

## FORTY-SIXTH DAY

Friday, March 28, 1980

The Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, convened at 11:30 o'clock a.m., with the President in the Chair.

The Divine Blessing was invoked by Reverend Robert J. DaPonte, Associate Pastor of St. Theresa's Church, after which the Roll was called showing all Senators present.

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

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

Senator Yee, on behalf of the Senators from the 3rd Senatorial District, introduced 80 sixth grade students from St. Ann's School in Kaneohe, accompanied by their teachers, Ms. Lovey DeRego and Sister Marion Dolores; parents, Mrs. Rodrigues, Mrs. Oda, Mrs. Pate, Mrs. Bolivar and Mrs. Cathey.

Senator Anderson, on behalf of the Senators from the 4th Senatorial District, introduced a group of 40 members of the Whitmore Senior Citizens Club.

Senator Chong then introduced the band and choral group from Mt. View High School of Elmonte, California, accompanied by their band director Mr. Dennis Royse and choral director Mrs. Adelle Winslow. The band and choral group had earlier in the morning entertained in the Capitol rotunda.

Senator Machida, on behalf of the Senators from the 2nd Senatorial District, introduced 20 members of the Keywanettes Club of Baldwin High School, Maui, accompanied by their teacher-advisors, Janet Shimada and Joanne Jones.

Senator Cayetano, at this time, made the following introductions, stating as follows:

"Mr. President, on behalf of the Senate, it gives me great pleasure today to introduce three distinguished guests.

"First, we have Mr. Rafael M. Salas who is an Under-Secretary General of the United Nations and Executive Director of the United Nations Fund for Population Activities.

"I'd like to give some background on Mr. Salas, Mr. President.

"Mr. Salas has served as the Executive Director of the United Nations Fund for

Population Activities and as Under-Secretary General of the United Nations since it became operational in 1969. He has been responsible for its growth from a small organization with less than \$2.5 million in resources and a staff of less than five to a large multilateral organization with resources of almost \$600 million pledged by 93 countries, a worldwide staff of more than 250 with a budget of \$120 million in 1979, and a global program which has assisted more than 2,200 population projects in 125 developing countries and territories in five regions throughout the world.

"Mr. Salas is a former official of the Philippine government. He is a graduate of the University of Philippines; he has a law degree and is also a graduate of Harvard University. He has served in numerous high posts in the Philippine government, including that of executive secretary of the Philippine Republic. In this capacity, he was a senior minister of the cabinet from 1966 to 1969. He served as action officer of the Philippine Rice and Corn Sufficiency Program in the late 1960's and initiated the 'green revolution,' which within two years transformed the Philippines from a rice-importing into a rice-exporting nation.

"Mr. Salas has also served as acting chairman and executive director of the National Economic Council and served on numerous Philippine delegations to international groups and conferences, including the U.N. General Assembly, General Sessions of the United Nations Economic Commission for Asia and the Far East. He has also served on the United Nations International Conference on Human Rights, held in Iran in 1968, for which he served as vice president of the conference.

"He is the author of numerous magazine and newspaper articles on government management and population issues, including the International Population Assistance: The First Decade and People: An International Choice.

"Mr. Salas is the recipient of many awards and honorary degrees including being selected as 'Diplomat of the Year' in 1976. That selection was made by the editorial board of Diplomatic World Bulletin.

"He is a member of the Council of Asia of the Society of International Development, the International Advisory Council of the Population Institute, and on the board of directors of both the Worldwatch Institute and the World Population Society.

"Mr. Salas is married to Carmelita Rodrigues, an architect, and has two sons.

"Mr. President, with Mr. Salas today are two of his assistants, Mr. Akio Matsumura who is the Chief Coordinator of Inter-parliamentary Working Group for the United Nations Fund for Population Activities and Dr. Hirofumi Ando, Policy Analysis Officer for the same organization.

"At this time, it gives me great pleasure to introduce Mr. Salas, Mr. Matsumura and Dr. Ando."

The honorees were then presented with leis by Senators Young and George.

At 11:48 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

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

At this time, the Chair asked Dr. Rafael Salas to the rostrum to address the Senate.

Dr. Salas addressed the members of the Senate as follows:

"Mr. Senate President, distinguished Senators, and friends. When the Senate President, last night, invited me to address you for a few minutes, I was very honored with the opportunity to do so, primarily because the State of Hawaii, as far as the countries of the Pacific are concerned, has some special significance. To us, this state symbolizes the openness of the United States and its capacity for cultural tolerance and integration for a national purpose. I am particularly proud that among you is someone whose parents have come from our islands and that is Senator Cayetano. The feeling that this approach is the one that could lead to a lot of international understanding and that successful experiment is already in the State of Hawaii.

"I take this opportunity to give you some account of the work of the organization I represent here today, and that is the United Nations Fund for Population Activities. It is relevant at this point to state that this voluntary organ of the United Nations concerned with helping developing countries in the field of population has been a recipient of funds donated by your government to the United Nations . . . the United States being the first donor to this common fund for the past ten years.

"What is population problem in the sense that we understand it globally? I think we are concerned today with the rapid growth of population because

of the inability of many of the countries to carry these numbers with adequate resources to enable people to live meaningful lives.

"Now, the United States and many of the developed countries don't have this particular problem, but many countries, particularly in Asia, are afflicted with the problem of being unable to maintain development in the light of this excessive population growth. The United Nations approaches this problem in a very neutral way. We don't prescribe to countries the proper policy that they would want to adopt; they themselves choose them. So, in the world today, while 80% of the developing countries' population are under governments that want to limit fertility, there are a number of countries, probably 9%, who would like to increase population because of the inadequacy of manpower to man industries and to develop. A very good example of both cases is the case of China and India, for one, that want to reduce fertility, and Mongolia, in the case of the other, that want to increase fertility.

"The issue is the question of balance, the capacity of the resource and the environment to sustain human life. This is the problem. And I am happy to report to you that, according to the recent data available in the United Nations, there is for the first time a decline, globally, of the population in the developing world.

"Population has been declining in the developed world for some time, but in the last decade, for the first time, there is a tapering of fertility increases in the developing countries.

"What does this mean? It does not mean that the population would no longer increase; it still means that by the year 2000 we will have an additional population of two billion or, in short, population will increase still by 50% by the year 2000.

"Now, if we imagine how it is possible to provide the essential services to this additional two billion people, we begin to realize the problem that we have to face, jointly and globally, in this particular sector of global issue.

"The United States has been generous to the United Nations and to the developing countries for having taken the lead to assist countries with this problem in the past ten years. The United Nations are actually controlling today 25% of the flow of resources in the populace from the developed countries

to the developing countries, in this effort to solve the population problem. But for this 25% that have been given by many countries, 92 in all, are transferred to 120 and the request of these countries vary and differ from, as I said, taking of census in Africa to family planning in Asia, and in between questions of urbanization, migration, and other aspects of population dynamics.

"If we look at these problems, we begin to think what would be the future in the next 25 years. I think one should concentrate primarily on the question of the migration and urbanization that is beginning to afflict many of our urban agglomerations. To cite an example, by the year 2000 the City of Mexico alone, that city will have a population of 31 million people. If we speak in terms of countries, this is twice the population of all Scandinavian countries placed in the City of Mexico alone. Then you begin to think of what should be done. Actually, what is being done now has been started 10 or 15 years ago when the countries themselves began to put their own resources to solve this problem.

"Fortunately, there is beginning to be signs that the governments are succeeding in understanding this population growth. Thanks in many ways to the generosity, support, and assistance given by the developed countries, at the lead of which is the United States.

"Thank you."

At 11:59 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:41 o'clock p.m.

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 313 to 335) were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 313), returning Senate Bill No. 1827-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1827-80, S.D. 1.

A communication from the House (Hse. Com. No. 314), returning Senate Bill No. 2093-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed

on file.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2093-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF BARBERS."

A communication from the House (Hse. Com. No. 315), returning Senate Bill No. 2097-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2097-80, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF COSMETOLOGY."

A communication from the House (Hse. Com. No. 316), returning Senate Bill No. 2120-80, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2120-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 317), returning Senate Bill No. 2186-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2186-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NUMBER PLATES", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 318), returning Senate Bill No. 2208-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2208-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 319), returning Senate Bill No. 2358-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO AUDIT AND ACCOUNTING", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 320), returning Senate Bill No. 3145-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, in an amended form, was placed on file.

By unanimous consent, action on S.B. No. 3145-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", was deferred until Monday, March 31, 1980.

A communication from the House (Hse. Com. No. 321), returning Senate Bill No. 1519, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 322), returning Senate Bill No. 1871-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 323), returning Senate Bill No. 1992-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 324), returning Senate Bill No. 2003-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 325), returning Senate Bill No. 2004-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 326), returning Senate Bill No. 2066-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 327), returning Senate Bill No. 2188-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 328), returning Senate Bill No. 2515-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 329), returning Senate Bill No. 2740-80, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse.

Com. No. 330), returning Senate Bill No. 3026-80, S.D. 1, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 331), returning Senate Bill No. 3085-80, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 332), returning Senate Bill No. 3131-80, S.D. 2, which passed Third Reading in the House of Representatives on March 27, 1980, was placed on file.

A communication from the House (Hse. Com. No. 333), transmitting House Concurrent Resolution No. 67, H.D. 1, which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 67, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO THE DEFENSIVE SEA AREAS DESIGNATED BY EXECUTIVE ORDERS NOS. 8681 AND 8987, AT KANEOHE BAY AND ALONG THE ENTIRE HONOLULU COASTLINE", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 334), transmitting House Concurrent Resolution No. 68, H.D. 1, which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 68, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REVIEW OF CERTAIN EXECUTIVE ORDERS SETTING ASIDE LAND ON THE FORT ARMSTRONG PENINSULA, WHICH MAY BE NECESSARY TO THE TIMELY DEVELOPMENT OF THE STATE PARK", was referred to the Committee on Ecology, Environment and Recreation.

A communication from the House (Hse. Com. No. 335), transmitting House Concurrent Resolution No. 69 which was adopted by the House of Representatives on March 27, 1980, was placed on file.

By unanimous consent, H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY URGING THE UNITED STATES, SECRETARY OF AGRICULTURE AND THE SOIL CONSERVATION SERVICE ADMINISTRATOR TO PERMIT THE CONTINUANCE OF THE SOIL CONSERVATION SERVICE, PLANT MATERIALS PROGRAM IN THE STATE OF HAWAII", was referred to the Committee on Agriculture.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution (S.C.R. No. 45), entitled: "SENATE CONCURRENT RESOLUTION CONGRATULATING THE 1980 INTERNATIONAL BONSAI CONVENTION", was jointly offered by Senators Toyofuku, Yamasaki, Abercrombie, Hara, Soares, Machida, Kuroda, Saiki, Chong, Ushijima, George, Mizuguchi, Anderson, Campbell, Cobb, O'Connor, Young, Carpenter, Kawasaki, Cayetano, Ajifu, Carroll, Yee and Yim and was read by the Clerk.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.C.R. No. 45 was adopted.

## SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 226 and 227) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 226), entitled: "SENATE RESOLUTION CONGRATULATING STATE SENATOR D. G. 'ANDY' ANDERSON ON HIS SELECTION AS THE 1979 HAWAIIAN BUSINESSMAN OF THE YEAR", was jointly offered by Senators Yee, Kuroda, Toyofuku, Machida, Cayetano, Yamasaki, Carroll, Saiki, Cobb, Ushijima, Mizuguchi, Soares, Hara, Campbell, Carpenter, Kawasaki, Chong, Young, Wong, George, Ajifu, Yim, Abercrombie and O'Connor.

On motion by Senator George, seconded by Senator Kuroda and carried, S.R. No. 226 was adopted.

A resolution (S.R. No. 227), entitled: "SENATE RESOLUTION CONGRATULATING THE 1980 INTERNATIONAL BONSAI CONVENTION", was jointly offered by Senators Toyofuku, Yamasaki, Hara, Abercrombie, Soares, Machida, Kuroda, Saiki, Chong, Ushijima, Young, Mizuguchi, Carroll, Anderson, Campbell, Cobb, O'Connor, Carpenter, Kawasaki, Cayetano, George, Ajifu, Yee and Yim.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, S.R. No. 227 was adopted.

## STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 851-80) informing the Senate that Senate Concurrent Resolution No. 44, Senate Resolution Nos. 222 to 225 and Standing Committee Report Nos. 844-80 to 850-80 have been printed and are ready for distribution.

On motion by Senator Yamasaki, seconded by Senator George and carried, the report of the Committee was adopted.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 852-80) recommending that House Bill No. 2132-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2132-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2132-80, S.D. 1.

Senators Carpenter and Campbell, for the Committee on Health and the Committee on Education, presented a joint report (Stand. Com. Rep. No. 853-80) recommending that House Bill No. 1979-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and H.B. No. 1979-80, H.D. 1, S.D. 1, entitled: "A BILL FOR FOR AN ACT RELATING TO SCHOOL ENTRY EXAMINATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1979-80, H.D. 1, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 854-80) recommending that House Bill No. 2698-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and H.B. No. 2698-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2698-80, H.D. 1, S.D. 1.

Senator Abercrombie, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 855-80) recommending that House Bill No. 2703-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Abercrombie, seconded by Senator Ushijima and carried, the report of the Committee was adopted and H.B. No. 2703-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2703-80, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 856-80) recommending that House Bill No. 2351-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2351-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 857-80) recommending that House Bill No. 422, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 857-80 and H.B. No. 422, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 858-80) recommending that House Bill No. 1976-80, as amended in S.D. 1, pass Second Reading and was placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1976-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1976-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 859-80) recommending that House Bill No. 1911-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1911-80, H.D. 1, S.D. 1, entitled: "A BILL FOR FOR AN ACT RELATING TO STATUTORY REVISION; AMENDING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS, CLARIFYING LANGUAGE, AND CORRECTING REFERENCES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1911-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 860-80) recommending that House Bill No. 2091-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2091-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT PROCEEDINGS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2091-80, H.D. 1, S.D. 1,

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 861-80) recommending that House Bill No. 2162-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2162-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE VOTING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2162-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 862-80) recommending that House Bill No. 2167-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2167-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2167-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 863-80) recommending that House Bill No. 2810-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2810-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION REGISTRATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2810-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 864-80) recommending that House Bill No. 584, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 584, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 865-80) recommending that House Bill No. 1762-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1762-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 866-80) recommending that House Bill No. 1991-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1991-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 867-80) recommending that House Bill No. 1992-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1992-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF REGULATORY AGENCIES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 868-80) recommending that House Bill No. 2059-80, S.D. 1, as amended in S.D. 2, pass Third

Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2059-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GRAND JURY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 869-80) recommending that House Bill No. 2071-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2071-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LICENSURE OF INDEPENDENT GROUP RESIDENCES FOR ELDERLY, HANDICAPPED OR DISABLED PERSONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2071-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 870-80) recommending that House Bill No. 2131-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2131-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2131-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 871-80) recommending that House Bill No. 2361-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2361-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE", passed Second

Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2361-80, H.D. 1, S.D. 1.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 872-80) recommending that House Bill No. 2634-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2634-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF PUBLIC OFFICERS AND EMPLOYEES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 873-80) recommending that House Bill No. 2647-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2647-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 874-80) recommending that House Bill No. 366, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INITIAL APPOINTMENTS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 875-80) recommending that House Bill No. 1945-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1945-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 876-80) recommending that House Bill No. 1981-80, S.D.



1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1981-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDING FEES IN THE STATE BUREAU OF CONVEYANCES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 877-80) recommending that House Bill No. 2074-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2074-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SIGNING AND FILING OF RETURNS FOR TAXATION PURPOSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2074-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 878-80) recommending that House Bill No. 2093-80, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2093-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESS FEES."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 879-80) recommending that House Bill No. 2133-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2133-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2133-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 880-80) recommending that House Bill No. 2134-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2134-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2134-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 881-80) recommending that House Bill No. 2135-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2135-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COPIES OF TAX RETURNS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2135-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 882-80) recommending that House Bill No. 2219-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2219-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2219-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report

(Stand. Com. Rep. No. 883-80) recommending that House Bill No. 2357-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2357-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD INFORMATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 884-80) recommending that House Bill No. 2454-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2454-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLITICAL SUBDIVISION POLLUTION CONTROL BONDS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 885-80) recommending that House Bill No. 2496-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2496-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PARKS."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 886-80) recommending that House Bill No. 2577-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2577-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2577-80, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 887-80) recommending that House Bill No. 2822-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2822-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT ESTABLISHING A UNIVERSITY OF HAWAII SYSTEMWIDE STUDENT ACTIVITIES REVOLVING FUND."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 888-80) recommending that House Bill No. 2889-80, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2889-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUTHORIZING COMPENSATION OF WITNESSES BY THE DIRECTOR OF THE OFFICE OF CONSUMER PROTECTION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 889-80) recommending that House Bill No. 2944-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 889-80 and H.B. No. 2944-80, H.D. 2, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 890-80) recommending that House Bill No. 3045-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3045-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 891-80) recommending that House Bill No. 1606, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1606, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1606, H.D. 2, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 892-80) recommending that House Bill No. 1610, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1610, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 893-80) recommending that House Bill No. 1607, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1607, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES' HEALTH FUND."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 894-80) recommending that House Bill No. 1684, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1684, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 895-80) recommending that House Bill No. 2633-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2633-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JOB SHARING PILOT PROJECT IN THE DEPARTMENT OF EDUCATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 896-80) recommending that House Bill No. 2660-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2660-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 897-80) recommending that House Bill No. 159, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 159, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 898-80) recommending that House Bill No. 721, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 721, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER TRANSACTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 721, H.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 899-80) recommending that House Bill No. 1422, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO QUORUM OF REAL ESTATE COMMISSION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1422, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 900-80) recommending that House Bill No. 1806-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1806-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII INSURANCE LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1806-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 901-80) recommending that House Bill No. 1827-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1827-80, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1827-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 902-80) recommending that House Bill No. 1829-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1829-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE BANK EXAMINER", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1829-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 903-80) recommending that House Bill No. 1871-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1871-80, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1871-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 904-80) recommending that House Bill No. 1880-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1880-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1880-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 905-80) recommending that House Bill No. 1969-80, H.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1969-80, H.D. 1., entitled: "A BILL FOR AN ACT RELATING TO PROPERTY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 906-80) recommending that House Bill No. 1993-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1993-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE COLLECTION AGENCIES BOARD", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

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

of Hawaii, the 48-hour notice was given on H.B. No. 1993-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 907-80) recommending that House Bill No. 2026-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2026-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT AGENCIES FEES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2026-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 908-80) recommending that House Bill No. 2284-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2284-80, entitled: "A BILL FOR AN ACT RELATING TO FROZEN FOOD PRODUCTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2284-80.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 909-80) recommending that House Bill No. 2339-80 pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 909-80 and H.B. No. 2339-80 was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 910-80) recommending that House Bill No. 2555-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2555-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEALERS OF SOLAR ENERGY DEVICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2555-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 911-80) recommending that House Bill No. 2572-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2572-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEST CONTROL OPERATORS LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2572-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 912-80) recommending that House Bill No. 2666-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2666-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RETAIL INSTALLMENT SALES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2666-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 913-80) recommending that House

Bill No. 2733-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2733-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY LICENSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2733-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 914-80) recommending that House Bill No. 2795-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2795-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING HOME ADMINISTRATORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2795-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 915-80) recommending that House Bill No. 2892-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2892-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII BANK ACT OF 1931", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2892-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 916-80) recommending that House

Bill No. 2367-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2367-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE IMPORTATION, PURCHASE AND SALE OF INTOXICATING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2367-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 917-80) recommending that House Bill No. 2368-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 917-80 and H.B. No. 2368-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 918-80) recommending that House Bill No. 2058-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2058-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2058-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 919-80) recommending that House Bill No. 2183-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2183-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST AND WATER RESERVE ZONES."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 920-80) recommending that House Bill No. 2241-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2241-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SPOUSE ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2241-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 921-80) recommending that House Bill No. 2646-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the majority of the Committee was adopted and H.B. No. 2646-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2646-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 922-80) recommending that House Bill No. 2259-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2259-80.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 923-80) recommending that House Bill No. 2215-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Carpenter, seconded by Senator Campbell and carried, the report of the Committee was adopted and H.B. No. 2215-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL HEALTH SERVICES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2215-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 924-80) recommending that House Bill No. 2324-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2324-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRAINING ORDERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2324-80; H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 925-80) recommending that House Bill No. 2448-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2448-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ABUSE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2448-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 926-80) recommending that House Bill No. 2809-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2809-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDUCT OF ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2809-80, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 927-80) recommending that House Bill No. 2086-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2086-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PILOTAGE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2086-80, H.D. 1, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 928-80) recommending that House Bill No. 2127-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2127-80.

Senator Mizuguchi, for the Committee

on Transportation, presented a report (Stand. Com. Rep. No. 929-80) recommending that House Bill No. 2195-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 2195-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2195-80, S.D. 1.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 930-80) recommending that House Bill No. 2328-80, H.D. 2, S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2328-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS."

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 931-80) recommending that House Bill No. 2853-80 pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 931-80 and H.B. No. 2853-80 was deferred to the end of the calendar.

Senator Mizuguchi, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 932-80) recommending that House Bill No. 3046-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the report of the Committee was adopted and H.B. No. 3046-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF REGISTRATION; CERTIFICATE OF OWNERSHIP; CONTAINERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3046-80, S.D. 1.



## ORDER OF THE DAY

MATTERS DEFERRED  
FROM MARCH 27, 1980

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 Monday, March 31, 1980.

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, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII NONPROFIT CORPORATION ACT", was deferred until Monday, March 31, 1980.

At 12:46 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:47 o'clock p.m.

House Bill No. 2558-80, H.D. 1, S.D. 1:

By unanimous consent, action on H.B. No. 2558-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

At 12:49 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:50 o'clock p.m.

At 12:52 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate stood in recess until 6:00 o'clock p.m. this evening.

## EVENING SESSION

The Senate reconvened at 7:45 o'clock p.m., with all Senators present, with the exception of Senators Ajifu, Carpenter and Ushijima who were excused.

## STANDING COMMITTEE REPORTS

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 933-80) recommending that House Bill No. 2263-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given

on H.B. No. 2263-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIMITED PARTNERSHIPS."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 934-80) recommending that House Bill No. 25, H.D. 1, S.D. 2, as amended in S.D. 3, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 25, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 935-80) recommending that House Bill No. 1222, H.D. 1, S.D. 2, as amended in S.D. 3, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 935-80 and H.B. No. 1222, H.D. 1, S.D. 3, was deferred to the end of the calendar.

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 936-80) recommending that House Bill No. 1429, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Abercrombie and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, H.B. No. 1429, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSITS OF PUBLIC FUNDS", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).  
Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1429, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 937-80) recommending that House Bill No. 1758, H.D. 2, S.D. 2, as amended in S.D. 3, pass Third Reading.

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

of Hawaii, the 48-hour notice was given on H.B. No. 1758, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF PROGRAMS AND ORGANIZATIONAL SEGMENTS IN THE STATE GOVERNMENT."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 938-80) recommending that House Bill No. 2029-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2029-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 939-80) recommending that House Bill No. 2196-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2196-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUPIL TRANSPORTATION."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 940-80) recommending that House Bill No. 2458-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2458-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCEDURE WHEN TITLE OF VEHICLE TRANSFERRED; DELIVERY OF CERTIFICATE MANDATORY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 941-80) recommending that House Bill No. 2672-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2672-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STUDENT TRANSPORTATION PROGRAM."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 942-80) recommending that House Bill No. 2720-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2720-80, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR PAYMENT OF SETTLEMENT BETWEEN THE STATE OF HAWAII AND MARK CONSTRUCTION, INC."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 943-80) recommending that House Bill No. 2729-80, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2729-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF THE HAWAII FISHERIES COORDINATING COUNCIL."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 944-80) recommending that House Bill No. 2897-80, H.D. 3, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 944-80 and H.B. No. 2897-80, H.D. 3, S.D. 2 was deferred to the end of the calendar.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 945-80) recommending that House Bill No. 2292-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2292-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL ATTENDANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2292-80, H.D. 1, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 946-80) recommending that House Bill No. 2388-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2388-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT SCHOOL ADVISORY COUNCILS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2388-80, S.D. 1.

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 947-80) recommending that House Bill No. 2487-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the Committee was adopted and H.B. No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2487-80.

Senator Campbell, for the majority of the Committee on Education, presented a report (Stand. Com. Rep. No. 948-80) recommending that House Bill No. 2532-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Young and carried, the report of the majority of the Committee was adopted and H.B. No. 2532-80, S.D. 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE PLACEMENT OF THE SCULPTURE 'THE SPIRIT OF LILUOKALANI' AT THE STATE CAPITOL COMPLEX", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2532-80, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 949-80) recommending that House Bill No. 1775-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Yim, seconded by Senator Cobb and carried, the report

of the Committee was adopted and H.B. No. 1775-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1775-80, H.D. 2, S.D. 1.

Senator Yim, for the Committee on Economic Development, presented a report (Stand. Com. Rep. No. 950-80) recommending that House Bill No. 1947-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1947-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS."

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 951-80) recommending that House Bill No. 2645-80, H.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and, Roll Call having been requested, H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).  
Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2645-80, H.D. 2.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 952-80) recommending that House Bill No. 2533-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and

carried, the report of the majority of the Committee was adopted and H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2533-80, H.D. 1.

Senator Toyofuku, for the majority of the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 953-80) recommending that House Bill No. 2168-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the majority of the Committee was adopted and H.B. No. 2168-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2168-80, H.D. 1, S.D. 1.

Senator Toyofuku, for the Committee on Human Resources, presented a report (Stand. Com. Rep. No. 954-80) recommending that House Bill No. 2372-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, the report of the Committee was adopted and H.B. No. 2372-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SELECTIVE EMPLOYMENT AND THE CIVIL SERVICE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2372-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 955-80) recommending that House Bill No. 850, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section

15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 850, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 956-80) recommending that House Bill No. 1853-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 956-80 and H.B. No. 1853-80, S.D. 2, was deferred to the end of the calendar.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 957-80) recommending that House Bill No. 1772-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading on Monday, March 31, 1980.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1772-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PROGRAM FOR THE UNEMPLOYED", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1772-80, H.D. 2, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 958-80) recommending that House Bill No. 1865-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1865-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY BUDGET."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 959-80) recommending that House Bill No. 1912-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 1912-80, H.D. 1, S.D. 1, entitled: "A BILL FOR

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL BIENNIUM JULY 1, 1979 TO JUNE 30, 1981", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1912-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 960-80) recommending that House Bill No. 2193-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2193-80, H.D. 1, S.D. 2, 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."

Senator Cayetano, for the majority of the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 961-80) recommending that House Bill No. 2344-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2344-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 962-80) recommending that House Bill No. 2723-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2723-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY."

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 963-80) recommending that House Bill No. 2773-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2773-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO BONDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2773-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 964-80) recommending that House Bill No. 1915-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1915-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS AND AMMUNITION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1915-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 965-80) recommending that House Bill No. 1918-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1918-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1918-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 966-80) recommending that House Bill No. 1919-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1919-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO

YOUNG ADULT DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1919-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 967-80) recommending that House Bill No. 2063-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2063-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 968-80) recommending that House Bill No. 2064-80 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2064-80.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 969-80) recommending that House Bill No. 2166-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2166-80, H.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 970-80) recommending that House Bill No. 2590-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2590-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATIVE PROCEDURE ACT."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 971-80) recommending that House Bill No. 2668-80, H.D. 2, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2668-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRADE REGULATION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2668-80, H.D. 2, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 972-80) recommending that House Bill No. 2826-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2826-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF DOG OWNERS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2826-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 973-80) recommending that House Bill No. 2850-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2850-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 974-80) recommending that House Bill No. 2929-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2929-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPOSITION OF DEFENDANTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2929-80, H.D. 1, S.D. 1.

Senators Carpenter and Cobb, for the Committee on Health and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 975-80) recommending that House Bill No. 1655, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Campbell and carried, the joint report of the Committees was adopted and H.B. No. 1655, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1655, H.D. 1, S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 976-80) recommending that House Bill No. 2286-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 2286-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2286-80, H.D. 1., S.D. 1.

Senator Carpenter, for the Committee on Health, presented a report (Stand. Com. Rep. No. 977-80) recommending that House Bill No. 3048-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Campbell, seconded by Senator Abercrombie and carried, the report of the Committee was adopted and H.B. No. 3048-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH PLANNING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 3048-80, H.D. 1, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 978-80) recommending that House Bill No. 1975-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 1975-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MEAT INSPECTION ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1975-80, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 979-80) recommending that House Bill No. 2172-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 2172-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANT AND NONDOMESTIC ANIMAL QUARANTINE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2172-80, S.D. 1.

Senator Machida, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 980-80) recommending that House Bill No. 2745-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Machida, seconded by Senator Hara and carried, the report of the Committee was adopted and H.B. No. 2745-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK CONTROL", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2745-80, H.D. 1, S.D. 1.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 981-80) recommending that House Bill No. 2035-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and H.B. No. 2035-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENSIONERS BONUS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2035-80, H.D. 2, S.D. 2.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 982-80) recommending that House Bill No. 1864-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1864-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 983-80) recommending that House Bill No. 1986-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 1986-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII MOTOR VEHICLE ACCIDENT REPARATIONS ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was placed on H.B. No. 1986-80, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 984-80) recommending that House Bill No. 2151-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2151-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2151-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 985-80) recommending that House Bill No. 2321-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2321-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2321-80, H.D. 1., S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 986-80) recommending that House



Bill No. 2334-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2334-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2334-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 987-80) recommending that House Bill No. 2589-80 pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Senator Cobb, for the majority of the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 988-80) recommending that House Bill No. 2732-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the majority of the Committee was adopted and H.B. No. 2732-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TOWING COMPANIES OR REPAIR BUSINESSES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2732-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 989-80) recommending that House Bill No. 2789-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2789-80, S.D. 1, entitled: "A BILL

FOR AN ACT RELATING TO NO-FAULT INSURANCE", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2789-80, S.D. 1.

Senators Young and Cobb, for the majority of the Committee on Housing and Hawaiian Homes and the Committee on Consumer Protection and Commerce, presented a joint report (Stand. Com. Rep. No. 990-80) recommending that House Bill No. 1784-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cobb and carried, the joint report of the majority of the Committees was adopted and H.B. No. 1784-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HORIZONTAL PROPERTY REGIMES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1784-80, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 991-80) recommending that House Bill No. 2537-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2537-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVICTION", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2537-80, H.D. 1, S.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 992-80) recommending that House Bill No. 2629-80, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2629-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2629-80, H.D. 1.

Senator Young, for the Committee on Housing and Hawaiian Homes, presented a report (Stand. Com. Rep. No. 993-80) recommending that House Bill No. 2661-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Young, seconded by Senator Cayetano and carried, the report of the Committee was adopted and H.B. No. 2661-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2661-80, H.D. 1, S.D. 1.

Senator Hara, for the majority of the Committee on Ecology, Environment and Recreation, presented a report (Stand. Com. Rep. No. 994-80) recommending that House Bill No. 2842-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

By unanimous consent, action on Stand. Com. Rep. No. 994-80 and H.B. No. 2842-80, H.D. 1, S.D. 1, was deferred to the end of the calendar.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 995-80) recommending that House Bill No. 452, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 452, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF CONTROLS TO REGULATE BURGLARY AND HOLDUP ALARM SYSTEMS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 996-80) recommending

that House Bill No. 1985-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1985-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1985-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 997-80) recommending that House Bill No. 2161-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2161-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2161-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. 998-80) recommending that House Bill No. 2164-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2164-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TAMPERING", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2164-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented

a report (Stand. Com. Rep. No. 999-80) recommending that House Bill No. 2551-80, H.D. 2, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2551-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1000-80) recommending that House Bill No. 2669-80, H.D. 1, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2669-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1001-80) recommending that House Bill No. 2674-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2674-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL REMEDIES AND DEFENSES AND SPECIAL PROCEEDINGS, LIMITATION OF ACT", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2674-80, H.D. 1, S.D. 1.

Senator O'Connor, for the majority of the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1002-80) recommending that House Bill No. 2680-80, H.D. 1, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2680-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC RECORDS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1003-80) recommending that House Bill No. 2816-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2816-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2816-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1004-80) recommending that House Bill No. 2930-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2930-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2930-80, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1005-80) recommending that House Bill No. 501, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 501, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL RECORDS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 501, H.D. 1, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1006-80) recommending that House Bill No. 1873-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 1873-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILES", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1873-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1007-80) recommending that House Bill No. 2061-80, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the report of the Committee was adopted and H.B. No. 2061-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2061-80, S.D. 1.

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1008-80) recommending that House Bill No. 2359-80, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2359-80, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARTNERSHIPS."

Senator O'Connor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1009-80) recommending that House Bill No. 2175-80, S.D. 1, as amended in S.D. 2, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2175-80, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NAMES."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1010-80) recommending that House Bill No. 2443-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded

by Senator Chong and carried, the report of the Committee was adopted and H.B. No. 2443-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE CHARTERED CREDIT UNIONS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2443-80, H.D. 1, S.D. 1.

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1011-80) recommending that House Bill No. 1782-80, H.D. 2, as amended in S.D. 1, pass Third Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1782-80, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTEREST AND USURY."

Senator Cobb, for the Committee on Consumer Protection and Commerce, presented a report (Stand. Com. Rep. No. 1012-80) recommending that House Bill No. 1925-80, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Cobb, seconded by Senator Chong and carried, the report of the Committee was adopted and, Roll Call having been requested, H.B. No. 1925-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES", passed Second Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 1 (Kawasaki).  
Excused, 3 (Ajifu, Carpenter and Ushijima);

and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1925-80, H.D. 1, S.D. 1.

#### ORDER OF THE DAY

#### MATTERS DEFERRED FROM EARLIER ON THE CALENDAR

Standing Committee Report No. 857-80 (H.B. No. 422, S.D. 1):

On motion by Senator O'Connor, seconded by Senator Cobb and carried, Stand. Com. Rep. No. 857-80 was adopted and H.B. No. 422, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE", passed Second Reading and was placed on the calendar for for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 422, S.D. 1.

At 7:56 o'clock p.m., the Senate stood in recess, subject to the call of the Chair.

The Senate reconvened at 8:15 o'clock p.m.

House Bill No. 2558-80, H.D. 1, S.D. 1:

Senator O'Connor moved that H.B. No. 2558-80, H.D. 1, S.D. 1, pass Third Reading, seconded by Senator Cobb.

At this time, Senator Abercrombie rose to speak against the measure as follows:

"Mr. President, the general effect of H.B. No. 2558-80, H.D. 1, S.D. 1, would be to deny pretrial release on bail to a large class of defendants and to deny post-conviction release pending final case disposition to an even larger class.

"Specifically, pretrial release on bail would be denied to any person charged with an offense punishable by imprisonment for life not subject to parole, with a Class A or B felony (except for forgery in the first degree and failing to render aid) who had been convicted of a Class A or B felony within the ten-year period preceding the date of the current charge against him, or with a Class A or B felony if he is already on bail on a felony charge.

"Post-conviction release would be denied to all of the above as well as anyone else whose release on bail had been denied or revoked before conviction or who had entered an appeal of a conviction for a sentence of at least ten years' imprisonment. Further, the court would be empowered to jail any defendant it felt might 'commit a serious crime or ... seek to intimidate witnesses, or ... otherwise unlawfully interfere with the orderly administration of justice.'

"Section 1 of the bill alleges that 'The legislature finds that there has been great abuses of the privilege of bail by persons who have been previously convicted of felonies and that such persons pose a significant danger to the community

... and also that there is '... extensive abuse of the privilege of bail pending appeal and blunting of the deterrent effect of punishment due to delays caused by appeals.'

"In public hearings on this bill and the companion Senate bill, however, substantive evidence was not introduced to substantiate these claims.

"It may be possible to introduce evidence to the extent it could be called that from notorious cases, Mr. President, but the law, in my judgment, should not be based upon the notorious situation, but rather on a situation which best reflects the intent of the Constitution ... most particularly, when we utilize phrases like 'wanting of the deterrent effect of punishment due to delays caused by appeal.' ... nor are the allegations supported in the standing committee report submitted with the final draft of the bill, allegations of the substance of abuse of bail, which I think would probably reflect on the Judiciary if this was in fact the case. I do not believe that such evidence in this respect exists to the extent implied in the committee report.

"The above notwithstanding, testimony was introduced in public hearings of both bills stating that the denial of release on bail under the circumstances specified in the bills would violate the United States and State of Hawaii constitutional guarantees to due process of law and against imposition of excessive bail as well as a basic tenet of Anglo-American jurisprudence: an accused is to be presumed innocent until proven guilty in a court of law.

"These concerns are generally without foundation, ... says the committee report, '... there is no constitutional right to bail.' In support of these assertions it cites three federal circuit court decisions and several decisions of supreme and appeals courts of other states. The fact of the matter, however, is that most of the cases cited deal with the issue of revocation of probation or post-conviction release on bail after the conditions of probation or release had been severely violated, that is to say, it was not based on charges for which no conviction had taken place, as such, or when the conviction was not in terms of probation or post-conviction release was before the court.

"Only the two Texas Court of Appeals cases deal with the issue of pretrial release denial, and those merely upheld the unique Texas statutes that permit such denial in circumstances somewhat more restricted than those in H.B. No. 2558-80, in terms of what it specifies.

No mention was made in the committee report of the only significant United States Supreme Court decision regarding the subject of bail, which strongly tends to refute the report's claims. I will try to cite some instances for you.

"The issue at hand, however, is not what judges and justices have opined in more or less relevant decisions. It is one of constitutionality, pure and simple, and even more importantly of what is right constitutionally. To begin with, the statement that 'there is no constitutional right to bail' is not only incorrect but begs the question. Article 1, Section 5 of the Hawaii State Constitution closely follows the wording of the Eighth Amendment of the U.S. Constitution: 'No person shall be deprived of life, liberty or property without due process of law.' It is from this guarantee that one's right to freedom before a final adjudication of guilt of an alleged offense derives.

"The right of bail is a right -- a very restricted right -- but nonetheless a right of the state to abridge an accused person's right to liberty in order to insure his appearance before a court of law. Thus, to be sure, the constitutional guarantees that 'excessive bail shall not be required' do not specifically guarantee an accused's right to release on bail (although that right has been inferred by some courts and is quite clearly implied); that is not their purpose. Their purpose is to limit the state's discretion in imposing bail when it must resort to the imposition of bail to ensure the appearance of the accused at his trial or, if convicted, to serve his sentence. As the Supreme Court of the State of New York has held, 'the only purpose of bail is to insure the presence of a defendant at trial.' This is from *Thompson v. Warden* from which I shall make some remarks shortly.

"The above-mentioned United States Supreme Court decision was, in part, that 'since the function of bail is limited, the fixing of bail for any individual defendant must be based upon standards relevant to the purpose of assuring the presence of that defendant. . . . To infer from the fact of indictment alone a need for bail in an unusually high amount is an arbitrary act. Such conduct would inject into our system of government the . . . principles of totalitarianism.'

"I'm sure, Mr. President, that you would recognize that such phraseology from justices in our American judicial system are not made lightly.

"Bill 2558-80 would either mandate pretrial imprisonment of a suspect without possibility of bail or permit the court to order the confinement of certain defendants

in cases where 'the proof is evident and the presumption great' that the accused is guilty as charged. The conditions mandating or permitting such incarceration have nothing to do with whether or not the accused is likely to be present at the judicial proceedings against him. The provisions of the bill create situations where there is a very obvious pretrial assumption of the accused's guilt and he or she is punished for that presumed guilt by being denied release on bail. In effect, there would be, at best, a 'pretrial trial,' where the court speculates, prior to the trial of facts, as to the guilt or innocence of the accused and releases or imprisons him or her accordingly. At worst, the accused would not even have the benefit of such a mock trial. The violations of 'due process' guarantees created by the bill are obvious, as is the refutation of the principle that an accused person must be presumed innocent until proven guilty beyond reasonable doubt in a court trial.

"U.S. Supreme Court Justice Jackson, in a concurring opinion in the above cited *Stack v. Boyle* case . . . and that is the case in which the quotation concerning the totalitarian aspect of arbitrary bail or failure to grant it was cited . . . stated that 'the practice of admission to bail, as it has evolved in Anglo-American law, is not a device for keeping persons in jail upon mere accusation until it is found convenient to give them a trial. On the contrary, the spirit of the procedure is to enable them to stay out of jail until a trial has found them guilty.

"Without this conditional privilege, even those wrongly accused are punished by a period of imprisonment while awaiting trial and are handicapped in consulting counsel, searching for evidence and witnesses, and preparing a defense. To open a way of escape from this handicap and possible injustice, Congress commands allowance of bail for one under charge of any offense not punishable by death. . . .

"Admission to bail always involves a risk that the accused will take flight. That is a calculated risk which the law takes as the price of our system of justice. . . .

"In allowance of bail, the duty of the judge is to reduce the risk by fixing an amount reasonably calculated to hold the accused available for trial and its consequence. . . . But the judge is not free to make the sky the limit, because the Eighth Amendment to the Constitution says, 'Excessive bail shall not be required. . . .' It is an obvious logical inference that

if excessive bail may not be required, release on bail may not be denied. And I wish to emphasize that point to you, Mr. President.

"Part of the due process of law is the right to appeal and have trial proceedings reviewed. As was held by the Federal Court of the Second Circuit in a case cited in the committee report, 'there is a presumption in favor of bail even after conviction "unless" (quoting the Federal Bail Reform Act of 1966) the judge has reason to believe that no one or more conditions of the release will reasonably assure that the person will not flee or pose a danger to any other person or to the community.' This was in the case of U.S. v. Fields.

"H.B. 2558-80 is a renunciation of two sacred rights guaranteed by our federal and state bills of rights and of a fundamental precept, in my opinion, Mr. President, of the American system of justice. To allow this bill to become law would be to denounce the very principles of liberty and justice upon which our great nation is founded.

"In the case of Stack v. Boyle, Mr. President, in the headnotes listed with the decision, etc., is bail and recognizance before conviction and the purpose. It states there that 'judicial right to bail before conviction permits the unhampered preparation of the defense and serves to prevent the infliction of punishment prior to conviction. Unless this right is preserved, the presumption of innocence would lose its meaning.'

"Stating further, 'from the passage of the judiciary as of 1789 to the present federal Rules of Criminal Procedure' federal law has without equivocation provided that a person arrested for a non-capital offense shall be admitted to bail; and the word 'shall,' Mr. President, is emphasized in the text.

"This traditional right to freedom before conviction permits the unhampered preparation of a defense and serves to prevent the infliction of punishment prior to conviction. Unless this right to bail before trial is preserved, the presumption of innocence secured only after centuries of struggle would lose its meaning.

"It's interesting to note that that Stack v. Boyle decision comes from a case involving bail for members of the Communist Party who were accused of conspiring to teach and advocate the overthrow of the government by force or violence. And it is further interesting to note that they faced a penalty of five years in prison as well as a fine of not more than \$10,000. In other words, Mr. President, the term of the jail sentence, the prison

sentence, I should say, was five years, comparable to the kinds of notorious crimes that are generally referred to, I think, in defense of the kind of approach that is being utilized in this bill; that is to say, the kind of crimes which offend the sense of decency of all people in the community who care about the well-being of the community, but, as I have said on occasion on this floor before, that precisely at those times when we are dealing with those circumstances which most offend us and have the greatest emotional impact that we must rigorously pursue our defense of the Constitution and individual liberty...so we do not fall short of nor fail to see the necessity of defending the liberty of each individual so that all of us in collectivity in the United States of America may enjoy not only the sense of liberty, but the fact of liberty that distinguishes this nation from so many others in the world, both contemporarily and in the past.

"Justice Jackson in this case joined by Justice Frankfurter, stated, I think, the principles governing allowance of bail have been misunderstood or too casually applied in these cases and that they should be returned to the circuit justices for reconsideration in the light of standards which is our function to determine.

"I consider, first, the principles which govern release of accused persons upon bail, pending their trial. The practice of admission to bail, as it has evolved in Anglo-American law, is not a device for keeping persons in jail upon a mere accusation... this is the point that I quoted before... for the convenience of bringing that person to trial in the eyes of the accusers.

"In the case of United States v. Fields, blanket denial of post-conviction bail was improper; denial of bail after conviction must be done on an individual basis and the reasons for doing so must comport with the Bail Reform Act and be stated with particularity. You see, this is the individualization of the cases, that which distinguishes our system of justice from so many other systems.

"While there may be categories of crime, there are only individuals before the bar of justice. That's the important key, in my estimation.

"And in the concluding case which I would like to cite, which is Thompson v. Warden, 'a bail order is ambulatory; it is dynamic; until the question of bail becomes moot, it is subject to change depending upon such circumstances

as coming to being while the defendant is awaiting trial or during trial. Justice often supports the reduction of bail as excessive as developed by new circumstances, and justice as here often orders that bail be increased or denied. The alteration of such original order upon the showing of facts supporting the discretion of the second ordering judge is proper and require use of the decisional process, in no way to be decried and distorted into a false claim of judicial conflict.<sup>1</sup>

"Further, it has long been the law in this state that the defendant charged with crime has both constitutional and statutory rights to bail for most offenses. The language of the Constitution of the United States, identical with that of Section 6, Article I of the New York State Constitution, has uniformly been held to create the right to bail in the absence of good and sufficient reason to deny it, and also that bail, when allowed, should not be revoked or manipulated to compel a plea of guilty or force the defendant to trial. And very interestingly, Mr. President, in this particular case, the court concluded the zeal of the county court judge in dealing with lawlessness in this county is well known. In other words, this is not talking about some judge who is accused of being soft on felons or being indifferent to the public interest. . . however, together with such dedication, all precautions must be taken to protect and guard the rights of those defendants not yet tried and upon whose shoulders the cloak of presumption of innocence still hangs.

"Urgent as the need may be to deal expeditiously with the heavy incidence of crime, just so great must be judicial care to protect and safeguard the rights and civil liberties of defendants, lest we win merely a Pyrrhic victory. Our courts must zealously preserve the right to allow those accused of crime and to that end the great writ of habeas corpus is our most potent force. But the determination made here in the court, of course, does not preclude the county court from making any other order in the future upon new facts and circumstances. And that, Mr. President is where I would like to take the thrust of my argument.

"Nothing in the history of bail and nothing in the exercise of its imposition or failure to be imposed takes away from the judge the ability nor the obligation, if you will, to discern what the facts are in an individual case, in a recommendation on bail, including that which may involve recognizance, self recognizance; that is to say, to release someone on the promise that they will appear for their trial or their sentence, without having

to post property or funds or its equivalent. Nothing prevents that. All it prevents is that if we pass laws to do that, if the judges are truly to exercise discretion which we have given to them or should be giving to them, then they must have the right to exercise that authority and obligation.

"Maybe we feel in our state that we are different from some other states and that people would not be arrested and charged frivolously or for the purpose of harrassment. . . but we cannot rely on individuals, and this I think is the crux of it.

"We know that in other jurisdictions in this country, sad to say, people have been arrested for the purpose of harrassing them. People have been accused of crimes that they did not commit and for which evidence either was not existent or so flimsy as to create a situation where conviction was not likely to occur. Yet, nonetheless, they were arrested because people who were in positions of authority and power, who had the police powers of the state or some other jurisdiction at their command, found these individuals to be anathema to their ideas of the way we should conduct our lives in this country. It may have been because they wanted to vote or they were the wrong color, or they were the wrong race, or they had the wrong political ideas, or they weren't popular for one reason or another in a town, in a city, in a state, in a country; whatever the reason, we found that we must jealously and righteously guard not only the right to bail, but all of the circumstances of guaranteeing the individual of fair trial and not prejudging that individual no matter how heinous the crime; no matter how much we may feel that the person is undeserving of the very protections that we cite in his or her behalf; no matter how much these persons offend the sensibilities of the community in that very respect; no matter how much you may feel that they are taking advantage of it.

"It is possible, wherever human beings congregate, that people will try to take advantage of precisely this kind of a law, should it pass, to see to it that their enemies, those whom they do not care for, those whom they oppose, for whatever reason, take the opportunity to harrass them, to bring them before the bar of justice in circumstances that would put them in harm's way.

"This is what we must defend against, if you will, this is what we must keep



from happening, and so I implore you, Mr. President, to take these circumstances into account, especially the remarks made by the various justices in the cases I cited, and with that then defeat this bill and perhaps take up the question of how the community may best be protected in circumstances where a judge believes that to be necessary, either by way of further examination of what law might be useful to the judges or by providing our judges with the option, the discretion which we should be giving to them by naming them to be judges in the first place. If we do not have that kind of confidence in our judges, we should not be naming them as judges. We should not be putting them forward to take the authority and the responsibility of the bench. Thank you."

Senator Carroll then rose to speak in favor of H. B. No. 2558-80 as follows:

"Mr. President, I rise to speak in favor of this legislation which I've been offering in these chambers for the past five years.

"I think it does not take much remembering to recall the Bal Kanui case, the Vernon Reiger case, the Alexander Milho case. In the Milho case, Milho picked up a 15-year old girl at the Waipahu bus stop, took her to a canefield and brained her with a bat. He was tried for murder, found guilty by a jury, and sentenced to life imprisonment in January of 1978. Execution of that sentence was stayed, pending appeal, and Milho was released on \$75,000 bail, pending outcome of the appeal.

"Milho was suspected of stalking another teenage girl at the very same bus stop. He accosted this girl, attempted to entice her into his car; the girl refused. The girl later picked Milho's photograph from a photo lineup, but since no harm had been done, no action was taken.

"In November of 1979, Milho's appeal was denied and he is now serving life imprisonment, having spent nearly two years free on bail subsequent to his conviction. Fortunately, the wise action of a 14-year old girl prevented possibly another tragedy.

"I believe, Mr. President, that we cannot take such risks with the lives of our citizens.

"With respect to the legal aspect of the bill before us, it's axiomatic that there is no guaranteed constitutional right to pretrial bail. There's certainly no constitutional right to bail after conviction, pending appeal.

"The Hawaii State Constitution, Article

I, Section 9, follows the language of the Eighth Amendment of the U.S. Constitution. In Hawaii the right to bail in most cases is guaranteed by statute, specifically, Section 804-3 of the Hawaii Revised Statutes. The exception here is in the case of crimes punishable by life imprisonment without parole.

"I'm not sure my learned colleague from Manoa was reading the same portions of this bill as I am, but they are quite specific with respect to what must be done before bail may be denied. I'm referring now to sub-section (b) of the bill on page 2, which states that 'Any person charged with a criminal offense shall be bailable' -- shall be bailable -- 'by sufficient sureties; except that no bail shall be allowed where the charge is for a serious crime where the proof is evident and the presumption great, and (1) '(and these are conjunctive) 'The offense is punishable by imprisonment for life not subject to parole; ...' (which is currently directly from the language of Section 12 of the Hawaii Constitution) 'or (2) The defendant has been previously convicted of a serious crime within the ten-year period immediately preceding the date of the charge against him; or (3) The defendant is already on bail on a felony charge,' and then, finally, '(c) If a defendant has been admitted to bail on any charge, the prosecutor may move at any time for revocation of bail on the grounds set out ...'

"The questions in bail are: is there in fact a denial of due process; is what is being sought discriminatory; is the action of the court capricious or arbitrary?

"If the answer to those questions is no -- if indeed there is proof, evidence before the court at the bail hearing, at which time the defendant has the right to be present with counsel, according to the provisions of the U.S. and the State Constitutions, and the presumption is great, and a judge makes that determination -- then that bail should be denied and the message from this Legislature to our judges is that it should be denied.

"I believe, frankly, that this bill is not strong enough to effect what we are trying to do with this bill, and I thank the Lord, Mr. President, that this bill is going to pass on this floor tonight. I hope that we will see it written into law by the Governor in the very near future. It's long overdue and I urge that we all vote 'aye.' Thank you."

Senator O'Connor also rose to speak

in favor of the measure as follows:

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

"My learned colleague from Manoa said he was going to speak for ten minutes; he spoke for twenty-eight and said some things which I think need clarification for the purposes of legislative intent.

"First of all, the citations from the 14th Amendment to the United States Constitution -- which amendment ensures due process of law to the citizens of the various states -- is inappropriate.

"The 8th Amendment to the United States Constitution pertains specifically to bail. It is not covered by the 14th Amendment and the 8th Amendment simply states that excessive bail shall not be required, nothing more. There is no federal or state prohibition or absolute right to bail as such.

"The bill before us, House Bill 2558, legislatively establishes rules for non-excessive bail in certain extreme cases. In other words, it takes the wording of the Constitution and sets up certain specific legislative rules which are established within that framework, much as the federal Bail Reform Act has done. The two are synonymous in that particular instance although the rules are not synonymous.

"The provisions of H.B. 2558 will apply to a small percentage of the cases actually handled in the courts of our jurisdiction, but they will apply these provisions to the most heinous crimes and the criminals who are in a circumstance to hurt our citizens in the most heinous fashion. It is a step in the right direction, Mr. President, and I would urge all members of this body to vote for it."

The motion was put by the Chair and, Roll Call vote having been requested, H.B. No. 2558-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL", passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 1 (Abercrombie). Excused, 4 (Ajifu, Carpenter, Ushijima and Yee).

At 8:55 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 8:57 o'clock p.m.

Standing Committee Report No. 889-80 (H.B. No. 2944-80, H.D. 2, S.D. 2):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2944-80, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Standing Committee Report No. 909-80 (H.B. No. 2339-80):

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2339-80, entitled: "A BILL FOR AN ACT RELATING TO PORT PILOTS."

Standing Committee Report No. 917-80 (H.B. No. 2368-80, H.D. 1, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 917-80 be received and placed on file, seconded by Senator Chong and carried.

Senator Cobb then moved that H.B. No. 2368, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Chong.

Senator Anderson then offered the following amendment:

"Amend SECTION 1 of the bill to read as follows:

"1. By amending line 7 on page 2 to read:

'which such item is currently being sold or offered for sale by such supplier'

"2. By amending line 13 on page 3 to read:

'the same item is sold or offered for sale by such supplier to a'."

Senator Anderson moved that the amendment be adopted, seconded by Senator Soares and carried.

On motion by Senator Cobb, seconded by Senator Chong and carried, H.B. No. 2368-80, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRICING IN SUPPLYING LIQUOR", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

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

of Hawaii, the 48-hour notice was given on H.B. No. 2368-80, H.D. 1, S.D. 2.

At 8:59 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:00 o'clock p.m.

Standing Committee Report No. 931-80 (H.B. No. 2853-80):

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, Stand. Com. Rep. No. 931-80 was adopted and H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", passed Second Reading and was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2853-80.

Standing Committee Report No. 935-80 (H.B. No. 1222, H.D. 1, S.D. 3):

Senator Chong offered the following amendment to H.B. No. 1222, H.D. 1, S.D. 3:

"1. Amend the Bill by amending page 26, line 14 by deleting the remaining words 'In any rate etc. up until the end of the page and inserting thereof the following:

'No equipment, facilities, land, or other property financed by special purpose revenue bonds shall be included in a public utility's rate base for purposes of determining rates for consumers. Such equipment, facilities, land or other property financed by said special purpose revenue bonds will be excluded from said rate base until either such time that said revenue bonds have been fully retired or to the extent that contributions have been made to a sinking fund as provided in section -9(4), and then said rate base shall be adjusted only to reflect the aggregate contributions to the special purpose revenue bond's sinking fund. The public utility shall be allowed to recover in rate proceedings, any annual charges or expenses attributed to said special purpose revenue bonds.'

"2. Also delete the remaining portion shown on page 27 up until line 15 and inserting in lieu thereof the following:

'(a) The public utilities commission shall, in all rate proceedings involving public utility's utilizing said special purpose bonds, make a specific finding as to the amounts saved by the ratepayer by virtue of the financing of capital equipment, facilities or property by special purpose revenue bonds.

'(b) The public utilities commission shall for any equipment or facilities purchased with said special purpose revenue bonds, which is accorded special tax treatment (such as qualifying for investment tax credits or any existing or future accelerated depreciation treatment pursuant to the federal revenue code) directly pass on to the ratepayers any savings, credits or depreciation allowances, through an immediate adjustment in rates. The public utilities commission shall make an accounting of any tax credit or accelerated depreciation of said equipment and facilities and determine what adjustments shall be made to the then existing rate structure.'

Senator Chong moved that the amendment be adopted, seconded by Senator Kawasaki.

Senator Chong then rose to speak in favor of the amendment as follows:

"Mr. President, the rate making process requires that the Public Utilities Commission allow utilities to recover the expense of servicing special purpose revenue bonds, I repeat, to recover the expense of servicing special purpose revenue bonds. The process also requires return on the rate base -- that's the current way we do things.

"This amendment will allow the ratepayers to benefit from the savings of these revenue bonds.

"Ratepayers right now pay for bonds as well as the rate of return on the equipment, facilities and installations purchased with the bonds. They pay twice, once for the operating expenses to service the bonds and again when the equipment is added to the rate base, and the Public Utilities Commission allows the facility to earn a return on that equipment.

"With respect to the first part of the amendment, all equipment and facilities purchased with these special purpose revenue bonds would be excluded from the utilities rate base for rate making purposes, except to the extent that utilities contribute to a sinking fund. This rate base exclusionary principle is designed to prevent double payment for the facilities, by the ratepayers.

"The consumers are really servicing their debts to additions to revenue requirements of the utilities. To compel these same ratepayers to provide the utilities with their rate of return computed on the special purpose revenue bonds' inflated rate base would be a form of duplication of payment.

"The first part of this amendment, Mr. President, allows that to the extent that the utility has contributed to sinking funds, such amount shall be included in the rate base for rate making purposes. The sinking fund contributions are the corporation's contribution which would otherwise be available to stockholders and should be attributed to the utility.

"Now, Mr. President, I'd like to move on to the second part of this amendment.

"The second part is very straightforward. It requires the Public Utilities Commission to make specific findings as to the amount saved by the ratepayer by virtue of financing of the equipment and so forth by use of the bonds. It requires the commission to make its specific findings, and then it states 'the Public Utilities Commission shall for any equipment or facilities purchased ... directly pass on to the ratepayers any savings, credits or depreciation allowances through an immediate adjustment in rates.' I repeat, '... immediate adjustment in rates.'

"These reporting requirements are designed to identify the precise amount that is saved by the use of the special purpose revenue bonds.

"Since the utility has argued that the special purpose revenue bonds will result in substantial savings for ratepayers, the Public Utilities Commission should be required to annually make an estimate of both the total gross savings and the net savings which are passed through, I repeat, passed through to the ratepayers.

"Mr. President, these amendments are simply an effort to accommodate the interests of the utility and ratepayers by allocating the benefits of revenue bonds ... the savings of revenue bonds between the utility and the ratepayers ... so that neither party receives a windfall profit and neither is unduly burdened. These amendments are consistent with modern trends of regulatory policies of progressive public utility commissions throughout the country.

"I'd like to digress just a brief second, Mr. President, just to put this whole thing into context.

"This Legislature has passed several bills related to utilities. We passed Senate Bill 1900 --we look forward to the day when Hawaii will be self-sufficient in energy. We certainly want to be less dependent on fossil fuels.

"Secondly, this Honorable Body passed to the House, earlier in the session, a life-line rate bill which would have provided at least a mechanism for some form of rate relief to Hawaii's utility

ratepayers. That bill died in the House. We are now left with, at this point of the session, a situation where we have no bill alive, no public policy guideline which we can pass on to the public to show them that we are sincerely interested in passing on any savings to them, at least something that would set public policy to the Public Utilities Commission to do this.

"I really feel that it is important for us to pass the amendment so that we can go into conference with this bill and hope for some form of relief, immediate relief, ... some sort of public policy for immediate relief for ratepayers of the State of Hawaii.

"With that, I urge all members to vote for this amendment."

Senator Anderson, at this time, asked the chairman of the Ways and Means Committee to yield to a question and the chairman replied in the affirmative.

Senator Anderson then asked:

"Mr. Chairman, I sat through four or five hours of testimonies on H.B. No. 1222 with Mr. Bill Milkes of the State Public Utilities Division and I had every assurance that this bill before us was a saving to the ratepayer, however small, and that there was more than adequate and sufficient regulations to protect the public -- am I right or wrong?"

Senator Cayetano replied :

"Mr. President, if the senator is asking me whether Mr. Milkes testified to that effect, the answer is yes."

Senator Anderson further inquired as follows:

"Mr. Chairman of the Ways and Means Committee, are you satisfied that the bill before us does provide safeguards to the public and does provide a savings to them?"

Senator Cayetano replied: "I'm not fully satisfied, but under the circumstances I think this is the best that can be done."

Senator Kawasaki then asked Senator Chong to yield to a question and Senator Chong replied in the affirmative.

Senator Kawasaki then asked: "Senator Chong, is this amendment, in language, almost identical to the language contained in similar types of bond statutes in several states, including the State of California?"

Senator Chong replied in the affirmative.

Senator Kawasaki further inquired as follows:

"I understand that the Pacific Gas and Electric Company appealed this kind of language and what it means to the court in the State of California. The Court sustained the position of the California Public Utilities Commission attesting to the validity of the language -- is that correct?"

Senator Chong replied as follows:

"That is correct, and on top of that there are many other jurisdictions, including the Supreme Court, which has ruled on these types of questions very recently, and I hope to get the full text of those rulings of the Supreme Court and insert them into the record at a later date, except that I only got the draft of today's bill around 4:30 this afternoon."

Senator Kawasaki then rose to speak in favor of the amendment as follows:

"Mr. President, in view of the answers given by the proponent of the amendment, I think no harm is done. As a matter of fact, some value is obtained here in adopting the amendment.

"Also, in view of the chairman of Ways and Means' answer to Senator Anderson that he is not quite satisfied but, under the circumstances, he will tolerate the existing language . . . I think more clarifying language by Senator Chong might be an added protection to assure that savings effectuated by the use of these revenue bonds by Hawaiian Electric Company would indeed, in every case, be passed on to the consumers. I urge the adoption of this amendment."

Senator Cayetano then rose to state as follows:

"Mr. President, just two brief observations.

"First, Mr. President, if it was up to me, there would be very few bills passed because I've never ever been fully satisfied with any measure that comes before me.

"The second observation is that the question and the citation of the courts and the rulings of the Supreme Courts in various states is really not pertinent here because this is not a legal question. This is a policy question as to whether we want to do this or not.

"My opinion, after hearing all of the testimony, is that I am not in favor of

this amendment. The legality, the provisions of this amendment never, I think, came as an issue."

Senator O'Connor then rose to speak against the amendment as follows:

"Mr. President, I rise to speak against the amendment and in doing so, I fully give the accolade necessary to the earlier speaker, Senator Chong, for the intent of the amendment. The intent is excellent.

"The intent is embodied in the bill as it is presently written. Section 18 of the bill picks up the intent of these amendments and lays it out in simple straightforward English, as opposed to verbiage of the amendment which reduces itself to words which have detailed technical meanings which really have no place in a bond bill. These are the kind of words, if we come to a point where we want to direct the PUC in its rate making, that we should use in that direction, both for rate base and for the pass-through type of rate making.

"It is my humble opinion that they should not be in a bond bill; that the fine intent expressed by Senator Chong is in the measure and that the amendment is not required; therefore, I would vote against the amendment."

Senator Chong rose to further remark as follows:

"Mr. President, with all due respect to the previous speaker, this revenue bond bill focuses on revenue bonds for utilities and therefore it is proper and eminently reasonable to insert the policy guidelines for the Public Utilities Commission.

"We do have a major disagreement here. I acknowledge any disagreement that my colleagues have . . . and that is simply that the performance and the alacrity of protecting the public of the Public Utilities Commission has not been to my satisfaction and that is why I feel that these public policy guidelines should be included in any legislation related to the utility bond bill. That's the reason.

"If, of course, you feel that they're doing a fine job, that their constant additions and acceptance and practically rubber-stamping of rate increases is great for the people of Hawaii, then certainly I think that existing legislation, which is very broad, should satisfy you. Thank you."

Senator Soares also rose to speak

against the amendment as follows:

"Mr. President, I did not plan to speak against the amendment, but I don't think we should accuse the Public Utilities Commission of rubber-stamping any rate increases by any public utility.

"I think the full-time commission is doing an outstanding job of looking at all of the rates, examining all the costs that are underlining the rates, and I don't think that this issue is before this body tonight, so I have to vote against the amendment."

Senator Kawasaki then rose to speak further in favor of the amendment as follows:

"Mr. President, the savings that is to come about by the use of these special revenue bonds in behalf of Hawaiian Electric, from the testimony, amounts to \$244,000,000, almost a quarter of a billion dollars. This is an enormous amount of money . . . savings, if you will, to the utility company.

"It just seems to me that adoption of Senator Chong's amendment, which in my judgment and his judgment and others who may support the amendment, is going to assure that the savings is indeed passed on to the consumers. I think that there's no harm done adopting this amendment however wordier it may be than the present language."

The motion to adopt the amendment was put by the Chair and failed to carry.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1222, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO STATE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS (CONSTITUTIONAL AMENDMENTS OF ARTICLE VII, SECTION 12)."

Standing Committee Report No. 956-80 (H.B. No. 1853-80, S.D. 2):

Senator Cayetano offered the following amendment to H.B. No. 1853-80, S.D. 2:

"SECTION 1. Section 1 of House Bill No. 1853-80, S.D. 2, is amended to read as follows:

'1. By amending lines 6 and 7 on page 1 to read:

'A pro rata portion, as budgeted by the legislature, of all the funds derived from the public land trust shall be'".

Senator Cayetano moved that the amendment be adopted, seconded by Senator Kawasaki.

At this time, Senator O'Connor rose to speak in favor of the amendment as follows:

"Mr. President, I rise to speak in favor of the amendment, and in doing so I would remind the body that the basic bill of the Office of Hawaiian Affairs is one which we passed in the last session and was the result of a long and involved conference committee. In that conference committee the Senate took several positions on several measures.

"The amendment which is proposed by the chairman of the Ways and Means Committee directly reflects one of the positions taken by the Senate in the conference committee of last year, which was that each time this body sought to have the moneys which are designated in the bill for its budget, that it would come to the Legislature, as does every other part of government, to have that matter budgeted. This amendment falls directly along the lines that we espoused and won in conference committee, and I would strongly urge all to support the chairman of Ways and Means on this amendment."

At 9:19 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:22 o'clock p.m.

The motion to adopt the amendment was put by the Chair and carried.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 1853-80, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

At 9:24 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:25 o'clock p.m.

Standing Committee Report No. 994-80 (H.B. No. 2842-80, H.D. 1, S.D. 1):

Senator Hara moved that Stand. Com. Rep. No. 994-80 be received and placed on file, seconded by Senator Mizuguchi and carried.

Senator Hara then moved that H.B. No. 2842-80, H.D. 1, S.D. 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Senator Mizuguchi.

Senator George then offered the following amendment:

"Amend SECTION 2 of the bill by amending line 14 on page 4 to read as follows:

'which shall serve in an advisory capacity to the [fish ' "

Senator George moved that the amendment be adopted, seconded by Senator Soares.

At this time, Senator George rose to state as follows:

"Mr. President, this is a very small amendment, probably the smallest one you'll ever have in front of you, which changes one word to one other word, or rather, reverts to an original word.

"I was very tempted to call it a housekeeping measure, but I thought I probably couldn't get away with that one, so maybe I'll call it a salvage operation.

"Mr. President, by custom, tradition, and usage, as well as by law, we are committed to a policy of citizen participation in government. Sometimes we don't agree with the citizens we have to participate with, but nonetheless that's the structure to which we are committed. The amendment that is before you offers a case in point.

"I believe the original bill is before us in response to some disaffection on the part of a great many of us, I think, with the actions of a particular commission, the Animal Species Advisory Commission, which has taken upon itself to disagree with some of us on things like feral sheep and palila birds, and there are a good many other areas in which we've had some disagreement with this commission over the years, and that's fine. That's what it's there for. It's an advisory commission; we don't have to listen to it; it's like other advisory commissions; they're there to send up a red flag so that we know what the citizens have in mind and what experts who are appointed to citizen boards and commissions have in mind.

"The amendment which is offered in this bill relating to fish and game, H.B. No. 2842, provides for a great many things, and I am in sympathy with a great many of these things. It provides for a transfer of this Animal Species Advisory Board, with whose decisions we sometimes disagree, to the Board

of Land and Natural Resources, and I agree with that; that's where it belongs and that's a good place for it to be. They should be, indeed, advisory to that decision-making body.

"They are in recognition of the fact that the administration as well as this body hasn't always agreed with the recommendations made by this commission. The membership of this commission has been changed. It used to be 11 members, five of whom were departmental or administrative, and six of whom were scientists by profession, specifically by profession, and I understand that it was about a one to one. In order to make these appointments you have to get, you have to pick specialists in these professions.

"This bill, even if amended in the fashion I've suggested, would change this to seven departmental members and six scientists, so that these scientists would no longer have a majority on the body. And, that's fine with me; I would go along with that; I think that's appropriate because I think they have sometimes been obstructive to laudable purposes of our economic and agricultural situation. But I would like to strike a small note of freedom and draw the line in making everything, everything the commission does, optional.

"There are three subsequent places in this bill where the word 'shall' has been changed to 'may,' and all I'd like to do is pick out one of these changes and revert it to the word 'shall.' In testimony before the Committee on Ecology, Environment and Recreation, Sus Ono said he would accept this single change that I am proposing -- this one change from 'may' to 'shall.'

"What this particular 'may' to 'shall' would do, reverting to the original language, would be to keep this commission consistent with just about every other advisory board or commission we have in government. I've had time this afternoon, while I was looking this up, to find a couple.

"The Advisory Council for Children and Youth starts off their Section 581, 'the council shall participate in recommending ...' Then I looked up the School Advisory Council which says, 'Each district school advisory council shall serve in advisory capacity ...' I had about six more that I looked up and they all start off... well the Advisory Commission on Manpower and Full Employment shall ... and you know we just had one on the consent calendar tonight ... I was fortunate enough

to find one (here's Wads Yee's, excuse me, my fearless leader's bill 2729) which has reference to the establishment of the Hawaii Fisheries Coordinating Council and on page 3 of that bill it says, 'Powers and duties of the council: The council shall advise...'

"All that I am asking is that this particular bill reserve to this particular Animal Species Advisory Commission the minimal capability of making suggestions to the board. If we leave it this way the board doesn't have to listen to them; the board wouldn't have to do what they said; it's just raising the flag, giving them the opportunity to say, 'Hey, we don't particularly approve of what you're doing.' The public is then notified and can do whatever they want to about it.

"I have to use one word that I didn't think I'd ever have an opportunity to use in my whole life, but I understand that this can be called ad hominem legislation, and I'm pleased to know that this is a somewhat pejorative description of this kind of legislation.

"I offer once again, we are committed to citizen participation in government. If we don't want to listen to them, if we don't like what they do, our proper action, colleagues, is to do away with this commission. I ask your support of my amendment."

The motion to adopt the amendment was put by the Chair and failed to carry.

The motion to pass H.B. No. 2842-80, H.D. 1, S.D. 1, on Second Reading and be placed on the calendar for Third Reading was carried and H.B. No. 2842-80, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FISH AND GAME", was placed on the calendar for Third Reading on Monday, March 31, 1980.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2842-80, H.D. 1, S.D. 1.

At 9:30 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 9:48 o'clock p.m.

Standing Committee Report No. 944-80 (H.B. No. 2897-80, H.D. 3, S.D. 2):

Senator Kawasaki offered the following amendment on H.B. No. 2897-80, H.D. 3, S.D. 2:

"SECTION 1. Section 2 of House Bill No. 2897-80, H.D. 3, S.D. 2, is amended to read as follows:

"1. By amending page 13 by inserting the following after line 14:

'Section 166 - Access to and public disclosure of financial records of special facilities leasehold tenants.  
(a) Each special facilities tenant with a lease agreement with the department shall allow the department full access to its financial records. Upon the request of the department for the examination of any such financial records, the special facilities tenant shall allow the department to examine the requested records within a reasonably prompt time from the date of the request. If the department requests copies of the records, the special facilities tenant shall provide the copies.

'(b) To provide the public with full knowledge of the use of the proceeds and benefits derived from special purpose revenue bonds issued under this part, the department shall require each special facilities tenant with a lease agreement with the department to make available to the public all relevant financial records which pertain to the use of or savings resulting from the use of special purpose revenue bonds.

'(c) The department shall adopt rules under chapter 91 for the purpose of this section.

'Sec. 266 - Estimate of benefits. (a) Each special facilities tenant with a lease agreement with the department shall estimate the benefits derived from the use of the proceeds of special purpose revenue bonds. The benefits estimated shall be based on a comparison between the use of the proceeds of the special purpose revenue bonds instead of other means of financing and shall be in terms of dollars projected to be or actually saved by consumers of the services of the special facilities tenant. The format of and method for determining the estimates shall be established by the department and shall be uniform for each special facilities tenant.

'(b) To promote public understanding of the role played by special purpose revenue bonds in providing less costly services by a special facilities tenant to the



general public, the department shall take appropriate steps to ensure public access to and scrutiny of the estimates determined under subsection (a).

'(c) The department shall adopt rules under chapter 91 for the purposes of this section.'" "

Senator Kawasaki moved that the amendment be adopted, seconded by Senator Chong.

At this time, Senator Kawasaki rose to speak in support of the amendment as follows:

"Mr. President, this amendment simply is a proviso, very comparable to the proviso we put in the revenue bonds for the hospitals.

"The proviso, primarily, is to safeguard or to ensure that savings that are effectuated by the use of these bonds by Matson Navigation Company, and I specifically mention Matson because this bill is designed to help Matson Company to float some bonds . . . the savings that Matson anticipates, if my memory serves me correctly, amount to some \$34 million. This is a lot of savings brought about by the use of the state's good name in floating these revenue bonds. That being the case, and in view of Matson's testimony that they want the state's blessing on these bonds because they are going to pass on the \$34 million or approximately thereof to the taxpayers in the way of these things being calculated into our rates, our Matson freight rates . . . that being the case, I think we should have language and proviso in this case to make sure

that information relative to the savings they are talking about, financial information is available to our respective departments -- the Department of Transportation, the PUD, and the attorneys representing the state in the public's interest.

"If Matson insists in not providing this information to us, then I think their motive is subject to question; but, I don't think that is the case, and if they are saying that they are going to pass on the savings to the public, if you will allow them to use the state's good name to get a lower rate of interest, thereby saving them \$34 million over a period of time, then I say a proviso requiring information to be readily available to the Department of Transportation is necessary, and that is the reason for this amendment."

The motion to adopt the amendment was put by the Chair and failed to carry.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on H.B. No. 2897-80, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL FACILITY REVENUE BONDS."

#### ADJOURNMENT

At 9:55 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Anderson and carried, the Senate adjourned until 9:30 o'clock a.m., Monday, March 31, 1980.