

FIFTIETH DAY

Thursday, April 3, 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 Bishop Stephen L. Molale of the Church of Jesus Christ of Latter-Day Saints, Hawaii Kai, after which the Roll was called showing all Senators present, with the exception of Senator Saiki who was excused.

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

At this time, the following introductions were made to the members of the Senate:

Senator Machida, on behalf of the Senators from the 2nd Senatorial District, introduced two outstanding citizens from the County of Maui, Mr. Alfred Souza and Mr. Winston Miyahira.

Senator Hara, on behalf of the Senators from the 1st Senatorial District, introduced 15 junior and senior students from the Big Island high schools who are here on a legislative experience program, accompanied by Mr. Wallace Aki.

Senator Anderson then introduced 50 members of the Hui O Halawa Senior Citizens Club.

Senator Cayetano introduced a group of HGEA retirees, accompanied by their leaders Mr. Jack Meek and Mr. Mark Briggs.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 256 to 261) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 256), transmitting the State Education Plan which was prepared in compliance with the requirements of The Hawaii State Plan Act, Chapter 226, Hawaii Revised Statutes, by the Department of Education, was referred to the Committee on Education.

A message from the Governor (Gov. Msg. No. 257), transmitting the 1979 Annual Report of the State Energy Resources Coordinator, prepared by the Department of Planning and Economic Development in compliance with Chapter 196, Hawaii Revised Statutes, was referred to the Committee on Economic Development.

A message from the Governor (Gov. Msg. No. 258), informing the Senate that on April 2, 1980, he signed the following bill into law:

H.B. No. 1982-80 as Act 4, entitled: "RELATING TO DISPOSITION OF PUBLIC LANDS",

was placed on file.

A message from the Governor (Gov. Msg. No. 259), submitting for consideration and consent to the Circuit Court of the First Circuit, the nomination of Donald K. Tsukiyama, 11th Judge, for a term of 10 years, in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, was referred to the Committee on Judiciary.

A message from the Governor (Gov. Msg. No. 260), informing the Senate of the withdrawal of the nominations to the Motor Vehicle Industry Licensing Board of John K. Uyetake and Bryan Mamacalay, terms to expire December 31, 1983, under Governor's Message No. 128, was placed on file.

In compliance with Gov. Msg. No. 260, the nominations listed under Gov. Msg. No. 128 were returned.

A message from the Governor (Gov. Msg. No. 261), informing the Senate of the withdrawal of the nominations to the King Kamehameha Celebration Commission of Daisy L. Aguiar, Gussie Bento and Lillian Cameron, terms to expire December 31, 1983, and Thelma Black, term to expire December 31, 1982, under Governor's Message No. 164, was placed on file.

In compliance with Gov. Msg. No. 261, the nominations listed under Gov. Msg. No. 164 were returned.

DEPARTMENTAL COMMUNICATION

A communication from the Durward Long, Chancellor, University of Hawaii at Manoa (Dept. Com. No. 27), acknowledging receipt of Senate Resolution No. 204, extending recognition to Professor William H. McNeill, which was adopted by the Senate of the Tenth Legislature of the State of Hawaii, Regular Session of 1980, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 397 to 400), were read by the Clerk and were disposed of as follows:

A communication from the House (Hse. Com. No. 397), returning Senate Concurrent Resolution No. 46, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

A communication from the House (Hse. Com. No. 398), informing the Senate that the House has disagreed to the amendments proposed by the Senate to the following House Bills:

H.B. No. 1684, H.D. 1;
H.B. No. 1784-80, H.D. 1;
H.B. No. 2029-80, H.D. 2;
H.B. No. 2071-80, H.D. 1;
H.B. No. 2286-80, H.D. 1;
H.B. No. 2532-80; and
H.B. No. 2723-80, H.D. 2,

and will name conferees at a later date for the consideration of said amendments, was placed on file.

A communication from the House (Hse. Com. No. 399), transmitting House Concurrent Resolution No. 86, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

On motion by Senator Mizuguchi, seconded by Senator Anderson and carried, H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING A STATEWIDE OBSERVATION OF EARTH DAY ON TUESDAY, APRIL 22, 1980", was adopted.

A communication from the House (Hse. Com. No. 400), transmitting House Concurrent Resolution No. 95, which was adopted by the House of Representatives on April 2, 1980, was placed on file.

By unanimous consent, H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CITY & COUNTY OF HONOLULU AUTHORIZATION OF JITNEY TAXI OPERATIONS LINKING OFF-CORRIDOR COMMUNITIES TO MTL ROUTES", was referred to the Committee on Transportation.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 241 to 257) were read by the Clerk and were disposed of as follows:

A resolution (S.R. No. 241), entitled: "SENATE RESOLUTION HONORING THE PRESIDENTIAL APPOINTMENT OF KENNETH S.C. CHAR TO THE FEDERAL BOARD OF FOREIGN SCHOLARSHIPS", was jointly offered by Senators Yee, Carroll, Chong, Cobb, Kawasaki, Anderson, Kuroda, Hara, Saiki, Carpenter, Yamasaki, Young, George, Soares, Campbell, Cayetano, Wong, Toyofuku, Ushijima, Machida, Ajifu and O'Connor.

Senator Yee moved that S.R. No. 241 be adopted, seconded by Senator Carroll.

At this time, Senator Yee rose to say a few words regarding the honoree as follows:

"Mr. President, Mr. Kenneth Char is one of our most outstanding men in the State of Hawaii who grew up under moderate circumstances, became a lawyer, served in the China area in World War II and was very instrumental in getting Aloha Airlines, during its young days, to become a very substantial operation. He served a great many years as president of Aloha Airlines and is now vice chairman and director of that airlines.

"This appointment is a recognition by our national government that we do have distinguished and outstanding citizens in the State of Hawaii to be appointed to the federal board of the Fulbright Scholarship program and is one of significant distinction.

"Last year we also recognized Mr. Char when he and Mrs. Char were the only oriental couple invited by President Carter to Washington, D.C., to attend the reception for Premier Deng Xiaoping. I think Washington looks very kindly towards this very fine man and we are fortunate to have a friend in Hawaii."

The motion was put by the Chair and carried and S.R. No. 241 was adopted.

Senator Yee then introduced to the members of the Senate Mr. Kenneth Char, his wife Irene, and father Charles Char. Mr. Char was presented with a lei by Senator George and a copy of the resolution by Senator Yee.

At 11:55 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

A resolution (S.R. No. 242), entitled: "SENATE RESOLUTION CONGRATULATING THE BOYS' CLUB OF HONOLULU ALL-STAR BASKETBALL TEAM ON WINNING THE 12TH ANNUAL KNIGHT'S KEYSTONE CLASSIC", was jointly offered by Senators Yee, Campbell, Ushijima, Chong, Anderson, Ajifu, Hara, Yamasaki, Cayetano, Soares, Carpenter, Machida, Young, O'Connor, Kawasaki, Wong, Toyofuku, Carroll, Abercrombie and Kuroda.

By unanimous consent, action S.R. No. 242 was deferred until Thursday, April 10, 1980.

A resolution (S.R. No. 243), entitled: "SENATE RESOLUTION CONGRATULATING THE PUNAHOU HIGH SCHOOL VARSITY BASKETBALL TEAM FOR WINNING THE HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE BASKETBALL TOURNAMENT", was jointly offered by Senators Yee, Chong, Soares, Campbell, Ushijima, Cayetano, Machida, Anderson, Yamasaki, Wong, Kuroda, Hara, Carpenter, Toyofuku, George, Ajifu, Young, O'Connor, Kawasaki, Abercrombie and Carroll.

On motion by Senator Yee, seconded by Senator Chong and carried, S.R. No. 243 was adopted.

A resolution (S.R. No. 244), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO NOBORU 'POP' MIYAMOTO UPON HIS BEING NAMED HONORARY CHAIRMAN OF THE TENTH BIENNIAL STATE ILWU PENSIONERS ASSOCIATION CONFERENCE", was jointly offered by Senators Yamasaki, Machida, Ushijima, Wong, Carpenter, Chong, O'Connor, Carroll, Cobb, Hara, Cayetano, Young, Kuroda, Yim, Anderson, Toyofuku, Campbell, Soares, Saiki, Mizuguchi, Kawasaki, George, Ajifu, Yee and Abercrombie.

On motion by Senator Yamasaki, seconded by Senator Mizuguchi and carried, S.R. No. 244 was adopted.

A resolution (S.R. No. 245), entitled: "SENATE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE A REPORT ON THE BASIS, EFFECTIVENESS AND IMPACT OF THE CURRENT PROVISIONS OF THE WORKERS' COMPENSATION, TEMPORARY DISABILITY AND EMPLOYMENT SECURITY LAWS WHICH REQUIRE COVERAGE FOR DOMESTIC WORKERS RECEIVING COMPENSATION IN EXCESS OF \$225 PER QUARTER FROM AN EMPLOYER", was jointly offered by Senators George, Toyofuku, Mizuguchi, Machida, Chong, Yim, Anderson, Hara, Cayetano, Young, Yee, Soares, Ushijima, Campbell and Carroll.

By unanimous consent, S.R. No. 245 was referred to the Committee on Human Resources, then to the Committee on Legislative Management.

A resolution (S.R. No. 246), entitled: "SENATE RESOLUTION URGING CONGRESS TO HOLD HEARINGS ON H.R. 1918, A MEASURE WHICH WOULD SECURE PENSION RIGHTS FOR WORLD WAR I VETERANS", was jointly offered by Senators Yee, Hara, Cobb, Carroll, Yamasaki, Kawasaki, Saiki, Young,

Carpenter, Soares, Chong, Toyofuku and George.

By unanimous consent, S.R. No. 246 was referred to the Committee on Intergovernmental Relations.

A resolution (S.R. No. 247), entitled: "SENATE RESOLUTION EXTENDING CONGRATULATIONS TO ANA HOTELS HAWAII, INCORPORATED AT ITS FIRST ANNIVERSARY AS OWNER-OPERATORS OF MAKAHA RESORT", was jointly offered by Senators Kuroda, Mizuguchi, Cayetano, Young, Yamasaki, Ushijima, Soares, Cobb, Hara, Ajifu, Wong, Anderson, Carroll, George, Abercrombie, Carpenter, O'Connor and Campbell.

On motion by Senator Mizuguchi, seconded by Senator Young and carried, S.R. No. 247 was adopted.

A resolution (S.R. No. 248), entitled: "SENATE RESOLUTION CONGRATULATING THE CHAIRMAN OF THE AMERICAN DELEGATION, THE HONOLULU JAPANESE CHAMBER OF COMMERCE, THE CHAMBER OF COMMERCE OF HAWAII, AND THE MAYOR OF FUKUOKA, JAPAN FOR THE SUCCESSFUL FIFTEENTH, JAPAN-AMERICAN CONFERENCE OF MAYORS AND CHAMBER OF COMMERCE PRESIDENTS", was jointly offered by Senators Kuroda, Hara, Machida, Yamasaki, Ushijima, Soares, Carpenter, Kawasaki, Saiki, Wong, Abercrombie, Cobb, Ajifu, Yim, Anderson, Carroll, Cayetano, Chong, Campbell, Yee, George, Toyofuku, Young, Mizuguchi and O'Connor.

On motion by Senator Mizuguchi, seconded by Hara and carried, S.R. No. 248 was adopted.

A resolution (S.R. No. 249), entitled: "SENATE RESOLUTION RECOGNIZING AND COMMENDING BEATRICE NISHIMURA, SENIOR VOLUNTEER AT PEARL CITY HIGHLANDS ELEMENTARY SCHOOL", was jointly offered by Senators Young, Mizuguchi, Kuroda, Cayetano, Chong, Cobb, Yamasaki, Machida, Anderson, Wong, Soares, Hara, Campbell, Ajifu, Kawasaki, Carpenter, George, Abercrombie, Carroll, Toyofuku, Saiki, O'Connor, Yee, Ushijima and Yim.

On motion by Senator Young, seconded by Senator Mizuguchi and carried, S.R. No. 249 was adopted.

A resolution (S.R. No. 250), entitled: "SENATE RESOLUTION REQUESTING THE HAWAII HOUSING AUTHORITY TO EXPLORE THE USE OF AVAILABLE LAND AT HALE MOHALU AS A SITE FOR HOUSING FOR THE ELDERLY", was jointly offered by Senators Carpenter and Abercrombie.

By unanimous consent, S.R. No. 250 was referred to the Committee on Housing and Hawaiian Homes.

A resolution (S.R. No. 251), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP AN ENERGY CONSERVATION EDUCATION PROGRAM IN ELEMENTARY AND SECONDARY SCHOOLS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 251 was referred to the Committee on Education.

A resolution (S.R. No. 252), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE EFFECTIVENESS OF THE SCHOOL SECURITY PROGRAM", was offered by Senator Campbell.

By unanimous consent, S.R. No. 252 was referred to the Committee on Education.

A resolution (S.R. No. 253), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A JOB PREPARATION PROGRAM FOR ENERGY-RELATED JOBS IN THE VOCATIONAL CURRICULUM OF SECONDARY SCHOOLS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 253 was referred to the Committee on Education.

A resolution (S.R. No. 254), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF REGULATORY AGENCIES TO WORK OUT A MEMORANDUM OF AGREEMENT RELATED TO PRIVATE TRADE, TECHNICAL AND VOCATIONAL SCHOOLS", was jointly offered by Senators Campbell and Cobb.

By unanimous consent, S.R. No. 254 was referred jointly to the Committee on Consumer Protection and Commerce and the Committee on Education.

A resolution (S.R. No. 255), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE BOOK SHORTAGE IN OUR PUBLIC SCHOOLS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 255 was referred to the Committee on Education.

A resolution (S.R. No. 256), entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EARMARK A CERTAIN ASPECT OF ITS ANNUAL BUDGET SPECIFICALLY FOR NEEDED TEXTBOOKS", was offered by Senator Campbell.

By unanimous consent, S.R. No. 256

was referred to the Committee on Education, then to the Committee on Ways and Means.

A resolution (S.R. No. 257), entitled: "SENATE RESOLUTION CONGRATULATING THE CASTLE HIGH SCHOOL KNIGHTS ON WINNING THE OAHU INTERSCHOLASTIC ASSOCIATION VARSITY GOLF CHAMPIONSHIP", was jointly offered by Senators Ajifu, George, Anderson, Carroll, Cobb, Soares, Machida, Carpenter, Ushijima, Yamasaki, Wong, Toyofuku, Hara, Campbell, Yee, Young, Chong, O'Connor, Kawasaki, Cayetano, Abercrombie, Kuroda, Mizuguchi and Yim.

On motion by Senator Ajifu, seconded by Senator George and carried, S.R. No. 257 was adopted.

STANDING COMMITTEE REPORTS

Senator Yamasaki, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 1017-80) informing the Senate that Senate Resolution Nos. 235 to 240 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. 1018-80) recommending that House Bill No. 2472-80 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. 2472-80, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET", passed Second Reading and was placed on the calendar for Third Reading on Monday, April 7, 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. 2472-80.

Senator Cayetano, for the Committee on Ways and Means, presented a report (Stand. Com. Rep. No. 1019-80) recommending that House Bill No. 2181-80 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. 2181-80, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

Senator Campbell, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1020-80) recommending that Senate Resolution No. 219, as amended in S.D. 1, be referred to the Committee on Legislative Management.

On motion by Senator Campbell, seconded by Senator Young and carried, S.R. No. 219, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE SENATE EDUCATION COMMITTEE TO CONVENE A YOUNG CITIZENS' GROUP TO ORGANIZE A DRIVE TO IMPROVE THE VOTING RECORD OF THAT AGE GROUP", was referred to the Committee on Legislative Management.

ORDER OF THE DAY

MATTERS DEFERRED FROM APRIL 2, 1980

Senate Bill No. 2120-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2120-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

Senator Cayetano moved that the Senate agree to the amendments proposed by the House to S.B. No. 2358-80, S.D. 1, seconded by Senator Kawasaki.

At this time, Senator Cayetano stated that the amendment merely conforms two sections, Sections 40-35 and 40-68, to the 1978 Constitutional requirement on appropriations of general funds for a specified period.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2358-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2358-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT AND ACCOUNTING."

At 12:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

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

At this time, Senator Ajifu, on behalf of the Senators from the 3rd Senatorial District, introduced to the members

of the Senate 31 fifth grade students from the Kailua Mission School, accompanied by their teacher Mr. Roy Kakazu and parents, Mrs. Beck, Mrs. Streadbeck and Mrs. Knight. Senator Ajifu then singled out student Donna Wise stating that "this attractive young girl will someday in the future be a shining light in the entertainment field."

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3145-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 3, S.D. 3, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3, S.D. 3, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 118, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 118, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Yim and Saiki as Managers on the part of the Senate at such conference.

Senate Bill No. 209, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 209, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano and Cobb, Co-Chairmen, Toyofuku and Saiki

as Managers on the part of the Senate at such conference.

Senate Bill No. 1003, S.D. 1, H.D. 1:

On motion by Senator Ushijima, seconded by Senator Yim and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1003, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Ushijima, Chairman, Kuroda and George as Managers on the part of the Senate at such conference.

At 12:25 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:29 o'clock p.m.

Senate Bill No. 1161, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1161, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1441, S.D. 1, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 1441, S.D. 1, seconded by Senator Chong.

At this time, Senator Abercrombie rose to ask the chairman of the Consumer Protection and Commerce Committee to yield to a question and the chairman replied in the affirmative.

Senator Abercrombie asked as follows:

"Mr. Chairman, can you explain why this version is superior to the version sent over by the Senate, especially with some of the changes that are listed in the committee report from the Consumer Protection Committee ... any of the references to the six points, especially number 4, and any others that he thinks are superior to the Senate version?"

At 12:31 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:35 o'clock p.m.

Senator Abercrombie continued as follows:

"Mr. President, I would ask that the members consider disagreeing on the bill, rather than agreeing, for two reasons, one general, one in particular.

"As the committee report from the House states, 'the main purpose of open-end lending is customer convenience. Traditionally, industrial loan company borrowers have been limited to fixed term loans' and it goes on to describe the refinancing situation.

"Open-end lending would alleviate these problems by allowing customers to borrow once and then use the credit line. I think you need only refer to today's stories coming out of Washington in the newspapers to say that this is anathema to what we're trying to do. I think it will be certainly inconsistent for me at this juncture to vote for a bill which tries to accomplish that when I have been among those most vociferous in indicating that I think we have been adding to an inflationary circumstance in the state by virtue of some of the legislation that we are on the verge of passing.

"I do not think that this is a good idea, especially in the area of industrial loans, where by definition, people are already in a situation where high interest rates and their capacity to gain loans is at question with other institutions. This will encourage people, it seems to me, to at least attempt to borrow, perhaps beyond their means and perhaps because of other pressures in their economic life try to utilize this particular avenue to relieve themselves of that pressure even if only for the moment in a financial sense.

"The second thing in particular is No. 4 on page 3 of the committee report where it indicates that the committee had deleted the requirement that the contract be written in the English language.

"The reason that I favored that previously was that if someone had a contract in a language other than English that's all right with me, but I believe an English contract should also exist, co-exist with it so that there can be no question if there was a dispute as to the meaning of the contract, as to what the language meant. I think anybody who is at all familiar with linguistics and translations in languages is cognizant of the fact that language contains -- any language contains -- nuances within itself which may not be easily translatable or have multiple meanings in another language.

"Where you are dealing with somebody's financial life, especially in the industrial loan area, I think that it's extremely important that a person who does not have a good command of English have that contract already written in English to coincide with that language with which the loan may be originated so that there can be no question subsequently to what the meaning of that contract is."

Senator Cobb replied as follows:

"Mr. President, very briefly, the concept contained in the bill on the so-called open-end lending is in effect a line of credit, the granting of which in itself requires assessing of a preapproved loan, an application, a determination of qualifications, determination of past payment record, a determination of ability to pay; in short a complete assessment of the individual's ability to handle a loan of this nature if he decided to do so. It's the same service that is offered by many banks today.

"In effect then, an individual applying for this type of loan has to get it preapproved before it can be used at all. The same thing would apply at a bank.

"Secondly, in regards to the national policy that's going on, I don't expect very much use of this in a tight money situation because of the federally imposed requirement from the President that 15% of all new credit be deposited in terms of the dollar amount in a non-interest paying account. I would imagine that any industrial loan company in today's environment would be rather selective as to how this credit is granted and to whom it is granted to.

"So, Mr. President, Chapters 408 and 478 both require a contract to be made available in English whenever it is requested and if there was any difference in a language that would be covered in a statute of frauds; if there was any difference in interpretation at all, relative to the honesty of the loan being made with the conditions of its repayment, had there been any difference in the standard form contract to that which is permissible under the law, or it could be addressed already in the existing statutes under the statute of frauds."

Senator Abercrombie further added as follows:

"Mr. President on a point of information.

"I do not have full command, obviously, before me of Chapter 476, it's not 478, it's 476. I'm sure the chairman just made a mistake in number, but I'm not quite sure that that applies here because

the committee report specifically indicates that it deletes that.

"Now, whether that can be deleted from statute or not I'm not sufficiently familiar, but it says that it's taking out the English language contract side of it, regardless of what 476 says or not my presumption is that the chairman of Consumer Protection in the House means it, and that has to be the effect of it.

"I think it would be very unfortunate and, not by way of rebuttal but by way of commentary, I'm afraid that the chairman has not convinced me to the contrary in my position, but rather has affirmed it; that this is in fact setting up a circumstance of another line of credit which will be open to someone and that regardless of whatever appraisal is made by the industrial loan company, if they want to hook somebody into it and those people want that money bad enough, they're going to sign, and will do it in a situation in which somebody may not have reference to the English language contract ahead of time. It seems that that sets up a circumstance that can work to the disadvantage of some of our citizens who may find themselves in tight economic straits and who do not have a good command of the English language."

The motion was put by the Chair and, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 1441, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 23. Noes, 1 (Abercrombie).
Excused, 1 (Saiki).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1441, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL LOAN COMPANIES."

Senate Bill No. 1831-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1831-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1832-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor,

seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1832-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1834-80, H.D. 1:

Senate O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 1834-80, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes in the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1834-80, H.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1834-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANNULMENT OF A MARRIAGE."

Senate Bill No. 1838-80, S.D. 3, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1838-80, S.D. 3, H.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano and O'Connor, Co-Chairmen, Abercrombie, Campbell, Kawasaki, Ajifu and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 1851-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1851-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 1897-80, S.D. 1, H.D. 1:

Senator Chong moved that the Senate agree to the amendments proposed by the House to S.B. No. 1897-80, S.D. 1, seconded by Senator Yim.

Senator Chong then explained that

the amendments are nonsubstantive changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 1897-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 1897-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Senate Bill No. 1944-80, S.D. 1, H.D. 2:

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. 1944-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1960-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Chong and Carroll as Managers on the part of the Senate at such conference.

Senate Bill No. 2006-80, H.D. 1:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2006-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Mizuguchi, Chairman, Yim and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2007-80, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2007-80, seconded by Senator Yim.

At this time, Senator Mizuguchi explained that "the amendments are minor in nature. The law and intent is clarified with respect to the type of activity that is prohibited in terms of vending on state highways."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2007-80, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2007-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VENDING FROM STATE HIGHWAYS."

Senate Bill No. 2070-80, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 2070-80, seconded by Senator Toyofuku.

Senator Cobb then explained that the amendments are non-substantive clarification of language only.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2070-80, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2070-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NO-FAULT INSURANCE."

Senate Bill No. 2071-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2071-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2081-80, S.D. 1, H.D. 1:

Senator Cobb, moved that the Senate agree to the amendments proposed by the House to S.B. No. 2081-80, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained that the amendments are non-substantive changes clarifying the language.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2081-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2081-80, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE."

Senate Bill No. 2155-80, S.D. 1, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2155-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2156-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2156-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2202-80, S.D. 2, H.D. 1:

On motion by Senator Cobb, seconded by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2202-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Carpenter and Cobb, Co-Chairmen, and Saiki as Managers on the part of the Senate at such conference.

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

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2232-80, S.D. 1, seconded by Senator Yim.

Senator Mizuguchi explained that "the House amendments are minor amendments -- clarification regarding written notice of any vehicle removed from airport property and a disposal of unclaimed vehicles at public auction."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2232-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2232-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT PARKING CONTROL."

Senate Bill No. 2253-80, S.D. 1, H.D. 1:

On motion by Senator Cobb, seconded

by Senator Chong and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2253-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cobb, Chairman, Carpenter and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2277-80, H.D. 2:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2277-80, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes in the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2277-80, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2277-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Senate Bill No. 2292-80, S.D. 1, H.D. 2:

On motion by Senator Hara, seconded by Senator Abercrombie and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2292-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Hara, Chairman, Toyofuku and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2302-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2302-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Toyofuku, Yamasaki and Ajifu as Managers on the part of the Senate at such conference.

Senate Bill No. 2329-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2329-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2419-80, S.D. 1, H.D. 1:

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2419-80, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes made in the measure.

The motion was put by the chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2419-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2419-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURTS."

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2501-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2512-80, S.D. 1, H.D. 2:

Senator Kawasaki moved that the Senate agree to the amendments proposed by the House to S.B. No. 2512-80, S.D. 1, seconded by Senator Toyofuku.

Senator Kawasaki then explained that the amendment is non-substantive, placing a comma between two words.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2512-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2512-80, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC PURCHASING AND CONTRACTING."

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

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2514-80,

S.D. 1, seconded by Senator Chong.

Senator Cobb explained that "the House clarified the definition of what is meant by licensed contractor in the measure and in accordance with the agreement of the two houses it would not apply to owner-builders when they are doing their own house."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2514-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2514-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Senate Bill No. 2531-80, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2531-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2571-80, H.D. 1:

On motion by Senator Yim, seconded by Senator Mizuguchi and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2571-80, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Yim, Chairman, Carpenter and George as Managers on the part of the Senate at such conference.

Senate Bill No. 2581-80, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2581-80, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

At 12:44 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:45 o'clock p.m.

Senate Bill No. 2635-80, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2635-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Kawasaki, Yim, Young, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2665-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2665-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter and Soares as Managers on the part of the Senate at such conference.

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

Senator Cobb moved that the Senate agree to the amendments proposed by the House to S.B. No. 2682-80, S.D. 1, seconded by Senator Chong.

Senator Cobb then explained that the amendments are minor technical changes in nature.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2682-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2682-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Senate Bill No. 2693-80, S.D. 2, H.D. 1:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2693-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Campbell and Cayetano,

Co-Chairmen, Abercrombie, Hara, Kawasaki, Yamasaki, Ajifu and Yee as Managers on the part of the Senate at such conference.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2741-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2744-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2770-80, S.D. 1, seconded by Senator Campbell.

Senator Mizuguchi then explained that "the Senate draft prohibited employees of the Department of Planning and Economic Development to serve as members of the Hawaii Visitors Bureau executive board and committees. The House draft allows employees of that Department to serve on committees."

At this time, Senator Abercrombie rose to disagree as follows:

"Mr. President, I think that's a lousy idea. I don't think we should move to agree on that one bit. That's about as clear a conflict of interest situation as I can imagine. I just can't conceive that that position of the House should be acceptable with this House just like that. I don't think we should move to agree with that at this particular time at all. I don't care how many more days we've got before we get to the final vote. To put members of the DPED on the HVB board is like inviting a fox to the fox convention and holding it in the chicken coop."

Senator Kawasaki then stated as follows:

"Mr. President, contrary to the sentiments expressed by the Senator from the 6th District, I don't see any harm, so far as the public interest is concerned, in having somebody from the Planning Department serve on the board of directors of HVB. If there is any conflict, it's a conflict in the public interest. Simply because the DPED has to oversee the expenditures, the allocations to the HVB, and I don't know that's any worse than having Mr. George Chaplin of the Advertiser serving on the HVB board when he can editorialize how HVB needs the half a million dollars the Senate cut out, or if there is any conflict, I think it's a conflict in the interest of the taxpayers who pay for the administration of the Department so I would actually support having someone from DPED serve on the HVB board. For that reason I object to agreeing."

Senator Abercrombie then rose in rebuttal as follows:

"Mr. President, I wish to rebuttal to that. I realize the sense of outrage that Senator Kawasaki has concerning the HNA in the particular maneuvering, in his estimation, of the Honolulu Advertiser editor, but that seems to me to confirm my point of view rather than to form an opposite conclusion."

"If the Senator would recall his commentary there, he said that it may be something against the public interest, and that's exactly what I'm trying to get at. I don't think that it's a good idea to have someone, who after all is part of the funding mechanism or has a good deal to say how it operates, to sit on the board because you formalize, if you will, a conflict of interest in terms of influence and I think it should be voted down now."

Senator Mizuguchi then rose on a point of clarification as follows:

"Mr. President, for clarification purposes on the part of the members, the amendments proposed by the House prohibits an employee of DPED to sit on the Hawaii Visitors Bureau executive board, but it allows employees of DPED to sit on the numerous committees, subcommittees that are formed by HVB, and for this reason I believe that we should accept the House amendment, with that clarification."

Senator Abercrombie then rose to state as follows:

"Mr. President, is that to say that the original presentation by the chairman,

on behalf of the absent chairman and vice chairman, was somewhat allied? It's a little bit different. I understood the original presentation to say that they could sit on the executive board."

Senator Mizuguchi replied as follows:

"Mr. President, no, I think the previous speaker that followed me was in error in interpreting the amendment."

Senator Abercrombie thanked Senator Mizuguchi for the clarification.

Senator Cayetano then rose to remark as follows:

"Mr. President, now that I understand what the amendment is, I vote against this bill because I agree with Senator Kawasaki that they (DPED) should not be precluded from sitting on the executive board of HVB."

Senator Kawasaki then rose on a point of clarification as follows:

"Mr. President, just one point of additional clarification. I think it is in the public interest for someone in DPED, be it the director or any employee so designated by the director, to be able to sit in the discussions of the HVB executive board to see to the needs of the HVB, the needs of the tourist industry, and so forth, because then he would be fully cognizant, at least that single person, and the same information could be imparted to the remainder of the department. He would be cognizant of what the problems are that face HVB and the tourist industry in general. At least then he's got some objective analysis or objective basis by which DPED determines what the funding is that we are going to allocate to the Hawaii Visitors Bureau."

"This is a conduit to enable DPED to get some information as to what goes on on the HVB board, and I think if there is a conflict, it's a conflict in the public interest. For that reason I would vote to disagree."

The motion was put by the Chair and, Roll Call vote having been requested, the Senate agreed to the amendments proposed by the House to S.B. No. 2770-80, S.D. 1, on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Abercrombie, Cayetano, Chong and Kawasaki). Excused, 1 (Saiki).

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2770-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING

TO TOURISM."

Senate Bill No. 2784-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2784-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2795-80, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Abercrombie, Carpenter, Chong, Hara, Kawasaki, Toyofuku, Yamasaki, Yim, Young, Ajifu, Anderson, Soares and Yee as Managers on the part of the Senate at such conference.

Senate Bill No. 2869-80, S.D. 3, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2869-80, S.D. 3, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 2870-80, S.D. 1, seconded by Senator Cobb.

Senator O'Connor then explained that the amendments are minor technical changes to the measure.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2870-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2870-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARRESTS BY

POLICE OFFICERS WITHOUT WARRANT."

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2877-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2914-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2914-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Chong, Hara, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

At 12:54 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:55 o'clock p.m.

Senate Bill No. 2927-80, S.D. 2, H.D. 1:

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2927-80, S.D. 2, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

Senate Bill No. 2938-80, H.D. 1:

Senator Mizuguchi moved that the Senate agree to the amendments proposed by the House to S.B. No. 2938-80, seconded by Senator Yim.

Senator Mizuguchi then explained the amendment as follows:

"Mr. President, this particular bill deals with persons that shall not be licensed. The House eliminated the provision to any person who has been adjudged a habitual drunkard or an addict by the use of a narcotic drug. There is another section that includes

these people."

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 2938-80 and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 2938-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Senate Bill No. 2977-80, S.D. 2, H.D. 2:

On motion by Senator Cayetano, seconded by Senator Kawasaki and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 2977-80, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Cayetano, Chairman, Kawasaki, Toyofuku, Yamasaki, Ajifu and Soares as Managers on the part of the Senate at such conference.

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

Senator O'Connor moved that the Senate agree to the amendments proposed by the House to S.B. No. 3003-80, S.D. 1, seconded by Senator Chong.

Senator O'Connor explained that the amendments are minor technical changes.

The motion was put by the Chair and carried, and the Senate agreed to the amendments proposed by the House to S.B. No. 3003-80, S.D. 1, and in accordance with Article III, Section 15, of the Constitution of the State of Hawaii, the 48-hour notice was given on S.B. No. 3003-80, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3012-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

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

On motion by Senator O'Connor, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 3146-80, S.D. 1, and requested a conference on the subject matter thereof.

By unanimous consent, the appointment of conferees was deferred until a later date.

THIRD READING

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, April 7, 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, April 7, 1980.

House Bill No. 2351-80, H.D. 1:

On motion by Senator Toyofuku, seconded by Senator Yamasaki and carried, H.B. No. 2351-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

House Bill No. 2259-80:

By unanimous consent, action on H.B. No. 2259-80, entitled: "A BILL FOR AN ACT RELATING TO CRIMES", was deferred until Monday, April 7, 1980.

House Bill No. 2127-80:

On motion by Senator Mizuguchi, seconded by Senator Yim and carried, H.B. No. 2127-80, entitled: "A BILL FOR AN ACT RELATING TO THE IMPOUNDMENT OF VESSELS", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

House Bill No. 2487-80:

On motion by Senator Campbell, seconded by Senator Young and carried, H.B.

No. 2487-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION", having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Carroll, Kuroda, Machida and Saiki).

At 1:04 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:05 o'clock p.m.

House Bill No. 2645-80, H.D. 2:

Senator Toyofuku moved that H.B. No. 2645-80, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION", be recommitted to the Committee on Human Resources, and the President, noting that there was no objection, so ordered.

House Bill No. 2533-80, H.D. 1:

By unanimous consent, action on H.B. No. 2533-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII OCCUPATIONAL SAFETY AND HEALTH LAW", was deferred until Monday, April 7, 1980.

House Bill No. 2064-80:

By unanimous consent, action on H.B. No. 2064-80, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING", was deferred until Monday, April 7, 1980.

House Bill No. 2166-80, H.D. 1:

By unanimous consent, action on H.B. No. 2166-80, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY", was deferred until Monday, April 7, 1980.

Standing Committee Report No. 987-80 (H.B. No. 2589-80):

By unanimous consent, action on Stand. Com. Rep. No. 987-80 and H.B. No. 2589-80, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR", was deferred until Monday, April 7 1980.

House Bill No. 2629-80:

By unanimous consent, action on H.B. No. 2629-80, entitled: "A BILL FOR AN ACT RELATING TO HOUSING", was deferred until Monday, April 7, 1980.

House Bill No. 2853-80:

By unanimous consent, action on H.B. No. 2853-80, entitled: "A BILL FOR AN ACT RELATING TO HARBORS", was deferred until Monday, April 7, 1980.

At 1:07 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:08 o'clock p.m.

MISCELLANEOUS COMMUNICATION

A communication from Mr. Gordon Miwa (Misc. Comm. No. 14), dated April

1, 1980, transmitting a copy of a Report to the Legislature of the Public Defender Office, Prison Legal Services Project, prepared in compliance with Section 31, Act 214, Session Laws of Hawaii 1980, was read by the Clerk and was referred to the Committee on Judiciary.

ADJOURNMENT

At 1:10 o'clock p.m., on motion by Senator Mizuguchi, seconded by Senator Soares and carried, the Senate adjourned until 11:00 o'clock a.m., Monday, April 7, 1980.