not benefit as a WICHE student.

"The WICHE program takes care of just a handful of students--very fortunate students, I must say. What about the hundreds and thousands of other students who do not qualify under the WICHE privileges?

"One of the great advantages of being a WICHE student is that it gains admittance for a student who otherwise would not even be admitted to these professional schools.

"The support services cost that has just been recited by the good Senator from the Seventh District amounts to a considerable amount of money. This is a great amount of money per student cost to taxpayers.

"Now the one amendment I'd like to make to this bill, and I have discussed this with the Chairman of the Ways and Means Committee, is that we do not require pay-back requirements for the student who's going to be professionally an occupational therapist, physical therapist as these are the occupations that generally, even after graduation and getting into the profession, pay rather modest income--\$12,000 to \$14,000, in that range. And we find a dearth of these people to provide the needs of our own state government here. As a consequence, we have to recruit from the mainland.

"I, however, would like to see a pay-back requirement of the many professional people like the veterinarians, the dentists,

the optometrists, these people who reasonably can be expected to earn on the average of \$100,000 in income after ten years of private practice. It just disturbs me that of almost a thousand students whom we have helped under the WICHE program, not a single student and in the end, the professionals who had this benefit, not a single one of the thousand fortunate recipients gave consideration to other students who should be helped, because now as a consequence of their education that they have obtained with the help of the taxpayers of Hawaii, they are high income professionals, and that perhaps at their income level today, they should possibly give other unfortunate students a chance to get the same privilege.

"Not a single one of them has said to the State of Hawaii, 'I indeed appreciate my opportunities provided for me by the taxpayers of Hawaii. I shall contribute something to this WICHE fund or a fund comparable to that.' Not a single person has done that. And it seems to me when these people graduate into a profession paying the kind of income I'm talking about, then they should on their own volition, if there's not such a law passed, do something to contribute to the education of someone else in the future.

"This has not been our experience. For this reason I feel, in order that we may not have to constantly, year after year, replenish this fund, a million or a million and a half or whatever it's costing us, that we provide some pay-back feature, particularly of those professions that are the high income bracket professions. I don't think this is unreasonable.

"What about the many students who have other types of state loans, government sponsored loans? They have to pay back. I don't think we're working a program that is fair to everybody just by giving this exclusive privilege to the very fortunate WICHE students.

"For this reason, I think this is a sensible program designed to help many, many other people than the few dozen or so that we've helped yearly. This is one way to help others who may want to get the benefit of this type of a program. I strongly support the passage of this bill."

Senator Abercrombie spoke for the bill as follows:

"Mr. President, the previous speaker has more than adequately covered virtually everything I had to say. I will only indicate this further, that

if we do not do something to bring this program under control in terms of cost, we will have to reduce the number of students because the cost will simply go beyond the capacity for us to operate the university system.

"Therefore, I feel very strongly that the principal feature here is that those who have been helped will help the others coming up behind them. I think that's only right and fair."

Senator Saiki then commented as follows:

"Mr. President, I would like to make a few comments here. I appreciate the comments of the previous senators but I think they are a little confused about this program.

"I don't think that we need to get this mixed up with how much return or pay back or obligation individuals are due or should pay back to the state. In fact I, as a University of Hawaii graduate, feel very guilty very often when I am not as active in the alumni association as I would like to be, and that I have not contributed as much to the future of other students who are following in my footsteps.

"The comment was made that very few students are involved in this program. That's very true. The reason why very few students are involved in this program is not because they are an elite group, but because their legislature limits the funding of the numbers of students who could be available to be accepted.

"For instance, last year we had approximately 35 pre-professional students make applications to the program in dentistry. We had funds for seven students. We had approximately 30 qualified youngsters in veterinary medicine; we funded six. We're talking in groups of 30 and 35. In the budget for 1980, we are requesting 35 slots; 35 students will benefit from this program. We would be very happy to accommodate a hundred and thirty-five if this legislature will help fund the program.

"As far as qualifications are concerned, it is the schools who admit the students. The WICHE program in itself or as commissioners, are not involved in the admission program--the schools are. Therefore the qualifications of our students are ranked with the qualifications of all of the other students in the West.

"There are twelve other states participating in this program and our students have to compete with them, and they are doing a terrific job of it. They are qualifying!

"Therefore, all I can say, Mr. President, is that is not a program for the elite.

This is a program for your sons and mine, for Andy Anderson's daughter, for Dennis O'Connor's daughter, for Senator Campbell's daughter (I'm partial to daughters tonight), but this program is to benefit our children.

"We are providing for them the educational opportunities that we cannot provide here in our state. I don't think they need to be punished, Mr. President, nor should they be chastised because of their predecessors who may not have contributed directly to this program. All of the professional people who have returned to this state have contributed their share in state taxes, and I think as far as their moral support is concerned, they certainly endorse this program. Thank you."

Senator George then stated as follows:

"Mr. President, I'd like to offer an analogy that might be useful to us in our consideration of Senate Bill No. 1965-80. I think, perhaps, many of us in this room and certainly many people of this state are aware that one of the most profoundly influential things that was done in this country after World War II was to provide for the GI Bill, which gave an opportunity for the education in professional fields of people who would not otherwise be able to gain entry into those professions.

"The point that I would like to make is that the pay-back has been enormous, not just in the improvement of the person, in the absolutely nifty people that came out of that kind of training, but in the monies that these people who have admittedly gotten into the high brackets, as far as income is concerned. They paid a lot back in taxes, and in that way this money that has come into the state has permitted us to indulge ourselves in pouring money back into the education of further people.

"I don't think there has to be a direct charitable, if it were, pay-back of the funds by personal option or requirement for these people whether it is the GI Bill or WICHE program, to pay back a certain percentage of the money that they received. I think we have all been the gainers and we will again if we continue this program, and we'll be the losers if we erode it as I think this measure would. Thank you, Mr. President."

Senator Cobb then commented: "Mr. President, one very brief observation--speaking as a recipient of the GI Bill, the pay-back is imposed in advance, not after the fact."

The motion was put by the Chair and carried, and S.B. No. 1965-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WESTERN REGIONAL EDUCATION COMPACT", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Anderson, Carroll, George, Hara, O'Connor, Saiki, Soares, Ushijima, Yee and Wong).

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

The Senate reconvened at 11:20 o'clock p.m.

Senate Bill No. 1838-80, S.D. 3:

Senator Cayetano moved that S.B. No. 1838-80, S.D. 3, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then spoke as follows:

"Mr. President, this bill extends the life of the Hawaii Crime Commission. The measure also restructures the Commission for the purpose of making it an effective and efficient organization to counteract crime in our State.

"The survival of the Crime Commission was discussed with considerable intensity and deliberation when its proponents came before the Senate Judiciary Committee. The Judiciary Committee decided that the crime unit should be a 'citizen's commission' and its primary function would be research collection of evidence necessary to study crime.

"I was compelled to sign the committee report 'I do not concur' for several reasons. First, I strongly felt and still feel that the people of Hawaii want a Crime Commission with a majority of members having backgrounds in fighting crime. My opinion was not the majority view on the Committee.

"Second, for such a commission to be strong and effective, it should be adequately funded and sufficiently provided with authority to seriously get involved in making an impact upon the rising crime rate in our State. Here again my view was in the minority.

"I urge the Senate Judiciary Committee to do some of the following things:

- (1) Make the commission a strong, viable force in the field of crime-fighting by giving it full funding--a minimum of \$500,000. By so doing, its capability to impact on crime in this State would

be increased.

(2) Expand the authority of the Commission to a level which would make it effective in fighting crime. If this funding and authority cannot be granted, I was prepared to vote to abolish the Commission because without these provisions, the Commission becomes a meaningless symbol.

(3) Change membership of the Commission so as to provide for a majority of experts in crime-fighting, such as ex-policemen, ex-prosecutors, ex-judges, etc.

(4) Provide that the Legislature, as the oversight body, have access to the program materials and files of the Commission. This would make the Legislature more responsible as an oversight and funding agency.

(5) Do not make of the Commission a research group. This move would be a waste of the taxpayers' money. The Commission would quickly lose the confidence of the people, many of whom are banking on the Crime Commission to give just that leverage necessary to make a significant dent in the growing crime rate in this State. The Committee was sympathetic, but could not be swayed.

"When Senate Bill No. 1838-80, S.D. 2, emerged from the Ways and Means Committee, I was delighted to see that it had addressed many of the concerns I had expressed to the subject matter committee.

"While I am in support of the measure in its present form, I have some reservations. First, if the Commission is going to be effective, the funding should be no less than \$500,000.

"Secondly, the chairman, as the executive officer of the Commission, should be a salaried full-time person devoting his full-time efforts to directing the activities to the staff and members of the Commission.

"With these concerns, I urge the support of this measure."

Senator Ushijima then asked if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor replied in the affirmative.

Senator Ushijima then inquired as follows: "I am a member of the Judiciary Committee and I don't seem to recognize the Senate Draft 2 as compared to the Senate Draft 1. I note in the Committee Report that there are eleven amendments made to the Senate Draft 1. Would

you consider these amendments to be amendments of substance?"

Senator O'Connor replied that he would.

Senator Ushijima then proceeded: "If so, are you satisfied that the amendments had been made in compliance with Rule 16 of the Senate concerning prior concurrence?"

Senator O'Connor answered: "There was no prior concurrence to most of the changes made in this bill. There was to some but not all."

Senator Ushijima then stated: "On that basis, Mr. President, I'll have to vote 'no' on this bill."

Senator Cayetano then commented: "Mr. President, the amendments made to this bill were made to make the Crime Commission more cost efficient."

Senator Carroll then inquired if the Chairman of the Judiciary Committee would yield to a question, to which Senator O'Connor replied that he would.

Senator Carroll then asked: "In reference to the question posed by the Senator from the First District, has there been concurrence subsequent to the drafting of the finalization of the bill in the draft before us?"

Senator O'Connor replied that there had not been.

Senator O'Connor then continued:

"Mr. President, I would like to clarify one matter in this bill. On page 3 of the committee report at the bottom, there is a statement having to do with the word 'investigate' which is a very crucial statement, I believe, as regards the Crime Commission we propose.

"The very last sentence on that page reads: 'such amendments will allow the Commission to effectively collect evidence for the working up towards the prosecution of criminal cases.'

"I have very strong feelings about this Crime Commission ever working up a case for prosecution. It is not today nor will it ever be in my mind equipped technically with the appropriate personnel or the appropriate professional equipment necessary to work a case up for prosecution and to avoid the technical errors that time after time cause the prosecutors both in the FBI and our County Prosecutor's office to bomb out on cases.

"One of the things we considered in the Judiciary Committee very carefully in looking at this measure, was a cut-off point so that the Crime Commission

would stop its investigation after it is rather sure that a crime had been committed and turn the matter over to an appropriate criminal investigating agency to work it up from there on.

"Because I feel rather strongly on this point, I would like to ask for the record if the Chairman of the Ways and Means Committee would yield to a question to indicate what he means by that sentence."

Senator Cayetano replied that he would yield to a question.

Senator O'Connor then queried: "Mr. Chairman, can we know whether or not that sentence would limit the investigation of crimes so that the actual work-up for prosecution will be done by an agency that is qualified to do it?"

Senator Cayetano answered: "Mr. President, I believe the sentence is not contrary to what the Chairman of the Judiciary Committee is alluding to. Perhaps it could have been worded in a more specific manner but his intentions as to the Crime Commission, I believe, were taken into account.

"I don't think I would be exaggerating if I said that it was also the intent of the Ways and Means Committee that when the Crime Commission did acquire evidence or facts that indicated a law may have been violated that they would turn that over to the appropriate agency; for example, if it is a federal law, the appropriate federal agencies, or if it is a local law, then the appropriate local enforcement agency. It's just a question of how you read the sentence; I believe the interpretation is the same."

At 11:26 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.

The motion was put by the Chair and carried, and S.B. No. 1838-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CRIME COMMISSION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (George, Hara, Saiki and Ushijima).

Standing Committee Report No. 678-80 (S.B. No. 1164, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 678-80 was adopted

and S.B. No. 1164, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT AND TRANSFER OF DEVELOPMENT RIGHTS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 680-80 (S.B. No. 1989-80, S.D. 2):

Senator O'Connor moved that Stand. Com. Rep. No. 680-80 be adopted and S.B. No. 1989-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Cobb.

Senator Abercrombie then spoke against the measure as follows:

"Mr. President, if this bill is not going to be deferred as the other one was for the same reasons, I'm going to be forced to vote 'no,' not because I don't believe it should be done, but I don't think I comprehend adequately at this point the advantages and disadvantages."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 680-80 was adopted and S.B. No. 1989-80, S.D. 2, 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, 22. Noes, 3 (Abercrombie, Hara and Kawasaki).

Senate Bill No. 2764-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, S.B. No. 2764-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Standing Committee Report No. 695-80 (S.B. No. 1828-80, S.D. 2):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, action on Stand. Com. Rep. No. 695-80 and S.B. No. 1828-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NONPROFIT CORPORATION ACT", was deferred until Wednesday, March 19, 1980.

Senate Bill No. 2179-80, S.D. 1:

Senator Chong moved that S.B. No. 2179-80, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Yim.

Senator Chong then spoke for the bill as follows:

"Mr. President, the committee report quite adequately relates the changes we made to the original lifeline bill. I strongly urge all members of this honorable body to read the committee report because it effectively puts what we are doing into proper historical perspective. It also effectively takes objections to the bill and explains how your Committee handled them.

"In addition to the wealth of factual information put forth in that committee report, I simply would like to add that this is the only measure before this honorable body, this session, that handles the very real consumer protection issue of electric rate relief. All of the bills in the energy area before us tonight are focused primarily on the issue of incentive to private industry to produce non-fossil fuel, non-nuclear energy. Indeed, some of the bills, such as Senate Bill No. 1900-80, could contribute towards further rate increases to electricity consumers.

"This bill, which is patterned after the California and New Jersey enabling legislations for lifeline rate structures, essentially provides for a voluntary mechanism that could produce a certain amount of rate relief.

"It is my pleasure to point out, Mr. President, that I had the honor to introduce a lifeline bill in 1977, so it is with extra feeling that I urge this honorable body to vote 'aye' on Senate Bill No. 2179-80, S.D. 1."

The motion was put by the Chair and carried, and S.B. No. 2179-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF LIFELINE RATES FOR GAS AND ELECTRICITY", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 15. Noes, 10 (Ajifu, Anderson, Cobb, George, Hara, O'Connor, Saiki, Soares, Ushijima and Yee).

Senate Bill No. 1970-80, S.D. 1:

On motion by Senator O'Connor, seconded by Senator Yim and carried, S.B. No. 1970-80, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION, TO PROVIDE FOR REVIEW AND APPEAL OF DECISIONS OF THE JUDICIAL SELECTION COMMISSION", having been read throughout, passed Third Reading by not less than two-thirds vote of all the members

to which the Senate is entitled on the following showing of Ayes and Noes:

Ayes, 24. Noes, 1 (Ushijima).

Standing Committee Report No. 513-80 (S.B. No. 1934-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 513-80 be adopted and S.B. No. 1934-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Campbell then stated as follows:

"Mr. President, I rise to speak in favor of Senate Bill No. 1934-80, S.D. 2. This bill would require that by 1983, students graduating from high school must pass a qualifying examination in addition to successfully completing other requirements.

"Not only will this bill restore meaning to the high school diploma, but this bill will have the effect of motivating students to master basic reading, writing and math skills. Ultimately, the effect of this measure could be the reestablishment of public confidence in our public schools.

"This bill supports the Department of Education in a program which is already in place. I urge the members of this body to vote 'aye' on this measure."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 513-80 was adopted and S.B. No. 1934-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A STATEWIDE QUALIFYING EXAMINATION FOR STUDENTS SEEKING HIGH SCHOOL CERTIFICATES OF GRADUATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 4 (Carroll, Mizuguchi, Saiki and Ushijima).

Standing Committee Report No. 543-80 (S.B. No. 2693-80, S.D. 2):

Senator Cayetano moved that Stand. Com. Rep. No. 543-80 be adopted and S.B. No. 2693-80, S.D. 2, having been read throughout, pass Third Reading, seconded by Senator Kawasaki.

Senator Kawasaki then stated as follows:

"Mr. President, I am voting for this bill with some reservations which I hope will be worked out in the conference committee. Specifically, the appointment of the members of the Board of Historical Sites Commission as it is constituted at present, I think lacks real public input.

"The ordinary private property owner citizen's point of view, I think, is many

times completely ignored, if actually not trampled on. And as a consequence of such a posture on the part of the present commission as it is made up, we have found that the Attorney General ruled that the State now has to take off the register some 576 parcels which were designated historical sites without even the decency of a notice to the property owners.

"After five years and cost at the taxpayers' expense, this defect now requires removal of these sites on the list of historical sites considered to be worthy of preservation.

"I would hope that in conference committee we can work out language so that public input is very definitely a part of the appointment procedure for the members of this Historical Sites Commission."

The motion was put by the Chair and carried, and Stand. Com. Rep. No. 543-80 was adopted and S.B. No. 2693-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORICAL OBJECTS AND SITES; CULTURE AND ARTS; AND HISTORY AND THE HUMANITIES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senate Bill No. 1519, S.D. 1:

Senator Cobb moved that S.B. No. 1519, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Chong.

Senator Ushijima then asked for a ruling of the Chair of a possible conflict of interest as he is associated with a bank.

The Chair ruled that there was a conflict and Senator Ushijima was excused from voting on the measure.

Senator Yee then asked for a ruling of the Chair concerning a possible conflict of interest as he is also associated with a bank.

The Chair ruled that there was a conflict and Senator Yee was excused from voting on the bill.

Senator Ajifu then asked for a ruling of the Chair as to a possible conflict of interest as he is an employee of a bank.

The Chair ruled that there was no conflict and Senator Ajifu was allowed to vote on the bill.

The motion was put by the Chair and carried, and S.B. No. 1519, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII BANK ACT OF 1931", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (Anderson and Saiki). Excused, 2 (Ushijima and Yee).

ADJOURNMENT

At 11:40 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 13, 1980.