

## FIFTY-EIGHTH DAY

Wednesday, April 21, 1982

The Senate of the Eleventh Legislature of the State of Hawaii, Regular Session of 1982, convened at 12:00 o'clock noon, with the President in the Chair.

The Divine Blessing was invoked by the Reverend Seiko Okahashi of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all Senators present with the exception of Senator Yee who was excused.

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

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

Senator Kawasaki, on behalf of the Senate, introduced the newly assigned Consul General of Japan, Consul General Mitsuo Donowaki.

Senator Uwayne, on behalf of the Senators from the Sixth Senatorial District, introduced a group of 60 fifth and sixth graders from Royal Elementary School, accompanied by their teachers, Ms. Sodehara and Ms. Tanaka.

Senator Young then rose and stated:

"Mr. President, it gives me great pleasure to introduce to you and to this body, one of Japan's leading fashion designers. His fashion design achievements have been internationally acclaimed. He is also the exclusive dress designer for Her Imperial Highness, Crown Princess Michiko.

"He will be presenting his fashion collection debut to the people of Hawaii at the Japanese Women's Society Fashion Show to be held on May 2nd. The proceeds from this event will be donated to the Kuakini Medical Center Care Home.

"Mr. President, and members of the Senate, may I present to you at this time, Mr. Jun Ashida. Mr. Ashida made a special trip from Japan to receive a House Resolution and is to be honored by the Senate with a certificate of recognition. Accompanying Mr. Ashida is his overseas business manager, Mr. Paul Jeffers from England. Also here on the floor are Mrs. Ruth Tamanaha, Chairman of the Japanese Women's Society Fashion Show, Mrs. Ruth Ono, the President of the Japanese Women's Society, and, up in the gallery, several members of the Japanese Women's Society."

At 12:09 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:15 o'clock p.m.

At this time Senator Abercrombie rose and stated:

"Mr. President, I have a special treat. I said yesterday, when I made the presentation of a certificate, that it was a lot of fun. Today I think is one of those days when despite everything, you're glad to be a legislator because you can do something that's going to give you a lot of pleasure.

"Just recently, I had the opportunity, while perusing a favorite publication of mine, to run across the name of a gentleman whom I've had the pleasure of seeing on the screen-- unfortunately, never having seen him on the stage. But we're very fortunate to have his brother in this body and I am fortunate to have him sitting next to me these past years in the Senate. And so, I would like to share with you, and share with him for the first time inasmuch as he is being surprised by this, the opportunity to know a little about Kevin O'Connor.

"Senator Dennis O'Connor has had the opportunity to be with him most of his life and knows better than anyone here what a fine actor his brother Kevin is. He has been honored recently in New York City with the opening of a new play to a point where it looks as if the many years that he has been known as an actor's actor is going to be paying off for him in the world of theater.

"And so, for Mr. Kevin O'Connor, in recognition of his excellence in his theatrical accomplishments, including origination of over 300 roles, and his widespread recognition of the film world including New York and Hollywood and at last, the recognition in New York City of the tremendous acting ability that he has... the recognition of his peers and public, I'd like to make a presentation to Kevin O'Connor through his brother Dennis O'Connor today, and I hope he will send our good wishes on to New York City with this certificate."

Senator Cayetano then rose and

stated:

"Mr. President, if I may add a few words. I'm sure we all recognize what a fine actor Kevin O'Connor is, but I think I disagree with Senator Abercrombie that he is a finer actor than his brother Dennis."

Senator O'Connor then rose and stated:

"Mr. President, obviously, I have to say something.

"First of all, my mother will just be delighted. I'm going to take this home and give it to her instead of giving it to my brother and send him a xerox copy.

"I am fortunate in having a brother who is an actor. I've seen him on the stage in New York and he is very, very good. As Senator Abercrombie said, he has recently had two plays written up extensively across the country and I know that he will be 'tickled pink,' as we say, to have this certificate and I'm sure that he would thank Senator Abercrombie with great words of joy.

"Thank you."

#### MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 321 and 322) were read by the Clerk and were disposed of as follows:

A message from the Governor (Gov. Msg. No. 321), submitting for consideration and confirmation to the Hawaii Public Employment Relations Board, the nominations of James Carras and Mack H. Hamada, terms to expire six years from the appointment date, was referred to the Committee on Human Resources.

A message from the Governor (Gov. Msg. No. 322), informing the Senate that on April 20, 1982, he signed the following bills into law:

H.B. No. 1964-82 as Act 4, entitled: "RELATING TO VITAL STATISTICS";

H.B. No. 2178-82 as Act 5, entitled: "RELATING TO AQUATIC RESOURCES AND WILDLIFE";

H.B. No. 2208-82 as Act 6, entitled: "RELATING TO THE USE OF QUALIFIED STATE APPRAISERS AS WELL AS INDEPENDENT APPRAISERS TO DETERMINE THE VALUE OF REMNANTS";

H.B. No. 2333-82 as Act 7, entitled:

"RELATING TO THE LEGISLATIVE REFERENCE BUREAU";

H.B. No. 2507-82 as Act 8, entitled: "RELATING TO TRIALS";

H.B. No. 2822-82 as Act 9, entitled: "RELATING TO OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS;" and

H.B. No. 2934-82 as Act 10, entitled: "RELATING TO THE HAWAII BANK ACT OF 1931,"

was placed on file.

#### CONFERENCE COMMITTEE REPORTS

Senator Soares, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2230-82, H.D. 1, presented a report (Conf. Com. Rep. No. 68-82) recommending that H.B. No. 2230-82, H.D. 1, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 2230-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY GENERATED FROM NON-FOSSIL FUELS," was deferred for a period of 48 hours.

Senator George, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 2092-82, H.D. 2, presented a report (Conf. Com. Rep. No. 69-82) recommending that H.B. No. 2092-82, H.D. 2, S.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 2092-82, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE SAFETY RESPONSIBILITY ACT," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 544, S.D. 2, presented a report (Conf. Com. Rep. No. 70-82) recommending that S.B. No. 544, S.D. 2, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B.

No. 544, S.D. 2, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 1287, S.D. 1, presented a report (Conf. Com. Rep. No. 71-82) recommending that S.B. No. 1287, S.D. 1, H.D. 1, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 1287, S.D. 1, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2269-82, S.D. 2, presented a report (Conf. Com. Rep. No. 72-82) recommending that S.B. No. 2269-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2269-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTABLISHMENT OF A CRIMINAL JUSTICE TRAINING FUND," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2926-82, S.D. 1, presented a report (Conf. Com. Rep. No. 73-82) recommending that S.B. No. 2926-82, S.D. 1, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2926-82, S.D. 1, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO RELEASE OF MATCHING STATE FUNDS," was deferred for a period of 48 hours.

Senator Yamasaki, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House to Senate Bill No. 2955-82, S.D. 2, presented a report (Conf. Com. Rep. No. 74-82) recommending that S.B. No. 2955-82, S.D. 2, H.D. 2, as amended in C.D. 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on S.B. No. 2955-82, S.D. 2, H.D. 2, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," was deferred for a period of 48 hours.

Senator Carpenter, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate to House Bill No. 3092-82, H.D. 1, presented a report (Conf. Com. Rep. No. 75-82) recommending that H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, as amended in C.D. 2, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was deferred for a period of 48 hours.

#### STANDING COMMITTEE REPORTS

Senator Young, for the Committee on Legislative Management, presented a report (Stand. Com. Rep. No. 974-82) informing the Senate that Conference Committee Report Nos. 8-82 to 67-82, Standing Committee Report Nos. 919-82 to 973-82, Governor's Message No. 321 and Standing Committee Report Nos. 975-82 to 977-82 have been printed and have been distributed to the members of the Senate.

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

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 975-82) recommending that Senate Resolution No. 99, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 99, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONTINUE TO REVIEW OCCUPANT RESTRAINT PROGRAM EXPERIENCE RECEIVED FROM OTHER JURISDICTIONS AND AGENCIES," was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 976-82) recommending that Senate Resolution No. 131, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.R. No. 131, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONTINUE DISCUSSIONS REGARDING THE SADDLE ROAD," was adopted.

Senator George, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 977-82) recommending that Senate Concurrent Resolution No. 84, as amended in S.D. 1, be adopted.

On motion by Senator George, seconded by Senator Kawasaki and carried, the report of the Committee was adopted and S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND THE COUNTY OF HAWAII TO CONTINUE DISCUSSIONS REGARDING THE SADDLE ROAD," was adopted.

#### ORDER OF THE DAY

##### FINAL READING

Conference Committee Report No. 1-82 (H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1):

Senator Carpenter moved that Conf. Com. Rep. No. 1-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, be recommitted to the Committee on Conference, seconded by Senator Cobb.

Senator Carpenter then stated:

"Mr. President, just a brief explanation. The intent is to take it back to conference and report it back as soon as a modification is made to this measure."

The motion was put by the Chair and carried, and Conf. Com. Rep. No. 1-82 and H.B. No. 3092-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," was recommitted to the Committee on Conference.

At 12:20 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:23 o'clock p.m.

Conference Committee Report No. 2-82 (S.B. No. 2642-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 2-82 was adopted and S.B. No. 2642-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUVENILE JUSTICE INTERAGENCY BOARD," having been read throughout,

passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 3-82 (H.B. No. 2585-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 3-82 was adopted and H.B. No. 2585-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (O'Connor). Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 4-82 (H.B. No. 2215-82, H.D. 1, S.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 4-82 was adopted and H.B. No. 2215-82, H.D. 1, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

Conference Committee Report No. 5-82 (S.B. No. 2379-82, H.D. 1, C.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Conf. Com. Rep. No. 5-82 was adopted and S.B. No. 2379-82, H.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Ajifu and Yee).

#### THIRD READING

House Bill No. 2096-82, H.D. 2:

By unanimous consent, action on H.B. No. 2096-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NONRESIDENT VEHICLE PERMITS," was deferred until Thursday, April 22, 1982.

House Bill No. 2149-82:

By unanimous consent, action

on H.B. No. 2149-82, entitled: "A BILL FOR AN ACT RELATING TO BRANDS AND AMENDING SECTION 142-41, HAWAII REVISED STATUTES," was deferred until Thursday, April 22, 1982.

House Bill No. 2158-82, H.D. 1:

By unanimous consent, action on H.B. No. 2158-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL OBLIGATION BONDS OF THE STATE OF HAWAII," was deferred until Thursday, April 22, 1982.

House Bill No. 2163-82:

By unanimous consent, action on H.B. No. 2163-82, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE DEPARTMENTS," was deferred until Thursday, April 22, 1982.

House Bill No. 2166-82, H.D. 1:

By unanimous consent, action on H.B. No. 2166-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTY/STATE HOSPITAL SYSTEM," was deferred until Thursday, April 22, 1982.

House Bill No. 2271-82, H.D. 1:

By unanimous consent, action on H.B. No. 2271-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEASES OF PUBLIC LANDS," was deferred until Thursday, April 22, 1982.

House Bill No. 2445-82:

By unanimous consent, action on H.B. No. 2445-82, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM SECURITIES ACT (MODIFIED)," was deferred until Thursday, April 22, 1982.

House Bill No. 2564-82, H.D. 1:

By unanimous consent, action on H.B. No. 2564-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CREATION OF SPECIAL HANDLING FEES FOR REVIEW OF CORPORATION AND PARTNERSHIP DOCUMENTS," was deferred until Thursday, April 22, 1982.

House Bill No. 2684-82, H.D. 1:

By unanimous consent, action on H.B. No. 2684-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HOUSING AUTHORITY," was deferred until Thursday, April 22, 1982.

House Bill No. 3121-82, H.D. 2:

By unanimous consent, action on H.B. No. 3121-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE AND COUNTY HOUSING LOAN PROGRAMS," was deferred until Thursday, April 22, 1982.

House Bill No. 3133-82, H.D. 2:

By unanimous consent, action on H.B. No. 3133-82, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE FUNDING OF COUNTY EMERGENCY MEDICAL SERVICES DEFICITS," was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 862-82 (H.B. No. 2010-82):

By unanimous consent, action on Stand. Com. Rep. No. 862-82 and H.B. No. 2010-82, entitled: "A BILL FOR AN ACT RELATING TO THE COMPENSATION OF CERTAIN PERSONS UNDER THE CRIMINAL INJURIES COMPENSATION ACT AND PROVIDING APPROPRIATIONS THEREFOR," was deferred until Thursday, April 22, 1982.

House Bill No. 3109-82, H.D. 1:

By unanimous consent, action on H.B. No. 3109-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was deferred until Thursday, April 22, 1982.

House Bill No. 2017-82, H.D. 1:

By unanimous consent, action on H.B. No. 2017-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," was deferred until Thursday, April 22, 1982.

House Bill No. 2220-82, H.D. 1:

By unanimous consent, action on H.B. No. 2220-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO REGULATION OF EMPLOYMENT AGENCIES," was deferred until Thursday, April 22, 1982.

House Bill No. 2451-82:

By unanimous consent, action on H.B. No. 2451-82, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING," was deferred until Thursday, April 22, 1982.

House Bill No. 2811-82:

By unanimous consent, action on H.B. No. 2811-82, entitled: "A BILL FOR AN ACT RELATING TO

THE COMPOSITION OF THE BOARD OF TRUSTEES FOR THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII," was deferred until Thursday, April 22, 1982.

House Bill No. 725:

By unanimous consent, action on H.B. No. 725, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED," was deferred until Thursday, April 22, 1982.

#### MATTERS DEFERRED FROM APRIL 20, 1982

Senate Concurrent Resolution No. 3, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 3, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 4, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 4, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, Kobayashi, Kuroda, George, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 5, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 5, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 6, S.D. 1, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 6, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 7, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 7, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 8, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 8, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 9, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 9, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 10, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 10, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 11, S.D. 1, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 11, S.D. 1, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 12, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 12, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

Senate Concurrent Resolution No. 14, S.D. 2, H.D. 1:

On motion by Senator Henderson, seconded by Senator Cobb and carried, the Senate disagreed to the amendments proposed by the House to S.C.R. No. 14, S.D. 2, and requested a conference on the subject matter thereof.

In accordance therewith, the President appointed Senators Henderson, Chairman, Abercrombie, Vice-Chairman, Ajifu, Cayetano, George, Kobayashi, Saiki, Yee, Kuroda and Young as Managers on the part of the Senate at such conference.

At this time, Senator Anderson rose and stated:

"Mr. President, a point of information, please.

"I'm wondering if maybe the Clerk may have left one off. There are only eleven here. Is there a typographical error here? Have we received only eleven functional plans back?"

The President answered in the affirmative and Senator O'Connor then rose and stated:

"Mr. President, I rise on a point of personal privilege.

"If Senator Anderson would come to our meetings, he'd find out that the Transportation Plan hasn't come over yet."

Senator Anderson then replied:

"I haven't been able to get to Waialae Country Club too much this year."

Senator O'Connor then responded:

"Neither have I, but I certainly haven't travelled around the islands as much either."

Senator Cobb then rose and stated:

"Mr. President, I'd just like to raise the question relative to the disagreement deadline. Is that for bills only, or does it apply to resolutions as well?"

The President replied:

"It applies to everything, Senator Cobb."

Senator Cobb then continued:

"The disagreement deadline agreed upon was April 8, as I recall. This is considerably beyond that and I'm wondering whether an exception is being made or if we've agreed to waive the deadline."

The President then replied:

"No, we are going to go to conference because of the late arrival of the functional plans. I've instructed the chairman to do so. I'd like to keep the plans alive and hope that a solution can be arrived at."

Senator Cobb then stated:

"In short, Mr. President, this represents an extraordinary step by the Senate in an attempt to keep the plans alive even though it's a week past the formal deadline for disagreement."

The President then replied:

"I understand that, Senator Cobb."

Standing Committee Report No. 909-82 (S.R. No. 72, S.D. 1):

Senator Cobb moved that Stand. Com. Rep. No. 909-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 72, S.D. 1, be adopted, seconded by Senator Anderson.

At this time, Senator Campbell rose and spoke in favor of the adoption of S.R. No. 72, S.D. 1, stating:

"Mr. President, I rise to speak briefly on Senate Resolution No. 72.

"Mr. President, this resolution requests that the University of Hawaii/Hawaii Natural Energy Institute Electric Vehicle Project report on the feasibility of converting gasoline-powered state and county vehicles into electric-powered vehicles.

"Mr. President, before a brief discussion of this resolution, I'd like to congratulate the chairman of the Committee on Ecology, Environment and Recreation for the expeditious and committed manner in which the chairman dealt with the resolution. That committee was advised by the Hawaii Natural Energy Institute that serious consideration be directed toward the gradual conversion to a fleet of electric vehicles through the replacement of obsolete gasoline-powered vehicles with the most advanced models of electric cars. Both Hawaiian Telephone and the Natural Energy Institute conveyed strong optimism at expectation in the advancement of technology in the art of batteries, compulsion systems, charging equipment and the development of the electric cars.

"Mr. President, of all the states in the union, Hawaii is the most dependent on oil import, and since we are well over 2,000 miles from the mainland, supply of oil could be a critical problem if a shortage developed, and it would certainly be serious and critical for Hawaii, although it may be even serious for the mainland, but rather critical for Hawaii. Hawaii could be the first alternate energy self-sufficient state in the union, but a point probably more important than that, Mr. President, is the fact that there is an abundance of alternate energy resources indigenous to Hawaii, such as geothermal and wind, which can easily be used to provide electricity for electric cars at rather low cost.

"At this stage, Mr. President, Hawaii has the cleanest air of any state in the United States, and in order to keep it that way, we need to significantly reduce the number of gasoline-powered engines on the road polluting our air day after day after day. And, in protecting the level of clean air in Hawaii, this state should take the lead, and to me, this means taking action such as converting gasoline-powered cars to electric cars. I urge support of this resolution.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 72, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE ADOPTION OF ELECTRIC CARS FOR STATE AND COUNTY VEHICLES," was adopted.

Standing Committee Report No. 919-82 (S.R. No. 74, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 74, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was referred to the Committee on Legislative Management.

Standing Committee Report No. 920-82 (S.C.R. No. 53, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF AMENDING HEALTH INSURANCE POLICIES TO INCLUDE DOCTORS OF CHIROPRACTIC," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Saiki). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 921-82 (S.R. No. 102):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.R. No. 102, entitled: "SENATE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT OF THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was adopted.

Standing Committee Report No.



922-82 (S.C.R. No. 72):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 72, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT ON THE CONSTITUTIONALITY OF A TOTAL PROHIBITION ON TIME SHARING," was adopted.

Standing Committee Report No. 926-82 (S.C.R. No. 45, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, the report of the Committee was adopted and S.C.R. No. 45, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES' INTENT TO EXPAND THE USE OF CONCESSION AGREEMENTS TO DEVELOP AND OPERATE CAMPING AND CABIN RENTAL FACILITIES IN CERTAIN STATE PARKS," was adopted.

Standing Committee Report No. 927-82 (S.R. No. 95):

Senator Cobb moved that Stand. Com. Rep. No. 927-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 95 be adopted, seconded by Senator Anderson.

At this time, Senator Kawasaki rose and spoke in favor of S.R. No. 95 stating:

"Mr. President, I rise to speak in favor of our unanimous adoption of Senate Resolution No. 95, contained in Standing Committee Report No. 927-82.

"A few minutes ago, Senator Anderson appeared chagrined over the fact that we have a penchant here to pass non-substantive resolutions and give those resolutions priority over bills with merit. I think that Senate Resolution No. 95, in my judgment, happens to be the exception to that opinion that he holds.

"I think that Senator Abercrombie should be congratulated upon introducing this resolution which, in effect, urges the Congress of the United States and our Administration in Washington to do all it possibly can, to bring about the cessation of this insane nuclear arms race. The resolution, in effect, points out the insanity of this move to

keep on building up our arms, thereby taking away literally billions of dollars for much needed human services programs throughout this country.

"I think this move to urge the cessation of this mad race on both the part of the United States and the Soviet Union is well taken. There's a move afoot in this country today to have some semblance of sanity brought about in this country to stop and to reduce the continued allocation of billions of dollars on both sides for the nuclear race that seems so futile. I think it's important that we give this particular resolution the top priority over any other measure introduced in this Senate and, therefore, urge unanimous adoption of this resolution."

Senator Abercrombie then rose and stated:

"Mr. President, with respect to S.R. No. 95, I would like to indicate that while it stands for itself with respect to the policy of the United States of America, that there can be little doubt that there will soon be a change in leadership in the Soviet Union. If you will, the political maneuvering as such, is already taking place as Mr. Brezhnev would no doubt step down fairly shortly, or may even possibly be incapacitated with illness.

"In any event, it is certain that the debt structure in the Soviet Union at the present time is reaching proportions which it cannot very well sustain. It is also true that within the Soviet Union, that the human services element that was mentioned by Senator Kawasaki is at an extremely low ebb. We are now in a series of five-year plans in the Soviet Union since the Revolution, which find the productivity stature in the Soviet Union declining to the lowest point that it had ever reached since the advent of the Stalinist era.

"We find in the Soviet Union that goods and services being produced in the civilian sector of the economy are in an increasingly low ebb. We find that the military expenditures and the percentage of gross national product in the Soviet Union being devoted to armaments increasing. With this taking place, it is apparent that the world economy, as well as the economies of our two nations, the Soviet Union and the United States of America, are threatened by the circumstances which have been perpetuated

regardless of their origin in political terms with respect to nuclear arms.

"I feel very strongly that if we can take a positive and leading role with respect to reducing the nuclear arms race in this nation at this time, that it will be an encouraging sign to moderate leadership in the Soviet Union which may emerge with the culmination of the Brezhnev regime. It is extremely important that we encourage those elements in the Soviet Union leadership at this time because there is every likelihood in its absence that a situation of anxiety, a situation in which the Soviet leadership would feel it necessary to prove itself in some supposedly tough minded manner would result in further degradation of the human services side, the civilian side of the Soviet economy with attendant propensities for adventurism in foreign policy.

"So, I appreciate Senator Kawasaki's remarks and I want to indicate for the record that this resolution, to the degree that it represents opinion in the State of Hawaii, to the degree that it represents opinion in the United States can have only a beneficial effect, I hope, with respect to a moderating influence as the leadership changes in the Soviet Union.

"Thank you."

The motion was put by the Chair and carried, and S.R. No. 95, entitled: "SENATE RESOLUTION OPPOSING THE NUCLEAR ARMS RACE," was adopted.

Standing Committee Report No. 928-82 (S.R. No. 105, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 928-82 was adopted and S.R. No. 105, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO REVIEW AND MODIFY POLICIES AND PROCEDURES RELATING TO THE REGULATION OF TAXI CAB DRIVERS," was adopted.

Standing Committee Report No. 929-82 (S.R. No. 125):

Senator Cobb moved that Stand. Com. Rep. No. 929-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 125 be adopted, seconded by Senator Anderson.

At this time Senator Abercrombie

rose to ask for a ruling of the Chair as to a possible conflict of interest stating:

"Mr. President, on behalf of Senator O'Connor and myself, I want to request a conflict ruling on Stand. Com. Rep. No. 929-82 and S.R. No. 125, requesting a study of the feasibility of the purchase and use by the state of the Armed Services YMCA. We're both members of the Armed Services YMCA and I don't want to see it purchased."

The President ruled that Senators Abercrombie and O'Connor are not in conflict.

The motion was put by the Chair and carried, and S.R. No. 125, entitled: "SENATE RESOLUTION REQUESTING A STUDY OF THE FEASIBILITY OF THE PURCHASE AND USE BY THE STATE OF THE ARMED SERVICES YMCA," was adopted.

Standing Committee Report No. 930-82 (S.R. No. 138):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 930-82 was adopted and S.R. No. 138, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ADOPT AN ORDINANCE REQUIRING INSTALLATION OF AN EMERGENCY WARNING SYSTEM IN TAXICABS," was adopted.

Standing Committee Report No. 931-82 (S.R. No. 66):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 931-82 was adopted and S.R. No. 66, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF SOCIAL SERVICES AND HOUSING WITH THE DEPARTMENT OF HEALTH TO DEVELOP A PLAN TO AMEND THE STATE'S MEDICAID PROGRAM TO INCLUDE WAIVERS FOR HOME AND COMMUNITY BASED SERVICES," was adopted.

Standing Committee Report No. 932-82 (S.R. No. 15):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 932-82 was adopted and S.R. No. 15, entitled: "SENATE RESOLUTION REQUESTING THE FEASIBILITY OF ESTABLISHING STATE VETERANS HOMES ON THE ISLANDS OF HAWAII, MAUI, AND KAUAI," was adopted.

Standing Committee Report No.

948-82 (S.R. No. 93):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 948-82 was adopted and S.R. No. 93, entitled: "SENATE RESOLUTION URGING THE ENVIRONMENTAL PROTECTION AGENCY AND THE HAWAII STATE DEPARTMENT OF HEALTH TO CONSIDER REDUCING WATER QUALITY STANDARDS FOR SUGAR PRODUCERS ON HAWAII'S HILO COAST," was adopted.

Standing Committee Report No. 949-82 (S.R. No. 96):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 949-82 was adopted and S.R. No. 96, entitled: "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT A STUDY ON CULTURAL LIVE-IN PARKS," was adopted on the following showing of Ayes and Noes:

Ayes, 21. Noes, 2 (George and Anderson).  
Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 950-82 (S.R. No. 103):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 950-82 was adopted and S.R. No. 103, entitled: "SENATE RESOLUTION REQUESTING APPROPRIATE ACTION BY CONGRESS TO PROPOSE AN AMENDMENT TO THE CLEAN WATER ACT (P.L. 92-500) ELIMINATING THE REQUIREMENT OF A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES PERMIT) FOR WATER RELEASES FROM RESERVOIRS," was adopted.

Standing Committee Report No. 951-82 (S.R. No. 94)

Senator Cobb moved that Stand. Com. Rep. No. 951-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that S.R. No. 94 be adopted, seconded by Senator Anderson.

At this time Senator Kuroda rose and stated:

"Mr. President, I'd like to make reference to four resolutions that are before us.

"On page 9, Standing Committee Reports 951 and 952 on Senate Resolution No. 94 and Senate Concurrent Resolution

No. 66, and on page 10, on the same subject with regard to the proposed sale of Fort DeRussy, Standing Committee Reports 955 and 956, on Senate Resolution No. 129 and Senate Concurrent Resolution No. 82.

"I speak in support of the two resolutions on page 10 expressing opposition to the sale of Fort DeRussy. I am going to vote 'no' on the other two which proposes to ask the Federal Government to let Hawaii have 'first crack' if it sells Fort DeRussy. I had a discussion with the chairman and I would like to have this deferred one day for the chairman to probably reconsider and recommit these resolutions with regard to the sale, and if the members of the committee will concur, and inasmuch as we would like to have a stronger resolution go to Washington saying, 'we oppose the sale,' rather than saying, 'please consider Hawaii, if you sell.' We don't like to hint to them that we would like to have them consider selling it.

"So, I would like to ask for a deferment of one day, if the Chair would consider it, and if not, I'll vote 'no' on Senate Resolution 94 and Senate Concurrent Resolution No. 66."

At 12:36 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:38 o'clock p.m.

The motion was put by the Chair and carried, and S.R. No. 94, entitled: "SENATE RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS OFFERED FOR SALE," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (Kuroda).  
Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 952-82 (S.C.R. No. 66):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 952-82 was adopted and S.C.R. No. 66, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE FEDERAL GOVERNMENT TO GIVE THE STATE OF HAWAII THE FIRST RIGHT TO PURCHASE ANY FEDERAL PROPERTY IN THE FORT DERUSSY AREA IF THE PROPERTY IS FOR SALE," was adopted on the following showing

of Ayes and Noes:

Ayes, 22. Noes, 1 (Kuroda). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 953-82 (S.R. No. 127):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 953-82 was adopted and S.R. No. 27, entitled: "SENATE RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was adopted.

Standing Committee Report No. 954-82 (S.C.R. No. 80):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 954-82 was adopted and S.C.R. No. 80, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXCHANGE OF PARKS AND RECREATION AREAS, INCLUDING RELATED PERSONNEL, EQUIPMENT AND OTHER RESOURCES BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU," was adopted.

Standing Committee Report No. 955-82 (S.R. No. 129):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 955-82 was adopted and S.R. No. 129, entitled: "SENATE RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was adopted.

Standing Committee Report No. 956-82 (S.C.R. No. 82):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 956-82 was adopted and S.C.R. No. 82, entitled: "SENATE CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE FEDERAL GOVERNMENT'S PROPOSAL TO SELL FORT DERUSSY IN HAWAII AND URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES AND HAWAII'S CONGRESSIONAL DELEGATION TO TAKE APPROPRIATE ACTION TO PREVENT THE SALE OF FORT DERUSSY," was adopted.

Standing Committee Report No. 957-82 (S.R. No. 106, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 957-82 was adopted and S.R. No. 106, S.D. 1, entitled: "SENATE RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was adopted.

Standing Committee Report No. 958-82 (S.C.R. No. 74, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 958-82 was adopted and S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY INTO THE EXISTING DUTIES AND RESPONSIBILITIES OF THE REAL ESTATE COMMISSION AND TO DEVELOP RECOMMENDATIONS TO IMPROVE THE SERVICES TO LICENSEES AND THE PUBLIC," was adopted.

Standing Committee Report No. 966-82 (S.R. No. 89):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 966-82 was adopted and S.R. No. 89, entitled: "SENATE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS A PART OF KAPIOLANI PARK," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (George). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 967-82 (S.C.R. No. 62):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 967-82 was adopted and S.C.R. No. 62, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO TERMINATE ITS PLANS TO ACQUIRE THE RESIDENTIAL LOTS IN THE BLOCK BOUNDED BY MONSARRAT AVENUE, LEAHI AVENUE, NOELA AVENUE, AND PAKI AVENUE FOR USE AS A PART OF KAPIOLANI PARK," was adopted on the following showing of Ayes and Noes:

Ayes, 22. Noes, 1 (George). Excused, 2 (Ajifu and Yee).

Standing Committee Report No. 968-82 (S.R. No. 113, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 968-82 was adopted and S.R. No. 113, S.D. 1, entitled: "SENATE RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was adopted.

Standing Committee Report No. 969-82 (S.C.R. No. 77, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 969-82 was adopted and S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY DEPARTMENT OF PARKS AND RECREATION TO WORK TOGETHER WITH THE STATE DEPARTMENT OF TRANSPORTATION TO WORK TOGETHER IN RESOLVING THE ISSUE OF ACCESS TO HOOMALUHIA PARK," was adopted.

Standing Committee Report No. 972-82 (S.R. No. 132, S.D. 1):

On motion by Senator Cobb, seconded by Senator Anderson and carried, Stand. Com. Rep. No. 972-82 was adopted and S.R. No. 132, S.D. 1, entitled: "SENATE RESOLUTION RELATING TO THE SHORTAGE OF LICENSED NURSES," was adopted.

At this time Senator Anderson rose and stated:

"Mr. President, in retrospect, I'd like to say that this Legislature is great on passing resolutions, not substantive bills."

#### ADVISE AND CONSENT

Standing Committee Report No. 877-82 (Gov. Msg. No. 283):

By unanimous consent, action on Stand. Com. Rep. No. 877-82 and Gov. Msg. No. 283 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 878-82 (Gov. Msg. No. 286):

By unanimous consent, action on Stand. Com. Rep. No. 878-82 and Gov. Msg. No. 286 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 881-82 (Gov. Msg. No. 186):

By unanimous consent, action on Stand. Com. Rep. No. 881-82 and Gov. Msg. No. 186 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 882-82 (Gov. Msg. No. 187):

By unanimous consent, action on Stand. Com. Rep. No. 882-82 and Gov. Msg. No. 187 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 889-82 (Gov. Msg. No. 307):

By unanimous consent, action on Stand. Com. Rep. No. 889-82 and Gov. Msg. No. 307 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 892-82 (Gov. Msg. No. 159):

By unanimous consent, action on Stand. Com. Rep. No. 892-82 and Gov. Msg. No. 159 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 894-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 894-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 895-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 895-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 896-82 (Gov. Msg. No. 290):

By unanimous consent, action on Stand. Com. Rep. No. 896-82 and Gov. Msg. No. 290 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 923-82 (Gov. Msg. Nos. 105, 108, 189, 190, 194, and 195):

Senator Cobb moved that Stand. Com. Rep. No. 923-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of John K. Char, D.D.S., to the Board of Acupuncture, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Warren J. Makalii to the Board of Cosmetology, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Paul R. Hoffmeister to the Board of Acupuncture, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Donald F. Kaye and Otto M. Ah Ching to the Board of Barbers, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Esther C. Izu to the Board of Cosmetology, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Massage as follows:

George D. Curtis, term to expire December 31, 1985;

John R. Wheat, Jr., term to expire December 31, 1982; and

Ella Kuulei Takenouchi, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 924-82 (Gov. Msg. No. 110, 111, 113, 193, 238, 239, and 240):

Senator Cobb moved that Stand. Com. Rep. No. 924-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Edward Turner and Francis Y. Yamashiro to the Elevator Mechanics Licensing Board, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of William B.C. Hee and Kenneth C.W. Kwock to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Randall D. Souza to the Motor Vehicle Repair Industry Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of S.R. Schenck, Malcolm T. Koga and Marvin Sagum

to the Contractors License Board, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of John H. Sakamoto to the Board of Electricians and Plumbers, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Armando Q. Rollolazo and Jerry Michael Hiatt to the Board of Registration of Professional Engineers, Architects, Land Surveyors and Landscape Architects, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Toru Suzuki to the Motor Vehicle Repair Industry Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 925-82 (Gov. Msg. No. 277):

By unanimous consent, action on Stand. Com. Rep. No. 925-82 and Gov. Msg. No. 277 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 933-82 (Gov. Msg. No. 160):

Senator Cobb moved that Stand. Com. Rep. No. 933-82 be received and placed on file, seconded by Senator Anderson.

Senator Cobb then moved that the Senate advise and consent to the nomination of Walter Nunokawa, Ph.D., to the Advisory Council for Children and Youth, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 934-82 (Gov. Msg. No. 161):

Senator Cobb moved that Stand. Com. Rep. No. 934-82 be received and placed on file, seconded by Senator Anderson.

Senator Cobb then moved that the Senate advise and consent to the nomination of Conrad Hokama to the Advisory Council for Children and Youth, term to expire December 31, 1982, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 935-82 (Gov. Msg. No. 162):

Senator Cobb moved that Stand. Com. Rep. No. 935-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Julie-Ellen K. Simmons and Takumi Akama to the Civil Service Commission, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 936-82 (Gov. Msg. No. 163):

Senator Cobb moved that Stand. Com. Rep. No. 936-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to

the nominations to the Board of Trustees of the Deferred Compensation Plan as follows:

Valri Lei Kunimoto, term to expire October 27, 1982;

Robert E. Cooling, term to expire October 27, 1983;

Mitsuyoshi Fukuda, term to expire October 27, 1984;

Herbert M. Dias, term to expire October 27, 1985; and

Ronald N. Hirano, term to expire October 27, 1985,

seconded by Senator Anderson.

At this time, Senator Abercrombie then rose and stated:

"Mr. President, with respect to Standing Committee Report No. 936 and Governor's Message 163, the series of names of individuals who have been nominated to the Board of Trustees of the Deferred Compensation Plan, I think I want to speak in favor of their nomination but I would like to indicate for the record that I have a great interest in the deferred compensation plan.

"I think it's an excellent activity for the State of Hawaii to be engaged in. However, there is at the moment, a propensity, I think, on the part of the board to want to establish an independent administrator to manage the deferred compensation plan for employees, and it is my considered judgment that an independent administrator would cost the employees more money, both in the short and in the long run, and that it is in the interest of the board to find a major carrier who can absorb the administrative costs and make the necessary presentations to employees who wish to be part of the deferred compensation plan.

"I feel very strongly about it. I think that it is the state's obligation not to make it easy on itself in the sense of an independent administrator, but rather to do the necessary work to get a group which can handle the costs internally in terms of administration and benefit the people for whom the deferred compensation plan was put into effect, and that is to say our employees in this state.

"Thank you."

The motion was put by the Chair and carried on the following showing

of Ayes and Noes:

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

Standing Committee Report No. 937-82 (Gov. Msg. No. 164):

Senator Cobb moved that Stand. Com. Rep. No. 937-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Virgie Chattergy, Gerri Watanabe, Sandra L. Hammond and Henry V. Rosario to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 938-82 (Gov. Msg. No. 165):

Senator Cobb moved that Stand. Com. Rep. No. 938-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Daisy Mae Slagle to the Board of Vocational Rehabilitation, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 939-82 (Gov. Msg. No. 221):

Senator Cobb moved that Stand. Com. Rep. No. 939-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Glen Makakaulii Kila, Rodney Veary, Mildred Macugay and Jerry Susumu Hashimoto to the Advisory Council for Children and Youth, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing



of Ayes and Noes:

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

Standing Committee Report No. 940-82 (Gov. Msg. No. 223):

Senator Cobb moved that Stand. Com. Rep. No. 940-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Board of Vocational Rehabilitation as follows:

Frank E. Wherley, term to expire December 31, 1983; and

Laura T. Chock, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 941-82 (Gov. Msg. No. 262):

Senator Cobb moved that Stand. Com. Rep. No. 941-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations of Alice H. Kim and Roy R. Yonahara to the Advisory Commission on Manpower and Full Employment, terms to expire June 30, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 942-82 (Gov. Msg. No. 263):

Senator Cobb moved that Stand. Com. Rep. No. 942-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Marilyn Wong to the Board of Social Services and Housing, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 943-82 (Gov. Msg. No. 293):

Senator Cobb moved that Stand. Com. Rep. No. 943-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Beppie Shapiro to the Board of Social Services and Housing, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 944-82 (Gov. Msg. No. 294):

Senator Cobb moved that Stand. Com. Rep. No. 944-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Dean Edward Hutter to the Hawaii Employment Relations Board, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 945-82 (Gov. Msg. No. 236):

By unanimous consent, action on Stand. Com. Rep. No. 945-82 and Gov. Msg. No. 236 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 946-82 (Gov. Msg. Nos. 259, 260 and 261):

By unanimous consent, action on Stand. Com. Rep. No. 946-82 and Gov. Msg. Nos. 259, 260 and 261 was deferred until Thursday, April 22, 1982.

Standing Committee Report No.

947-82 (Gov. Msg. No. 302):

By unanimous consent, action on Stand. Com. Rep. No. 947-82 and Gov. Msg. No. 302 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 959-82 (Gov. Msg. Nos. 124 and 279):

Senator Cobb moved that Stand. Com. Rep. No. 959-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Miles A. Kinley to the Environmental Quality Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations to the Environmental Quality Commission as follows:

James W. Morrow, term to expire December 31, 1984;

Richard Santiago, term to expire December 31, 1985;

Jessie Hoomalu, term to expire December 31, 1985; and

Jake Manegdeg, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 960-82 (Gov. Msg. Nos. 125 and 202):

Senator Cobb moved that Stand. Com. Rep. No. 960-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Spencer R. Malecha, Ph.D., to the Animal Species Advisory Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Vincent Chuen-Sun Chang to the Animal Species Advisory Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 961-82 (Gov. Msg. Nos. 127, 128, 203, 204 and 205):

Senator Cobb moved that Stand. Com. Rep. No. 961-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Bruce Heidenfeldt to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Wallace H. Fujii to the Aquatic Life and Wildlife Advisory Committee, County of Maui, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nomination of Gerald H. Kang to the Aquatic Life and Wildlife Advisory Committee, County of Hawaii, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Edwin K. Yokouchi and Marvin Romme to the Aquatic Life and Wildlife Advisory Committee, County of Maui, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Glenn Y. Ikemoto and Herbert H. Honjo to the Aquatic Life and Wildlife Advisory Committee, County of Kauai, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 962-82 (Gov. Msg. No. 131):

Senator Cobb moved that Stand. Com. Rep. No. 962-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of John J.N. Springer to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 963-82 (Gov. Msg. No. 206):

Senator Cobb moved that Stand. Com. Rep. No. 963-82 be received and placed on file, seconded by Senator Anderson and carried.

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

of William L. Theobald, Ph.D., to the Natural Area Reserves System Commission, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 964-82 (Gov. Msg. Nos. 245 and 280):

Senator Cobb moved that Stand. Com. Rep. No. 964-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nomination of Alfred P. Fernandez to the Stadium Authority, term to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Senator Cobb then moved that the Senate advise and consent to the nominations of Wallace Fujiyama and R.J. Pfeiffer to the Stadium Authority, terms to expire December 31, 1985, seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 965-82 (Gov. Msg. No. 278):

Senator Cobb moved that Stand. Com. Rep. No. 965-82 be received and placed on file, seconded by Senator Anderson and carried.

Senator Cobb then moved that the Senate advise and consent to the nominations to the Environmental Council as follows:

Royce S. Fukunaga, term to expire December 31, 1982;

Arthur Jack Darvill, term to expire December 31, 1985; and

George Krasnick, term to expire December 31, 1985,

seconded by Senator Anderson.

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

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

Standing Committee Report No. 970-82 (Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300):

By unanimous consent, action on Stand. Com. Rep. No. 970-82 and Gov. Msg. Nos. 107, 112, 114, 115, 116, 117, 118, 121, 192, 196, 197, 198, 199, 200, 201, 241, 242, 275, 276 and 300 was deferred until Thursday, April 22, 1982.

Standing Committee Report No. 973-82 (Gov. Msg. Nos. 106, 119, 120, 122, 191, 237, 273 and 274):

By unanimous consent, action on Stand. Com. Rep. No. 973-82 and Gov. Msg. Nos. 106, 119, 120, 122, 191, 237, 273 and 274 was deferred until Thursday, April 22, 1982.

### THIRD READING

House Bill No. 1521, H.D. 1:

By unanimous consent, action on H.B. No. 1521, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAKE-OVER BIDS," was deferred until Thursday, April 22, 1982.

House Bill No. 1944-82:

By unanimous consent, action on H.B. No. 1944-82, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CODE OF MILITARY JUSTICE," was deferred until Thursday, April 22, 1982.

### FINAL READING

Senate Bill No. 397, H.D. 2:

By unanimous consent, action on S.B. No. 397, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred until Thursday, April 22, 1982.

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

The Senate reconvened at 12: 58 o'clock p.m.

The President then made the following

announcement:

"At this time the Chair would like to correct a statement made a few minutes ago. The timetable deadline for disagreement only pertains to bills and not to resolutions. My apologies for any misunderstanding that was referred to. The conferees on the functional plans are operating within the framework of the timetable and I am hopeful that we can get something together."

### RECONSIDERATION OF ACTIONS TAKEN

Senate Bill No. 536, S.D. 2, H.D. 2:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 536, S.D. 2, H.D. 2, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 536, S.D. 2, and S.B. No. 536, S.D. 2, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 536, S.D. 2.

Senate Bill No. 561, S.D. 2, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 561, S.D. 2, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 561, S.D. 2, and S.B. No. 561, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE REMOVAL OF SAND," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982, on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 561, S.D. 2.

Senate Bill No. 1447, S.D. 1, H.D. 2:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 1447, S.D. 1, H.D. 2, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1447, S.D. 1, and S.B. No. 1447, S.D. 1, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 1447, S.D. 1.

Senate Bill No. 1925, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 1925, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 1925, S.D. 1, and S.B. No. 1925, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYER-EMPLOYEE RELATIONS," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 1925, S.D. 1.

Senate Bill No. 2183-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2183-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by House to S.B. No. 2183-82, S.D. 1, and S.B. No. 2183-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-

TERM CARE FACILITIES," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2183-82, S.D. 1.

Senate Bill No. 2224-82, S.D. 2, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2224-82, S.D. 2, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2224-82, S.D. 2, and S.B. No. 2224-82, S.D. 2, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2224-82, S.D. 2.

Senate Bill No. 2304-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2304-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2304-82, S.D. 1, and S.B. No. 2304-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYING," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2304-82, S.D. 1.

Senate Bill No. 2334-82, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No.

2334-82, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2334-82, and S.B. No. 2334-82, H.D. 1, entitled: "A BILL FOR AN ACT PROVIDING PENALTIES FOR VIOLATIONS OF CHAPTER 290 RELATING TO ABANDONED VEHICLES," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2334-82.

Senate Bill No. 2524-82, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2524-82, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2524-82, and S.B. No. 2524-82, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2524-82.

Senate Bill No. 2636-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2636-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2636-82, S.D. 1, and S.B. No. 2636-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMED CONSENT," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2636-

82, S.D. 1.

Senate Bill No. 2913-82, S.D. 1, H.D. 1:

Senator Cobb moved that the Senate reconsider its action on S.B. No. 2913-82, S.D. 1, H.D. 1, taken on April 8, 1982, seconded by Senator Anderson and carried.

On motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate agreed to the amendments proposed by the House to S.B. No. 2913-82, S.D. 1, and S.B. No. 2913-82, S.D. 1, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was placed on the calendar for Final Reading on Friday, April 23, 1982.

The President then discharged the Managers who were appointed on April 8, 1982 on the part of the Senate for the conference to consider the amendments proposed by the House to S.B. No. 2913-82, S.D. 1.

At 1:00 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:02 o'clock p.m.

At this time, Senator Uwayne, Chairman of the Committee on Human Resources, requested a waiver of the 48-hour notice of a Public Hearing on the following message:

Gov. Msg. No. 321, submitting for consideration and confirmation to the Hawaii Public Employment Relations Board, the nominations of James Carras and Mack H. Hamada,

and the President granted the waiver.

#### RECONSIDERATION OF ACTION TAKEN

Standing Committee Report No. 749-82 and House Bill No. 1971-82, H.D. 1, S.D. 1:

Senator Yamasaki moved that the Senate reconsider its action taken on April 2, 1982 on Stand. Com. Rep. No. 749-82 on H.B. No. 1971-82, H.D. 1, S.D. 1, seconded by Senator Anderson and carried.

Senator Yamasaki then moved that the Senate reconsider its action taken on April 5, 1982 on H.B. No. 1971-82, H.D. 1, S.D. 1, seconded by Senator Cobb and carried.

On motion by Senator Cobb, seconded

by Senator Anderson and carried, Stand. Com. Rep. No. 749-82 was adopted and H.B. No. 1971-82, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading and was placed on the calendar for Third Reading on Friday, April 23, 1982.

At 1:03 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.

At this time, Senator Cayetano rose and addressed the members of the Senate as follows:

"Mr. President, I rise on a point of personal privilege.

"Mr. President, all of us have been working very hard through the evening and in the morning. I was rather sleepy this morning coming to session, but someone gave me a copy of a speech given by our Prosecutor in Maui before the Wailea Rotary Club which just about cleared my sinuses. Now, I'd like to talk a little bit about the speech.

"In his usual McCarthy/McCarthy style--Joe McCarthy and Charlie McCarthy--the Prosecutor has gone and lambasted every politician in this state, our judiciary and anybody but himself, and of course the people who vote for him. In particular, he is being very critical of the chairman of the House Judiciary Committee, Yoshi Nakamura and he is also very critical of House Speaker Henry Peters. I'm not going to speak in their defense. They're big boys and can defend themselves. He is also very critical of another politician which he refuses to name. Somehow, I get the feeling that it's me.

"Let me read and quote to you a paragraph from his speech. After referring to a bunch of 'half-assed' politicians, the Prosecutor said, and I quote:

'In fact, we even have one politician, a member of the legislature, who has an abiding concern for a judge, and I use the word loosely, Acoba. He, the politician, told one of my deputies to pass the word that if I didn't stop talking about judges I was going to be disbarred. I won't mention his name but you can easily recognize him by his "Hotel Street" haircut.'

"Now, Mr. President, I don't know what it is about Mr. Marsland...we

know he is against cockfighting; he's against the only Filipino judge we have in this state; and he's picking on the only Filipino senator we have. But what really bugs me is for him to pick on my barber, Eddie, who also, Mr. President, happens to be of the same ethnic extraction as myself and Judge Acoba.

"I get the feeling that he's talking about me because he says, 'has an abiding concern for Judge Acoba,' well, it's true. I have a tremendous respect for Judge Acoba. I shared offices with him for about nine years. I think he is a man of great integrity and legal ability. Frankly, I don't think that the Prosecutor is qualified even to carry the Judge's jockstrap after the Judge runs, or rather, ran the Honolulu Marathon. And I did tell one of his deputies to pass the word that if he didn't stop talking about judges I felt he was going to be disbarred. Specifically, what I said then, Mr. President, was that if he didn't stop lying about our judges he would be disbarred.

"You remember, the man once, in a speech given in Hilo, accused some of our judges as being in the hip pocket of the syndicate and unfortunately, he did not, in the true American fashion, follow up with proof. So, I thought it was a bit unfair and I did mention it to one of his deputies that if that kind of thing kept up, I felt that he was going to be disbarred. But, my barber Eddie, Mr. President, is a good man. He obeys the law, he has children, and he works very hard. Before he goes to work, I'm sure he kisses his wife, his children and even his dog. But one thing about Eddie, Mr. President, is that he cuts my hair. And that means, that when Eddie cuts my hair he has a pair of scissors in his hands.

"Now, Mr. President, you know that if you get a judge who is Filipino angry at you, the most he can do is to rule against you, and if you get a politician who happens to be Filipino angry at you, the most he can do is talk against you. But, to get a Filipino barber angry, you better guard your ears. The last time Eddie got angry, and he was cutting my hair...I had a different haircut at that time, as you know, and I hope none of you think that I have this hairdo simply because I like to cover my ears. I'm just deathly afraid of going back to get a haircut from Eddie when he finds out what Charles Marsland said about him because I know one thing, Eddie is going to be hopping

mad when he learns that his haircut has been described as a Hotel Street haircut. So, if you know of another barber that I can go to..."

The President then replied:

"His name is Harold. But seriously, in keeping with your remarks, Senator Cayetano, I also just received a copy of the Prosecutor's comments and I'd like to look at it and perhaps have something to say later on."

Senator O'Connor then rose and stated:

"Mr. President, I was going to give the speech that Senator Cayetano just gave because I've been sitting behind him all year long and I've been watching that haircut grow. It didn't start out this year as a Hotel Street haircut. It was sort of upper Beretania Street when he started the year out. I take issue with Prosecutor Marsland because it has only gotten down to around Kukui, I think, so far, and if we get back to Eddie in a big hurry, it will never get down to the Hotel Street situation again.

"I've been hearing stories about some of the hairdos on Hotel Street, and I understand that most of those hairdos that are at least on the male variety of people, come off at night because they're wigs. Now, I know that Senator Cayetano's doesn't come off at night, so hopefully he'll get back to Eddie and will get back on Vineyard Street where he belongs.

"But, I think that you're right, Mr. President, Mr. Marsland should certainly be brought to task; however, I thought that maybe I might employ his speech writer for putting together a speech for me at the end of the session. I just would like to read another section of his speech which isn't very happily constructed for most of the members of this body. It says:

'As I speak of the Speaker of the Legislature, please understand we do not speak of all members of that body. I speak only of the powerful group that controls the Senate, and don't kid yourselves, the Legislature is controlled lock, stock and barrel, by a few arrogant imperialists and ambitious egotists who don't give a damn what you want. The electorate is deeply concerned about crime, but there are others who are equally concerned to seeing the criminal justice system imbalance remains unchanged. I wonder who the legislative power block listens to, or even a more intriguing question, why? Whatever

the answer, you, the electorate has once again been had.'

"Very interesting speechwriting, and I think it certainly should be investigated.

"Thank you, Mr. President."

At 1:17 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 1:20 o'clock p.m.

#### RE-REFERRAL OF HOUSE BILL

The President re-referred House Bill No. 1558, H.D. 2, which was received on April 1, 1982, to the Committee on Judiciary.

Senator Anderson then rose and stated:

"If I may, Mr. President. It's my understanding, Mr. President, as a member of the conference on the budget that we haven't yet finished. I'm also informed by staff, Mr. President, that if the budget isn't put on the computer in just about an hour, an hour-and-a-half, maybe two hours, the mechanics of finishing up the budget tonight are almost impossible. It's my understanding also, because of the time I spent here, that the House and the Senate are still apart on some of the grants-in-aid -- far apart, and it appears in all likelihood there's going to be an extension.

"Now, an extension is something that the public, Mr. President, has come to accept, I think, or project. What the public probably perceives of the Legislature, what they think of us in our extensions and our nonsense that goes on down here, sometimes isn't all that wrong. My fear, Mr. President, as a member of the State Senate, is that we sat around for seven days after you appointed the conferees...seven days, with no word from the House, and then we sat around for another five days when they finally appointed their conferees, and your administrative assistant tells me that even as of that day there were still five bills for which the House had not appointed conferees, up to that time, and this was the April 15th calendar.

"So while we sat around for almost two weeks waiting for the House to go to conference on major bills, we've had to cool our heels, and that's all right, we've done that



before. What I'm fearful of, Mr. President, is most of the, what I call, people bills, the bills that impact the public of this state -- the ones that they wanted. Capital punishment, we moved here, not once, but on two occasions. Initiative, the lottery, the tourist tax, fireworks ban...all of the major bills that the people and the public of this state wanted to have, died in the House with no hearings, no consideration.

"Even the functional plans that some in this very room predicted that the Senate would hold back from the Governor and be a detriment to its passage were passed. 2720 which became the controversial bill went over there. They didn't disagree like the parliamentary procedure allows, where you then disagree and put it into conference where it's on the table. They froze it in committee like all of the other major bills.

"The functional plans went over with this linkage that was discussed on this floor. Again, we didn't get back the twelve functional plans; we got back only eleven. So, the Senate here is still waiting today, Mr. President, for an opportunity to sit down with the House and discuss the functional plans the Governor wanted so badly. I believe in all honesty that in our commitment that we will indeed pass the functional plans. And I will say for the record and for the public, that the Governor, in the meeting with us had no disagreement in our intent, in our design that they were to be in fact, guidelines and not mandates. In fact the problem was in the House and some of their members who conceive those plans to be mandates and not guidelines.

"So, the problem in passing the functional plans has no bearing, no responsibility in this house. The problem in the passage of these functional plans is strictly over in the other House, and that's where the blame should lie. Last year, Mr. President, we did our major budget, about a billion and a half dollars. We put that to bed in about six days. We have been sitting up in the House conference room, Mr. President, for six days now for a \$25 million supplemental budget...\$25 million, Mr. President, versus a billion and a half.

"I will say that this nonsense of passing, and passing, and passing, and passing every major, controversial, emotional issue, comes from this open-door sunshine. Last year, we were criticized for taking a subcommittee behind closed doors and making the decisions. Had this procedure been

allowed this year, this could have been resolved in the second day and this \$25 million budget would have been put to rest. But, because the public is sitting there, as they should, it's witnessing who may and might not cut a particular program or a particular area of concern. Nothing gets done.

"I will say in all honesty that the chairman of the House Finance Committee is incapable for whatever reasons of making decisions with the Senators across the table. The Senators I will say with pride, have sat there night after night and day after day after day and argued the merit of their particular cuts or expansions. We have done our homework and it's almost become embarrassing to watch the House members sit and stare and understand or try to understand what is going on. And then, of course, the chairman sits there and recesses for 15 to 20 minutes, and three hours later you're still sitting there, sitting on your thumbs, waiting for them to come back from their so-called caucus.

"I don't think it's any secret, of course, the Speaker is calling the shots. The Speaker for some reason has control over that 51-member House body where there is no individualism; there is no independence; there is no right to think in the House; and this is so sad. It's sad, Mr. President, because for the first time we have the public sitting in these conferences with this sunshine, open-door constitutional amendment.

"We have the public, Mr. President, sitting there now for six nights...a lot of handicapped in wheelchairs who are very much concerned about the cuts to their programs. They've been there around the clock for six nights and there has been no courtesy extended to those poor people, and there's been no courtesy extended to the public in delving in and resolving their particular issues so that they may go home and go to bed.

"We have had people, most sincere and most interested, from the Legal Aid Society, very much aware and concerned about the cuts, potential cuts that might come into the Legal Aid Society, and they've been there for five to six nights around the clock, waiting for this nonsense across the table and the jockeying that goes on, and this is irresponsible action. It's the most irresponsible act we will make. I will say, Mr. President, that when this session adjourns Monday or Tuesday, for

whatever reason the Speaker may have in mind, the only bill that's going to emerge with any popularity in the Legislature and none in the public is that so-called controversial 'pay bill.'

"Now, that is a shame. After working 60 days and spending some \$4 to \$5 million in public money, to have all the people bills die and only the pay bill come out is absolutely criminal. We were willing to consider the pay bill as part of a package. Had the pay bill come out with capital punishment, initiative, and lottery, and the fireworks ban, it might have been acceptable in part of a package, a people's package. But that one bill, Mr. President, is going to single out, and we're going to have it hanging around our necks, and I'm going to say, Mr. President, that all these House bills on my desk, I'm having my staff as I've told you I would...many of these are on my desk illegally because they did not fulfill the 48-hour Constitutional Convention provision where they must clock on the House Clerk's desk, legislative desk, for 48 hours.

"I'm going to earmark those out before the week's out and I will tell you, Mr. President, as I stand here right now that I will not be a party to having only one bill come out to be hung around anybody's neck, as far as I'm concerned, in this State Senate and that's the pay bill. If that bill or any other bill, is not on my desk before tomorrow night, Friday, I'm going to have second thoughts about sitting here Monday and Tuesday and supporting legislation that we had plenty of time to resolve in the 60 days. We have not been at fault in this house. We have accordingly worked with our schedule, our agenda and our self-imposed timetable has been adhered to, and there isn't a person in the world...I think the Speaker for whatever reasons or games he is playing ought to take a second look at his credibility. He ought to take a second look at the poor publicity he's bringing on all of us as legislators.

"The public doesn't commit or criticize House members, they say 'damn politicians.' Their actions reflect on us and our actions, of course, reflect on them. The public is going to say, 'damn politicians, what do you expect; another extension, now what do you think?' Well, there is no reason for it, and I think it's incumbent on the press as they write these stories...I think it's the responsibility of the media to check the agendas.

"We will be here Monday at no fault of our own, and I do not think it's right, Mr. President."

Senator Cobb then rose and stated:

"Mr. President, since we have an extension as alluded to by the Republican Floor Leader, that would be the third extension in three years. I don't see any excuse for it, although I recognize very clearly that the members of the Ways and Means Committee and the Finance Committee have worked yeoman's hours all night, all day for the last six days. There's been entirely too much game playing going on in the House--a delay in naming conferees, a delay of meeting, delay by caucus, delay item by item, delay in pass, pass, pass. There is a new word for 'no' in the Conference Committee; it's called 'pass,' we don't agree.

"Mr. President, we are sent here for 60 days of legislative work. This represents now the third year in a row that the Legislature is likely to have an extension. So, I want to serve notice here and now, that I will not be a party to it; and two, that any bill that is not decked within the deadline agreed upon by the two houses within that 60 days, I will be voting 'no' on and I will urge any Senator to do likewise.

"It's only when we begin living within our deadline and getting out of here on time that we can begin to restore some measure of public confidence.

"Thank you."

Senator Abercrombie then rose and stated:

"Mr. President, I move to adjourn."

The President then responded:

"Senator Abercrombie, before that, let other people speak, if you don't mind."

Senator Abercrombie then continued:

"Mr. President, I think a move to adjourn, if you have a second, I think you have to vote on it."

The President then replied:

"Senator Abercrombie, there is a motion on the floor, however it's not the motion to adjourn. There is also no second to your motion."

Senator Abercrombie then stated:

"Okay then Mr. President, I rise on a point of personal privilege.

"I wish everybody who's not on the Ways and Means Committee would stop giving us so much help!"

Senator Cayetano then rose and stated:

"Mr. President, I'm going to have to take issue with Senator Cobb and Senator Anderson. First of all, with due deference and credit to our Ways and Means chairman, who has sat there throughout these conference meetings and negotiations like a rock, while those of us who have less endurance would go down to our offices and sleep, and also with due deference to the chairman of the Finance Committee, Representative Kunimura, I don't think that we are where we are for a lack of effort on the disagreements on the budget.

"Frankly, I've been very pleased with how the conference has been going. There's been a lot of give and take. I think that the Senators have been a bit better prepared on the issues, but that is my opinion. This extension, if it comes about, has been in part, because your Senators who are on the Conference Committee have been fighting very hard to maintain the Senate position. I am one of them, I think, who has caused a lot of hang-ups in terms of resolving disagreements because I firmly believe in the Senate position.

"This afternoon, we are going upstairs and try to work out disagreements on grants-in-aid, for example. The Senate position in my particular committee is a much harder position to maintain politically, but because I believe in it and because I've had the cooperation and the chairman of the Ways and Means Committee has placed full faith and credit in the chairmen of the subject matter committees, I'm going to go up there and do the very, very best I can.

"So please, as Senator Abercrombie stated earlier, we really don't need this kind of help. If we are to go out earlier, we can do without this kind of talk by those who weren't there for the many hours that we were there."

Senator Cobb then rose and stated:

"Mr. President, I've been there as an observer off and on for quite sometime, in addition to handling almost 40 conference reports myself. I think we have to go back to the situation that we once faced in the House, when we asked ourselves the question: 'Do we really want to stick around

for a budget, or do we want to get out on time and follow our deadlines, even if that means no budget?' We made a decision like that once before, and I know that after we did so, the next three sessions of the Legislature, we got out on time. I think that message has to be given to everyone concerned.

"I am not in any way, shape or form, criticizing the work of the Ways and Means Committee. I think the problem goes to the slowness of the appointment of conferees. I recognize that there's a tremendous amount of detail. I sat there till 4:30 this morning, watching what went on in that conference. I've been there night after night and getting in trouble with my wife for doing it, as I'm sure a lot of us have.

"Mr. President, if we have a deadline, we have an obligation to follow it. And, for the last three years in a row, that has not happened. I say, enough is enough!"

Senator Abercrombie then rose and stated:

"Mr. President, I'm well satisfied with the leadership of the Ways and Means Committee and, quite frankly, of the four years that I have been privileged to serve in the Senate and on the Ways and Means Committee and in budget conferences, this is the best conference that I have been to. It is lengthy, it's true, but, it is lengthy because the issues are being discussed in a more rational manner than I have witnessed in the past in the sense that the people are well informed and articulate their positions and hold them, and yes, we're passing on things because we're having these kinds of discussions.

"It's far better for us to take a day or two to get things right, whether it's 25¢, \$25 million or it's \$25 billion, than to rush through something that would result in positions which we might find ourselves having great regrets about later on. Very frankly, I cannot speak for everyone on the committee, but I think that I have the sense of those who have been there. Even when we've had disagreements, the atmosphere in the room is one that is conducive to accomplishing a job or work and if it takes some time to get that accomplished, then that's perfectly alright with me because I think the work product in the end will be what we need.

"The last thing in the world we need is to say we're not going to

have this budget. It may be only \$25 million, much less than the other one, but there are items in that budget that are absolutely crucial to the fiscal and social well-being of this state, and I have every confidence in not only the chairman's endurance, but in his good sense as he conducts this conference and I'm proud to be there with him. Also, I'm very happy to be across from the people on the other side who recognize that this good work is being done."

Senator Yamasaki then rose and stated:

"Mr. President, I know that this is a very tense moment for everyone. I think that we ought to allow the conferees to meet and continue to finish their work. I also think that these harsh statements made on this floor should be withdrawn, if possible, so that we can have a friendlier atmosphere upstairs."

"We have pledged to the conferees of the House that at 2:30 this afternoon we will be back there to continue and see if we can wind up our conference for this year."

"Thank you."

Senator O'Connor then rose and stated:

"Mr. President, it is with regret that I hear Senator Anderson's announcement that we are going to have an extension of this year's session. And, it is with that regret that I hear him blame certain people who have been working long and difficult hours in attempting to put together this supplemental budget. And, it is with regret that I see a leadership situation in this body which should have worked to foresee and to take care of the problems that he raised in his discussion earlier, some time ago, or at least within the last few days, in order to insure that this would not happen. And finally, it is with regret that I have witnessed an hour of debate over that regrettable speech, when the committee could have been upstairs concluding their budget deliberations. Let's get this back to the committee and get them upstairs so that we can finish this budget!"

The President then stated:

"The Chair would like to make an observation. In echoing Senator Yamasaki's comments, I know it's very frustrating. Many of us have been working long hours, and I know there is a great amount of not only tension, but a great amount of ego and pride being tossed

back and forth across the table. This makes it difficult to arrive at conclusions. I happen to agree with the previous speaker that I would like to have the conferees go back. I know that the appointed hour is drawing near."

"We have mechanical shortcomings which are beyond our control, and it is hoped that when they reconvene at 2:30, perhaps, something will happen that will help us to wrap up the budget, let's say, by 4:00 or 5:00 o'clock this evening. If this is accomplished, there is a very strong possibility that a budget can be decked this evening for final passage on Friday."

"I do want to take one exception with the previous speaker in that I too am concerned about communication with the leadership across the hall on the process of naming conferees to committees, I think we'll have to look at that, whoever the presiding officer will be next year in the Senate or in the House, and arrive at some preliminary understanding on the naming of conferees at the earliest possible time. Then, it would afford conferees an opportunity for greater flexibility in terms of time to work out the problems."

"As I mentioned a week ago, this is the first session in my 16 years here at the Legislature that I see some 90 House bills in conference and 40 Senate bills in conference for a total of roughly 130 bills. I think the problem goes deeper than what we have discussed this morning and I hope that next session we will be able to alleviate this problem. That is, that I have the feeling that there is a tremendous amount of mistrust between the Senate and the House even in communicating our differences. It is hoped that the next presiding officers, whoever they may be, will be able to work this out on a strictly procedural basis aside from the names and issues that are involved at the Legislature."

"I am in total agreement with Senator Yamasaki. I think what was said here was said in most cases, out of frustration and a feeling of 'here we go again.' But, I would like, at this time, to ask every member of the Senate, at least for the next two and a half hours, to do what they can in assisting Ways and Means in wrapping up the budget. And, I would like at this time, if there be no further objections, I would like to entertain a motion to adjourn

the Senate, such motion to provide that the Journal be left open to receive all conference committee reports."

At 1:50 o'clock p.m., on motion by Senator Cobb, seconded by Senator Anderson and carried, the Senate stood in recess for the purpose of

receiving Conference Committee Reports and any other communications.

#### ADJOURNMENT

At 12:00 midnight, the Senate adjourned until 11:30 o'clock a.m., Thursday, April 23, 1982.